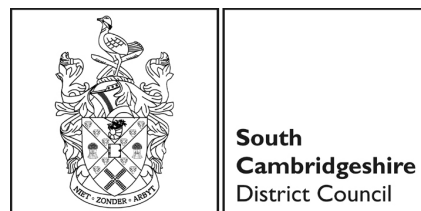


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29 November 2005

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

Dear Councillor

You are invited to attend the next meeting of **DEVELOPMENT AND CONSERVATION CONTROL COMMITTEE**, which will be held in the **COUNCIL CHAMBER** at South Cambridgeshire Hall on **WEDNESDAY, 7 DECEMBER 2005** at **10.10 a.m.**

Yours faithfully
GJ HARLOCK
Finance and Resources Director

AGENDA

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

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

	PAGES
PROCEDURAL ITEMS	
1. APOLOGIES	
2. MINUTES OF PREVIOUS MEETING To authorise the Chairman to sign the Minutes of the meeting held on 2 nd November 2005 as a correct record. These Minutes were printed in the Council agenda for the meeting on 24 th November 2005, and can be found on the Council's website.	1 - 8
PLANNING APPLICATIONS	
3. S/2102/05/F - BOURN	9 - 12
4. S/1954/05/F - COMBERTON	13 - 18
5. S/1955/05/F - COMBERTON	19 - 26
6. S/2022/05/O - RAMPTON	27 - 30
7. S/1260/05/F - GAMLINGAY	31 - 38

8.	S/1993/05/F - GIRTON	39 - 40
9.	S/1741/05/O - HARDWICK	41 - 44
10.	S/1237/05/F - HARSTON	45 - 48
11.	S/1869/05/F - HISTON	49 - 54
12.	S/1953/05/F - HISTON	55 - 58
13.	S/1613/05/F - LINTON	59 - 62
14.	S/1907/05/O - LONGSTANTON	63 - 68
15.	S/2118/05/F - GT & LT CHISHILL	69 - 74
16.	S/2006/05/F - MELBOURN	75 - 82
17.	S/2041/05/F - ELSWORTH	83 - 88
18.	S/1879/05/F & S/2080/04/F - SAWSTON	89 - 94
19.	S/1203/05/LB & S/1204/05/F - ABINGTON PIGOTTS	95 - 106
20.	S/1785/05/F - STAPLEFORD	107 - 110
21.	S/1608/05/LB & S/1609/05/F - GT SHELFORD	111 - 120
22.	S/1581/05/F - GREAT SHELFORD	121 - 136
23.	S/2105/05/F - FEN DITTON	137 - 140
24.	S/2040/05/F - FEN DITTON	141 - 146
25.	S/1744/05/F - THRILOW	147 - 154
26.	S/1898/05/F - WEST WRATTING	155 - 160
27.	S/2079/05/F - CASTLE CAMPS	161 - 164
	APPEALS AND STATISTICS	
28.	APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION	165 - 172
	INCIDENTAL ITEMS	
29.	MAJOR APPLICATIONS	173 - 176
30.	TREE PRESERVATION ORDER IN CALDECOTE, AND SUGGESTED FUTURE PROCESS	177 - 180
31.	CAMBOURNE MASTERPLAN	181 - 184

EXCLUSION OF PRESS AND PUBLIC

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

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

PLEASE NOTE!

Some development control matters in this Agenda where the periods of consultation and representation may not have quite expired are reported to Committee to save time in the decision making process. Decisions on these applications will only be made at the end of the consultation periods after taking into account all material representations made within the full consultation period. The final decisions may be delegated to the Planning Director.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

At a meeting of the Development and Conservation Control Committee held on
Wednesday, 2 November 2005 at 10.00 a.m.

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

Councillors MJ Mason and TJ Wotherspoon were in attendance, by invitation.

1. CHAIRMAN OF THE MEETING

In the absence of Councillor Dr. JPR Orme, Councillor NIC Wright (Vice-Chairman of the Development and Conservation Control Committee) took the Chair for the duration of the meeting.

2. APOLOGIES

Apologies for absence were received from Councillors Mrs J Dixon, HC Hurrell, Dr JPR Orme, JH Stewart and RJ Turner.

3. APPOINTMENT OF VICE-CHAIRMAN FOR THE MEETING

Councillor NIC Wright proposed that Councillor Mrs JM Healey be appointed Vice-Chairman of the meeting. This was seconded by Councillor SGM Kindersley and it was

RESOLVED That Councillor Mrs JM Healey be appointed Vice-Chairman of the meeting

4. MINUTES OF PREVIOUS MEETING

The Committee authorised the Chairman to sign, as a correct record, the Minutes of the meeting held on 5th October 2005.

5. S/1845/05/F - STAPLEFORD

REFUSED, as amended by plans date stamped 27th October 2005, contrary to the recommendation contained in the report from the Director of Development Services. Members considered that, by virtue of the size and scale of the proposed houses, the development would be out of keeping with the character and appearance of development along this section of Hinton Way.

6. S/1608/05/LB AND S/1609/05/F - GREAT SHELFORD

WITHDRAWN from the agenda.

7. S/1209/05/F - LITTLE SHELFORD

DELEGATED REFUSAL contrary to the recommendation contained in the report from the Director of Development Services, subject to independent highways advice (in accordance with protocol) endorsing the Committee's reason for refusal based on concern about traffic flow and use of the existing access onto Church Street as the sole access for the existing restaurant and residential accommodation on the site. Otherwise, the Council could be faced with paying costs at appeal should it not be able to provide substantive evidence to support a Highway objection. Having visited the site, Members cited concerns over the adequacy of car parking provision and loss of open space in the Conservation Area as further reasons for refusal. Members requested that, should the independent highways advice not be supportive of a refusal on highways grounds, the application should be presented again to a future meeting of the Committee.

8. S/1447/05/F - HORNINGSEA

REFUSED contrary to the recommendation contained in the report from the Director of Development Services. Having visited the site, Members expressed reservations about the proposed design, especially of the flat-roofed element, and considered that the proposal would not complement existing buildings adjacent to the site, and would detract from the Conservation Area. It therefore conflicted with Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and SE5, EN30 and EN31 of the South Cambridgeshire Local Plan 2004.

9. S/1744/05/F - THRILOW

DEFERRED for a site visit.

10. S/1715/05/F - WILLINGHAM

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

11. S/1747/05/F - WILLINGHAM

APPROVAL, as amended by an e-mail dated 12th October 2005 from the applicant, for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein.

12. S/1644/05/A - WILLINGHAM

APPROVAL of the lantern closest to the entrance door, subject to the Conditions referred to in the report from the Director of Development Services.

REFUSED consent for the lantern on the western end of the front elevation because it would result in unnecessary light pollution and visual clutter when viewed in conjunction with existing signage and the adjacent street light and, therefore, have a negative impact on the character and appearance of the Conservation Area, thus conflicting with Policy EN39 of the South Cambridgeshire Local Plan 2004.

13. S/1710/05/F - WILLINGHAM

APPROVAL, as amended by plans (90) 01A and (21) 02A dated 11th October 2005 and

plan dated 21st October 2005, for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein.

14. S/1771/05/F - LOLWORTH

REFUSED in line with the amended recommendation contained in the report from the Director of Development Services, on the grounds of the scale of development and the need to protect the horse chestnut tree on site. Members noted that service of the Tree Preservation Order was imminent.

Mrs Louise Milbourn, Chairman of Lolworth Parish Meeting, addressed the Committee.

15. S/1732/05/F - DRY DRAYTON

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

Councillor SM Edwards declared a personal and prejudicial interest in this application because his business rents a unit nearby on the Industrial Estate, and withdrew from the Chamber prior to its consideration. He took no part in the debate and did not vote.

16. S/6310/05/O - CAMBOURNE

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

17. S/1709/05/F - COTTENHAM

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

18. S/1674/05/RM - DUXFORD

APPROVAL of Reserved Matters (siting, design and external appearance of the buildings) as amended by plan date stamped 31st October 2005, pursuant to outline planning permission dated 14th June 2004, reference S/0791/04/O, for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein.

Councillor Mrs HM Smith declared a personal and prejudicial interest in this application due to her friendship with the occupier of 53 Moorfield Road, and withdrew from the Chamber prior to its consideration. She took no part in the debate, and did not vote.

19. S/1787/05/F - FOWLMERE

APPROVAL for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein (Condition 3 requiring window additionally to be non-opening)

20. S/1818/05/F - GIRTON

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

Councillor SM Edwards declared a personal interest in this application by virtue of being a customer of the applicants.

21. S/1650/05/O - HARSTON

REFUSED for the reasons set out in the report.

22. S/1237/05/F - HARSTON

DEFERRED for a site visit and for further information, including details of ownership of New Road.

23. S/1651/05/RM - IMPINGTON

REFUSED contrary to the recommendation contained in the report from the Director of Development Services. Members considered the proposal to be of poor design.

24. S/1544/05/F - SHEPRETH

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

25. S/1809/05/PNT - FEN DRAYTON

PRIOR APPROVAL for the siting and appearance of the telecommunications monopole and associated development, subject to its colour being determined by officers.

26. S/1713/05/O - TEVERSHAM

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

27. S/1669/05/F - TEVERSHAM

DELEGATED APPROVAL / REFUSAL. Delegated approval was given for the reasons set out in the report from the Director of Development Services, subject to there being no new significant objections to the revised plans; to the prior completion of a Section 106 Legal Agreement securing affordable housing; public art and an education contribution; to the Conditions referred to in the report and to an additional Condition requiring the provision of individual refuse bins. Should any of these requirements not be met, the application would be refused.

28. S/1839/05/F - GREAT ABINGTON

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 provision of spaces on site for construction vehicles during the construction period.

29. S/1499/05/F - GREAT ABINGTON

APPROVAL for the reasons set out in the report from the Director of Development Services presented to the Committee's meeting on 5th October 2005, and subject to the Conditions referred to in the October report

30. S/0733/05/F - CROYDON

DELEGATED APPROVAL for the reasons set out in the report from the Director of Development Services, and to an additional reason being compliance with Policy HG11 of the South Cambridgeshire Local Plan 2004; subject to the prior completion of a Section

106 Legal Agreement securing the submission and implementation of a landscape and boundary treatment scheme; which shall include the protection of trees during demolition and construction and the retention of trees and hedgerows identified within the scheme in perpetuity, and to the Conditions referred to in the report.

31. S/1273/05/F - GAMLINGAY

APPROVAL contrary to the recommendation contained in the report from the Director of Development Services. Members considered that the proposal was in keeping with the character of the locality, accorded with the Village Design Statement for Gamlingay, and respected the agricultural heritage of the area. The application complies therefore with Policy HG15 of the South Cambridgeshire Local Plan 2004.

32. 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 summary relating to 44 Station Road, Histon, Councillor MJ Mason declared a personal interest as the appellant had registered two complaints against him.

- Appeals received
- Local Inquiry and Informal Hearing dates scheduled before the next meeting on 7th December 2005
- Appeals withdrawn or postponed
- Advance notification of Local Inquiry and Informal Hearing dates (subject to postponement or cancellation)

33. APPEAL STATISTICS AND GRAPHICAL DATA

The Committee noted a report on Appeal Statistics covering the period from 1st July 2005 to 30th September 2005, together with a variety of graphical representations of statistics for the year and three-month period ended 30th June 2005.

The Deputy Director of Development Services commended the statistics in the context of the staffing levels currently being faced within the Development Services Department. He particularly highlighted the backlog of "informals" that was resulting in complaints being received. A temporary revised acknowledgment letter was being used to explain the current difficulties resulting from the freezing of three key Development Control posts. Should it be possible to fill these posts, then the Council would stand a chance of getting closer to the nationally recommended case load of an average of 150 applications per post (at present, the South Cambridgeshire District Council average case load stood at 186, and this would drop to about 160 were the posts to be filled). On behalf of the Committee, the Chairman of the Meeting paid tribute to the continued high quality of work undertaken by officers.

Councillor SGM Kindersley reaffirmed the Council's obligation to be realistic and effective in determining applications.

34. PERFORMANCE CRITERIA

Members noted a report on performance criteria.

35. UNDETERMINED APPLICATIONS OVER 13 WEEKS

The Committee noted details of applications awaiting decisions for more than 13 weeks.

36. DELEGATED POWERS - MAJOR DEVELOPMENTS TEAM

The Committee considered a report seeking to extend the powers of determination of planning applications to newer posts in the Major Development team.

In response to concern raised about the transparency of some decisions made under delegation, and the effective involvement in such circumstances of local Members and parish councils, the Deputy Director of Development Services assured Members that the procedures being followed were regularly reviewed to ensure compliance with the current scheme of delegation.

It was **RESOLVED**

that delegated powers be approved for the Major Development Manager (akin to those of the Development Control Quality Manager) and for the Northstowe and City Edge principle officers (akin to those of the Area Planning Officers and the Cambourne principle officer) as set out in appendices to the report.

37. PROPOSED REGISTRATION OF PUBLIC RIGHT OF WAY - ARBURY CAMP

The Committee considered a proposal by Cambridgeshire County Council to register a public right of way in Arbury Camp (Parish of Impington).

Members discussed a number of issues raised bby Councillor MJ Mason, a Member for Impington.

It was **RESOLVED**

That officers respond to consultation from Cambridgeshire County Council highlighting the concerns of South Cambridgeshire District Council relating to the Right of Way's proposed status as a Byway Open to All Traffic, and its relationship to the planned Guided Busway.

38. TREE PRESERVATION ORDER - LONGSTANTON

The Committee considered a report reviewing Tree Preservation Order no.08/05/SC, made under delegated powers at Thatcher's Wood, Longstanton.

As a result of objections raised in connection with the Order, a site visit had taken place on 12th October 2005 consisting of the Vice-Chairman of the Development and Conservation Control Committee (Councillor NIC Wright) and local Member (Councillor A Riley).

It was **RESOLVED**

that Tree Preservation Order 08/05/SC in Longstanton be confirmed, subject to the deletion of all reference to those trees numbered . T4,T5 and T6 in the First Schedule of the Order (each in poor condition) and T21 (removed prior to service of the Order).

39. CAMBOURNE SECTION 106 LEGAL AGREEMENT - TRAILER PARK

Further to its meetings on 2nd March 2005 when it lifted the “embargo” on issuing planning permissions for market housing at Cambourne, and on 13th May and 3rd August 2005, when it resolved to continue this practice in order for the developers’ consortium to progress the legal matters associated with the provision of the trailer park, the Committee considered a further report updating Members on progress.

It was **RESOLVED**

That the embargo on issuing planning permissions for market housing at Cambourne should remain lifted for the time being allowing the developers time to conclude the legal formalities, and that a further progress report be presented to the Committee at its meeting on 4th January 2006.

The Meeting ended at 3.00 p.m.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

S/2102/05/F - Bourn**Extension to Industrial Unit, The Old Fire Station, Broadway for R Taylor and Sons****Recommendation: Refusal****Date for determination: 29th December 2005****Departure Application****Site and Proposal**

1. The site lies in the rural area to the north of Bourn, adjacent to the western boundary of Bourn airfield. An existing industrial building stands within a yard of depth 43m and width 34m. The building has a ridge height of 8.2m, and is clad in profiled metal sheeting. The yard is in use for parking, manoeuvring and loading/unloading, and outside storage of materials. The site has vehicular access from Broadway, a C-class road which is subject only to the national 60mph speed restriction on this stretch. The boundaries of the site are planted with young hedgerow plants which are becoming established. The adjacent road boundaries are marked by mature trees belts, in which there are gaps that provide views of the site from the road. The current occupier manufactures signs from recycled plastic.
2. The application, received 3rd November 2005, proposes the erection of an extension to the eastern (rear) end of the building. The extension is to have a floorspace of 171sq.m, representing a 51% enlargement of the building. The proposed external materials are to match the existing. A statement accompanying the application states that the additional floorspace is required to enlarge the production area due to recent and planned growth and improved productivity. This extension would enable the present company to remain on site, rather than to move again, having relocated from Bourn in the last twelve months. The number of jobs at the premises would increase from 10 to 12.

Planning History

3. Planning permission for change of use from agricultural to storage was granted in 1996. Use as an office and photographic studio was granted in 1997. The most recent approval was for use for Classes B1 (Business) and B8 (Storage or Distribution) on 5th November 2004 (**S/1922/04/F**).

Planning Policy

4. Cambridgeshire and Peterborough Structure Plan 2003:

P1/2 (Environmental Restrictions on Development) - development will be restricted in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.

Policy P2/6 (Rural Economy) - sensitive small-scale development in rural areas will be facilitated where it contributes, *inter alia*, to supporting new and existing businesses; to farm or rural diversification where appropriate to the rural area; to the re-use of existing buildings; towards helping to maintain or renew the vitality of rural areas.

5. South Cambridgeshire Local Plan 2004:

EM10 (Conversion of Rural Buildings and Future Extensions) - outside village frameworks planning permission will be granted for the change of use and conversion of rural buildings to employment use subject to a number of provisions including:

- a) The buildings do not require major reconstruction;
- b) The conversion will not prejudice village vitality;
- c) The appearance after conversion is in keeping with the surroundings;
- d) The conversion does not materially change the material character of the building or the surrounding countryside;
- e) Safe access and satisfactory provision for parking and turning of vehicles can be achieved without detriment to the setting of the building or the surrounding landscape;
- f) Scale and frequency of traffic generated can be accommodated on the road system without undue effects.

6. **Paragraph 5.49** states: "Because most rural buildings in South Cambridgeshire are small the potential scale of activity of converted buildings will usually be similarly modest. Any elements of increased floorspace contained within conversion proposals *will be strictly controlled* and usually limited to that which may be necessary to achieve an enhanced design or integrate the scheme with its surroundings" (emphasis added).

7. **Policy TP1** (Planning for More Sustainable Travel) - car parking requirements will be restricted to the maximum levels set out in Appendix 7/1. (For Class B1c [Light Industry], Appendix 7/1 gives a provision of 1 space per 25 square metres floorspace).

Consultations

8. **Bourn Parish Council** - comments awaited.
9. **Local Highway Authority** - requests a plan showing parking and turning arrangements for cars and delivery vehicles before it makes its recommendation.

Representations

10. None received. Any received will be reported verbally.

Planning Comments - Key Issues

11. The proposal represents a significant extension to a converted rural building in the open countryside. The extension, if allowed, would allow for greater economic activity on the site leading to the creation of two manufacturing jobs.
12. The proposed extension, although at the rear of the building, will nevertheless be visible from Broadway and will affect the openness of the countryside. Policy EM10 does not encourage extensions to business premises in the rural area, and there is no substantive reason in this case to set aside the presumption against non-essential development in the countryside contained in Policy P1/2.

Recommendation

13. Refusal
 1. The erection of the proposed extension to the industrial premises would be visible from Broadway and would harm the openness of the countryside, and would be contrary to Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policy EM10 of the South Cambridgeshire Local Plan 2004, which aim to protect the countryside and encourage the re-use of rural buildings subject to strict control being exerted over extensions.
 2. Any reason supported by the Local Highway Authority

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Ref. S/2102/05/F

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

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

S/1954/05/F- Comberton
Extension and Conversion of Agricultural Building into Day Care Children's Nursery
At Fox's Bridge Farm for M. Tebbit

Recommendation: Refusal
Date for Determination: 7th December 2005

Departure Application**Site and Proposal**

1. Fox's Bridge Farm extends to approximately 289 hectares. The farm is mainly arable with an additional 269 hectares of grass and other uses.
2. This application, received on 12th October 2005, proposes the extension and conversion of an agricultural building into a day care children's nursery over two floors within the building. The proposals include the demolition of an existing lean-to so that an extension can be added to the west side of the building. A supporting statement was submitted with the application.
3. The building, the subject of this application, is currently used as a storage shed, which includes a caravan inside, and lies in close proximity to the residential dwelling at Fox's Bridge Farm. The building is of a traditional timber frame weatherboard construction under slate roof with a timber framed weatherboard lean-to attached to its rear.
4. This site is within the Green Belt, in the open countryside and outside any defined settlement.

Planning History

5. **S/0224/00/F**- Conversion of outbuilding into seasonal student accommodation, approved in March 2000.
6. **S/0544/05/PNA** - Erection of a farm access road (agricultural prior notification), agreed in June 2005.

Planning Policy**Planning Policy Guidance Note 2: Green Belts**

7. **Paragraph 3.2** explains that inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

8. **Paragraph 3.8** explains that the re-use of buildings within the Green Belt is not inappropriate development providing:
- a) It does not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land within it.
 - b) Strict control is exercised over the extension of re-used buildings, and over any associated uses of land surrounding the building which might conflict with the openness of the Green Belt and the purpose of including land in it.
 - c) The buildings are of permanent and substantial construction, and are capable of conversion without major or complete reconstruction.
 - d) The form, bulk and general design of the buildings are in keeping with their surroundings.

Planning Policy Statement 7- Sustainable Development in Rural Areas

9. **Paragraph 1(iii)** states that accessibility should be a key consideration in all development decisions. Most developments which are likely to generate large numbers of trips should be located in or next to towns or other service centres that are accessible by public transport, walking or cycling, in line with policies set out in PPG13.
10. **Paragraph 1(iv)** notes that new building development in the open countryside away from existing settlements should be strictly controlled.
11. **Paragraph 6(v)** states that local planning authorities should support the provision of child care facilities, particularly where they benefit rural residents, but that they should be located within or adjacent to existing villages or settlements. It further states that access should be gained by walking, cycling and public transport.
12. **Paragraph 17** explains that the government's policy is to support the re-use of appropriately located and suitably constructed existing buildings in the countryside where this would meet sustainable development objectives.
13. **Paragraph 18** notes that local planning authorities should be supportive of the re-use of existing buildings that are adjacent or closely related to country towns and villages, for economic or community uses.

Cambridgeshire and Peterborough Structure Plan 2003

14. **Policy P1/2** states that development in the countryside will be restricted unless the proposals can be demonstrated to be essential in a particular rural location.
15. **Policy P9/2a** notes that within the Green Belt new development will be limited to that required for agriculture and forestry, outdoor sport, cemeteries or other uses appropriate to the rural area.

South Cambridgeshire Local Plan 2004

16. **Policy GB2** states that planning permission will not be granted for inappropriate development in the Green Belt unless very special circumstances can be demonstrated. Development is defined as 'inappropriate' unless it comprises; amongst others:

The re-use of the buildings provided that (a) the development does not result in a materially greater impact on the openness and purpose of the Green Belt; (b) strict control is exercised over any proposed extensions and associated uses of surrounding land; (c) the buildings are of a permanent and substantial construction and capable of conversion without major or complete reconstruction; (d) the form, bulk and general design of the buildings are in keeping with their surroundings.

17. **Policy EM10** explains that outside village frameworks planning permission will be granted for the change of use and conversion of rural buildings to employment use provided that:
- a) The buildings are of a permanent and substantial construction and are capable of conversion without major or complete reconstruction.
 - b) Conversion does not lead to a dispersal of activity on such a scale as to prejudice town and village vitality.
 - c) The form, bulk and general design of the buildings both before and after conversion are in keeping with their surroundings.
 - d) The buildings are capable of re-use without materially changing their existing character or impact upon the surrounding countryside.
 - e) Safe and satisfactory vehicular access can be provided together with adequate space within the curtilage to accommodate ancillary requirements such as car parking and lorry manoeuvring without significant detriment to the setting of the building and the landscape within which it is located.
 - f) The scale and frequency of traffic generated by the proposal can be accommodated on the road system without undue adverse effects.
18. **Policy CS11** supports day nurseries, crèche and playgroups within village frameworks subject to residential amenity, road safety, parking and visual considerations.

Consultations

19. **Comberton Parish Council** - Approve, although would like to see a more realistic figure for traffic movement.
20. **Chief Environmental Health Officer** - Concerns over noise and the effects of development to nearby residents or occupiers. Recommends that conditions be added to any approval in respect of hours of use of power operated machinery during the period of alterations and the submission and approval of a site remediation strategy if a site survey reveals any contamination.
21. **Local Highways Authority** has no objection in principle subject to the vehicular access incorporating various geometric standards in terms of width, radii and visibility. The necessary splays can probably be achieved either within the highway verge (to the south) or over land within the applicant's control to the north. The latter should be included within the application site edged red. It is recommended that a suitable survey and junction layout plan be obtained.

22. **Cambridgeshire Fire and Rescue Service** comments that access for fire appliances may be considered inadequate. Responsibility for approving access and facilities for the Fire Service rests with the Building Control Department of the Local Authority.

Representations

23. Letter received from the occupier of Brook Cottage, Royston Lane, Comberton stating that the proposals are fully endorsed as it is an appropriate use for a redundant building, is tasteful in design and the height of the building remains unchanged. However, there are objections to the extra traffic it will create in Royston Lane and it is suggested that a S106 be drawn up to reduce the effect of the traffic on the road (introduce road calming measures).

Planning Comments - Key Issues

24. The site is located outside the village framework for Comberton and within the Green Belt.
25. The proposal therefore needs to be assessed against criteria in PPG2, PPS7, Policies P1/2 and P9/2a of the Structure Plan and policies GB2, EM10 and CS11 of the Local Plan.

Design of the proposals and Green Belt

26. The existing footprint of the building is 122 square metres, whereas the application proposals would create a footprint of 130 square metres. A lean-to of some 44sq.m will be demolished. New build will comprise some 52sq.m footprint. The use will involve two floors of accommodation. This increase in footprint is 6.5% with an increase in volume of 54 cubic metres (just under 10% increase in volume). The roofline of the extension is a reduced height and will fit between the barn and the adjoining building is used for seasonal harvest worker accommodation.
27. Under Local Plan Policy GB2 the re-use of buildings is allowed in the Green Belt provided that the development does not result in a materially greater impact on the openness and purposes of the Green Belt and the form, bulk and general design of the buildings are in keeping with the surroundings. The additional west elevation will have a greater impact on the Green Belt compared with the lean-to which will be demolished.

Highway implications

28. The application site is situated ½ mile from the A603 and 5 miles from the A1198 Wimpole junction, and 3.5 miles from junction 12 of the M11. It is worth noting the narrow, winding nature of the roads in the locality of the application site.
29. Within this context I have concerns about the adequacy of the road network and whether the level of traffic generation would be likely to have a detrimental effect on highways safety and convenience. This is not a view which is shared by the Local Highways Authority.

Sustainability of the proposals

30. The Applicant's statement explains that as a temporary measure the existing nursery has moved from the village of Harlton into Comberton itself, although this is not a long term proposal and cannot continue beyond July 2006. Information has been

submitted showing the current location of pupils attending the nursery, indicating that there is a wide distribution of pupils from both the immediate surrounding villages and from those as far away as Abbotsley, Swavesey, Babraham, Duxford and Steeple Morden. The Applicant states that as parents already travel some substantial distance to access this nursery there would be no greater impact upon the highway network. It is proposed to increase the availability of the nursery to include children from 6 months to 5 years (currently 2 to 5 years).

31. I consider this proposal does not meet the objectives of sustainable development. PPS7 states that access to child care facilities should be gained by walking, cycling and public transport. The location of the proposal means there would be no ready accessibility to public transport and walking or cycling would not be practical.

Montessori establishments and relation to other facilities

32. The Applicant states that the proposed nursery is a private pre-school facility and not a feeder to any mainstream form of education and therefore cannot be compared to pre-schools which are attached to individual village or other primary schools.
33. Given this fact and the extensive area from where children are it is not considered that there is any justification at all for this specific site in geographical/catchment terms.

Alternative sites

34. The Applicants supporting statement includes a sequential site assessment of other possible sites and alternative premises considered. This exercise seems to have been very superficial. There is no evidence of any contact with local commercial agents, or information on the site search area, extent of enquiries/market research, the site search criteria, duration of the exercise etc.
35. I do not consider a compelling case for the use of this site has been made and specifically in the context of the strong presumption against inappropriate development in national, County and Local Plan Policy applying to this open countryside location within the Green Belt.

Conclusion

36. I consider the scale of the proposed extension to be inappropriate development within the Green Belt. No special circumstances have been demonstrated sufficient to warrant an approval as an exception to policy.

Recommendation

37. Refuse, for the reasons given below.

Reasons for Refusal

1. The application proposes new building on the site which results in an increase in footprint over the existing situation and hence a greater impact on the openness of the Green Belt. The proposal is therefore contrary to the South Cambridgeshire Local Plan 2004 Policy GB2 which defines inappropriate development in the Green Belt and states that the re-use of buildings will be accepted providing that the development does not result in a materially greater impact on the openness and purposes of the Green Belt. It would also

be contrary to Cambridgeshire and Peterborough Structure Plan 2003 Policy P9/2a which states that within the Green Belt, new development will be limited to that required for agriculture and forestry, outdoor sport, cemeteries or other uses appropriate to a rural area; and Cambridgeshire and Peterborough Structure Plan 2003 Policy P1/2 which states that development in the countryside will be resisted unless the proposals can be demonstrated to be essential in a particular rural location.

2. The proposed nursery is located outside the village framework for Comberton and is therefore contrary to the South Cambridgeshire Local Plan 2004 Policy CS11 which states that day nurseries will be granted approval within village frameworks. In addition the proposals are contrary to the principles of sustainable development and guidance contained within Planning Policy Statement 7 which at paragraph 6(v) states that local planning authorities should support the provision of child care facilities, particularly where they benefit rural residents, but that they should be located within or adjacent to existing villages or settlements and access should be gained by walking, cycling and public transport.

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

- Planning Policy Guidance Note 2- Green Belts (1995)
- Planning Policy Statement 7- Sustainable Development in Rural Areas (2004)
- Cambridgeshire and Peterborough Structure Plan (2003)
- South Cambridgeshire Local Plan (2004)
- Planning Application File S/1954/05/F

Contact Officer: Area Team 3

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

**S/1955/05/F - Comberton
Change of Use of Barn to Retail (Class A1) and Stables on
Land Adjacent 198 Barton Road for N. C. Taylor**

**Recommendation: Refusal
Determination Date: 8th December 2005**

Departure Application

Site and Proposal

1. The irregularly shaped site measuring approximately 0.48 hectares (1.19 acre) is positioned on the southern side of Barton Road, approximately 500 metres to the east of the village framework of Comberton, within the Cambridge Green Belt. The site has a road frontage of approximately 23m in width.
2. The site contains a barn with a footprint of approximately 360 square metres, setback 84m from Barton Road. A loft space/mezzanine level has been created within the building, measuring approximately 50 square metres. To the rear of the barn, a stable block has been erected. A gravel driveway and car parking has been created on the site. The barn is predominantly metal clad, with a timber clad front extension with domestic-style windows. The barn is accessed by a domestic style door on the front (north) elevation and wider opening on the eastern elevation. The central section of the barn appears to be in need of repair.
3. The vehicular access to the barn passes along the common property boundary with No. 198 and is positioned to the south of this dwelling. The barn is setback approximately 60m from the dwellings at Nos. 188, 196 and 198 Barton Road, which lie to the north-west and north of the site. The site is adjoined by fields to the east, south and west, with a field further to the north, on the opposite side of Barton Road.
4. This full planning application, received on 13th October 2005, seeks retrospective permission for the change of use of the barn to retail (Class A1) and Stables. The barn is intended to be principally used for the sale of outdoor clothing and equipment, including farm, sports and camping equipment and clothing. It is anticipated that the retail unit is to be open seven days a week, between 10.00 hours and 16.00 hours Monday to Saturday and 10.00 hours and 16.00 hours on Sundays.
5. The applicant has indicated that the stables are used for private/personal use and will not be used as a livery/commercial use. The traffic flow for the stables will be one car in the morning and one further car in late afternoon/evening. Once every two weeks a horse trailer is towed on a Friday evening for off-site training. There are no employees for the stable use.
6. The barn is currently used for storage of outdoor equipment and clothing, in addition to domestic storage, with limited retail sales from the site. Two people are currently employed on site and this is projected to increase to up to four members of staff. It is

estimated that the proposal would generate up to 2 HGV vehicle trips per month, up to 10 light commercial vehicle trips per month and up to 15 standard vehicle (car) trips per day.

Planning History

7. The barn was originally erected and twice extended under permitted development rights for agricultural buildings, using the prior notification procedure.
8. Planning permission was given in June 1989 for the erection of stables at the rear of the barn (**Ref: S/3223/88/F**). Condition 1 of the planning consent limited the use of the stables for “domestic use only” for the following reason:
9. “The Local Planning Authority would not permit a stable building in this location in the Cambridge Green Belt other than for domestic stabling. The introduction of any commercial stabling or livery would do demonstrable harm to the amenity currently enjoyed by adjoining properties by reason of increased noise and disturbance from vehicles using the entrance to the site”.
10. In August 1995, temporary planning permission was granted for the part change of use of the agricultural building for the making and retailing of traditional cheeses (**Ref: S/0621/95/F**). This consent applied to the front part of the barn only, with a footprint of approximately 40 square metres.
11. This consent lapsed on 30th June 1998 and was personal to the applicant. Conditions of consent required improvements to the access, in addition to limiting the hours for milk deliveries and retail sales from the site. Alterations to the vehicular access required under conditions of consent, do not appear to have been undertaken.

Planning Policy

12. National guidance in **Planning Policy Statement 7 (PPS 7): Sustainable Development in Rural Areas** states that the “Government’s policy is to support the re-use of appropriately located and suitably constructed existing buildings in the countryside, where this would meet sustainable development objectives...Local planning authorities should be particularly supportive of the re-use of existing buildings that are adjacent or closely related to country towns and villages, for economic or community uses...”
- i) Structure Plan 2003:**
13. **P1/2** - Environmental Restrictions on Development aims to restrict development in the countryside unless it can be demonstrated to be essential in a particular rural location.
 14. **P2/6** - Rural Economy supports sensitive small-scale employment opportunities where it contributes to specific objectives, including farm or rural diversification where appropriate to the local area and enabling the re-use of existing buildings.
 15. **P3/4** - Rural Services and Facilities - specifies that “Local Planning Authorities will support the vitality of rural communities by encouraging the retention and expansion of village shopping facilities, on a scale appropriate to their location and serving a local function, and key community services.”
 16. **P9/2a** seeks to protect the character and openness of the Green Belt.

ii) Local Plan 2004:

17. **GB2** and **GB3** seek to protect the Green Belt from inappropriate development. The re-use of buildings is supported providing that “a) the development does not result in a materially greater impact on the openness and purpose of the Green Belt; b) strict control is exercised over any proposed extensions and associated uses of surrounding land; c) the buildings are of permanent and substantial construction and are capable of conversion without major or complete reconstruction; and d) the form, bulk and general design of the buildings are in keeping with their surroundings”. To protect the rural nature and openness of the Green Belt, any development should be within or adjoining existing complexes. These policies are consistent with national guidance on development within Green Belts contained within **Planning Policy Guidance Note No 2: Green Belts (PPG2)**.
18. **EM10** - Conversion of Rural Buildings. Outlines the criteria for the favourable consideration of changes of use and conversion of rural buildings outside the village framework to employment uses. It is noted that there are no specific policies for the change of use of rural buildings to a retail use.
19. **TP1** - Planning for more Sustainable Travel. Seeks to reduce need to travel, especially by car. This policy reinforces the contents of **Policy 8/1** of the Structure Plan 2003.
20. **SH5** - Outlines the criteria for new retail development within the village frameworks.
21. **SH10** - Allows for the creation of farm shops and nurseries within the countryside, subject to various criteria. Supporting text in paragraph 6.26 adds that “The District Council is concerned about sporadic development for retail uses in the open countryside...Operating with lower overheads, these sales (of goods which are not produced locally) could have an adverse effect on the economic viability of existing shopping facilities in nearby villages”.
22. **SH12** - Garden Centres - Specifies that this use is not permitted in the Countryside, or where convenience sales would have a significant adverse impact on the viability and vitality of existing settlements and village centres.
23. **RT1** - Recreation and Tourism Development - outlines the criteria for the development of recreation and tourism facilities.
24. **EN1** - Landscape Character Areas - seeks to ensure that local character and distinctiveness is respected, retained and wherever possible enhanced.
25. **ES6** - Noise and Pollution - states that the District Council “will seek, by means of appropriate planning conditions, to minimise the impact of noise and pollution on noise-sensitive development arising from any new industrial, commercial or recreational activities”.

Consultation

26. **Comberton Parish Council** - Recommendation of Approval, providing the neighbours have no objection.
27. **Chief Environmental Health Officer** - Raises concerns regarding the retail use and subsequent generation of early morning noise and recommends a condition be

imposed should members be minded to approve the application preventing delivery vehicle movements before 7.30am.

A further condition is also recommended to control details of the location and type of any power driven plant or equipment.

28. **Local Highways Authority** - Raises concerns regarding the proposed use and suitability of the existing access. Recommends conditions in the event that application is approved.

"I am concerned about encouraging retail use in a location such as this, which has the potential to generate a considerable amount of traffic. Barton Road at this point is subject only to the national speed restriction of 60mph, consequently vehicle speed is relatively high. There are a number of recorded accidents along this stretch of road - the majority of which are related to vehicles turning into-out of accesses.

It is not clear from the given traffic figures which are related to the retail use and which are related to the stables. It is also not clear if the stables are 'private' or if livery is operated. Perhaps you would be good enough to advise.

If you are mindful to approve this I strongly recommend that any permission be made personal to the applicant and the access be improved" to comprise an access width of 6.0m for a minimum distance of 20.0m and a kerb radii of 10.0m."

29. Comments regards the applicant's representation dated 18th November 2005 will be reported verbally to Members at Committee.

Representations

30. A letter of objection has been received from the occupier of the adjoining dwelling at 198 Barton Road. The concerns raised are:
- a) Harm to the Green Belt and conflict with relevant policy;
 - b) Detrimental impact on the rural character of the site;
 - c) Visual intrusion;
 - d) Noise and disturbance;
 - e) Dust and litter;
 - f) Security concerns;
 - g) Delivery and other vehicles passing within 6 metres of the side of his house and adjacent to his garden;
 - h) Continued use in the future by other retail operators;
 - i) Lack of evidence that a more appropriate vacant retail site in the built-up area could not be used.

Representations by Applicant

31. The applicant has supplied the following information in support of the application:
- a) Applicant has used the premise for storage purposes for at least five years;
 - b) The property was required to store surplus stock, following the closure of a retail outlet in Cambridge;
 - c) Repairs have been carried out to the building and work undertaken on site clearance and improvements;
 - d) The applicant commenced working on site in October 2004, selling items via the internet, storing and sorting out stock, and preparing items for sale;
 - e) Applicant was not aware of need for planning permission to use barn for storage or retail purposes;
 - f) Since October 2004 there have been approximately 12 no. 7.5 tonne trunks, 30 vans and 10 cars per week, which have been used in connection with deliveries and picking up stock;
 - g) Items intended to be sold on site include-
 - Farm work wear, and safety clothing and footwear;
 - Tools and related accessories and equipment;
 - Equestrian clothing and footwear;
 - General outdoor clothing and footwear;
 - Military surplus clothing, footwear and equipment;
 - General camping equipment;
 - Hire and sale of marquees;
 - Stables for private use; and
 - Any locally produced items which would "fit in with the stock".
 - h) The proposal would benefit the local community and possibly employment of locals;
 - i) The current and proposed business will not disturb adjacent residential properties.
32. In a further representation dated 18th November 2005 the applicant provided the following information:
- a) The stable is to be for private use, as it is not used by anyone except a family friend, used as domestic stabling and not used as a livery/commercial use. The traffic flow for the stables will be one car in the morning and one car in the late afternoon /evening; once every two weeks one car and towed horse trailer on a Friday evening depart and return for off-site training.
 - b) The projected employment figures do not include the stable. Nobody is employed for stable use.
 - c) The applicant has stated that if it is a problem for a 7.5 tonne vehicle delivering to the premises he can insist on the delivery companies using a van because of access problems.

- d) The applicant has stated that he was under the impression that the speed limit on Barton Road was due to be 40mph, in connection with the “Bluebell” development, but this seems not to have appeared.

Planning Comments - Key Issues

33. The key issues for consideration in the assessment of this application are:

- Suitability of site within Green Belt for retail use;
- Whether the proposal would result in a loss of highway safety; and
- Whether the proposal would harm the residential amenities of nearby dwellings.

Suitability of Site for Retail Use

34. Green Belt policies support the re-use of rural buildings providing that the development does not result in a materially greater impact on the openness and purpose of the Green Belt and that strict control is exercised over associated uses of surrounding land. Although the proposal does not involve an extension or significant alterations to the external appearance of the barn itself, the granting of consent for a retail use for this size building has the potential to have a significant impact on the openness of the green belt through pressure to provide hardstanding for access and car parking areas, external storage and outside display of goods (particularly larger goods like marquees and tents), erection of signage/advertisements and likely need for outside area for rubbish/waste collection. A proposed retail sales area of 155 square metres, combined with storage area of 91 square metres, has the potential to require a larger car parking area than illustrated. The proposed use is therefore considered to represent inappropriate development in the Green Belt and contrary to the purposes of the Cambridge Green Belt.
35. The proposed site is in a prominent location between the villages of Comberton and Barton and has the potential to harm the local landscape quality.
36. The conversion of buildings outside village frameworks for general retail use is not supported by policies in the Local Plan. Policies SH10 and SH12 of the Local Plan whilst not of direct relevance, indicate that the Council does not support retail development within the countryside for goods which are not produced locally. Isolated retail developments in the countryside are considered to have the potential to adversely affect the economic viability of existing shopping facilities in nearby villages. Moreover, countryside locations are considered unsustainable for retail development, and it is expected that few visitors to this site would use public transport.
37. The application represents a departure from policies in the Structure and Local Plans and very special circumstances have not been presented to justify a departure from planning policies or inappropriate development within the Green Belt.

Impacts on Highway Safety

38. Concern is raised by the Local Highways Authority regarding the potential impacts of the proposed use on highway safety, for vehicles accessing and leaving the site off Barton Road. The width of the existing vehicular access at 3.75m is not sufficiently wide enough to allow vehicles to pass each other, and has the potential to lead to vehicles waiting to enter the site on the Highway, whilst other vehicles are trying to exit.

39. It is noted that the Local Planning Authority has the ability to require improvements to the existing vehicular access through conditions of consent.

Impacts on Residential Amenity

40. I am of the view that the proposed retail use is likely to seriously harm the residential amenity of the occupants of 198 Barton Road, and in particular the reasonable enjoyment of the use of their rear garden, by noise and disturbance caused by the use of the vehicular access adjacent the common property boundary of this property. It is noted that the repositioning of this vehicular access away from the adjacent dwelling, is likely to harm the visual amenities of the Green Belt.
41. The use of the stables, as it will remain for non-commercial purposes, can continue to operate under the terms of planning permission reference S/3223/88/F.

Recommendation

42. Refusal for the following reasons:

Reasons for Refusal

1. The site is situated in prominent position within the Cambridge Green Belt between the villages of Comberton and Barton, with direct road access to a classified road.

The proposal constitutes inappropriate development within the Green Belt, by virtue of leading to pressure for associated uses and structures on surrounding land (including improvements to access, car parking areas, external storage areas, outside display areas, waste collection areas and advertisements), which would have a materially greater impact on the openness and purpose of the Green Belt. Very special circumstances have not been demonstrated why this development should be allowed.

The proposal is therefore contrary to Policies P1/2 (Environmental Restrictions on Development) and P9/2a (Green Belt) of the Cambridgeshire and Peterborough Structure Plan 2003 and Policy GB2 (Green Belt) of the South Cambridgeshire Local Plan 2004.

2. The proposed retail use in a countryside location has the potential to sell a wide range of goods which are not produced on or in the vicinity of the site, and has the potential to adversely affect the economic viability of existing retail uses within established settlements. Moreover, the proposal is not conveniently accessible by a wide range of modes of transport. Material considerations have not been presented which justify a departure from planning policies.

The proposal is therefore contrary to Policy P3/4 (Rural Services and Facilities) of the Cambridge and Peterborough Structure Plan 2003 and policies SH10 (Farm Shops and Nurseries) and TP1 (Planning More Sustainable Travel) of the South Cambridgeshire Local Plan 2004.

3. The proposed use through the use by vehicular traffic of its existing access adjacent the common property boundary with 198 Barton Road, is likely to seriously harm the residential amenities of the occupants of No. 198 Barton Road and the reasonable enjoyment of their rear garden, contrary to Policy ES6 of the South Cambridgeshire Local Plan 2004.

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

- Planning Policy Guidance Note No. 2: Green Belts
- Planning Policy Statement No. 7: Sustainable Development in Rural Areas
- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- Planning File Refs: S/1955/05/F, S/3223/88/F and S/0621/95/F

Contact Officer: Allison Tindale (Assistant Planning Officer)
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 7th December 2005

AUTHOR/S: Director of Development Services

S/2022/05/O - Rampton
Erection of Bungalow to Replace Existing Mobile Home, 2 Cuckoo Lane for
Mr and Mrs J A Bouland

Recommendation: Refusal
Date for Determination: 16th December 2005

Departure Application

Site and Proposal

1. Cuckoo Lane is an extension of King Street and lies to the south-west of Rampton village. The site is at the metalled end of the Lane, beyond which it becomes an unmade bridlepath.
2. The application site, 25.0m x 35.0m is occupied by a mobile home; there are 3 other adjacent and a large scrap-yard to the south.
3. The outline application, received on 21st October, proposes the replacement of the mobile home with a bungalow of approximately 150m² floor area, single storey with a low profile roof (information from a covering letter dated 26th September 2005). All matters are reserved for further consideration.

Policy

4. **Policy HG14** of the South Cambridgeshire Local Plan 2004, states that: "The replacement of a caravan or other mobile home in the countryside with a permanent dwelling will not be permitted."
5. **Policy SE8** - of the Local Plan states that residential development outside village frameworks will not be permitted.
6. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003, "Environmental Restrictions on Development" restricts development in the countryside unless it can be proved to be essential in a particular rural location.

History

7. **Use:**
The site was originally granted consent as a scrap yard in 1969, temporary and personal to the applicant's father, a Richard Bouland. Subsequent consents made the use permanent but personal to father and son, Richard and Allan Bouland. This was later changed to Rampton Car Breakers.

Mobile Homes:

8. Consent granted for 2 mobile homes in 1975; subsequently renewed and then made permanent in 1992 (ref. S/0104/92/F) with occupancy limited to Richard and Allan, together with both their dependants living with them.
9. Other temporary consents have been granted for mobile homes for two of Allan's sisters, plus another for a Mr Missen, a former traveller, who has long worked for the family.

Bungalow:

10. An identical application to replace the mobile home with a bungalow was made in 1993; following the refusal of the application, the subsequent appeal was dismissed. The Inspector took the view that the appearance of a bungalow would be "significantly different" from the mobile home and would be "totally out of keeping with the scrap-yard and the surrounding open countryside." There would be undue harm.
11. Although at the time of the appeal the consent for the scrap-yard had not been made permanent, the Inspector felt that a mobile home adjacent gave sufficient security. If granted it would set a serious precedent for other cases to be put forward.

Consultations

12. **Rampton Parish Council** recommends approval. Although the site lies outside the village, it is felt to be a special case, in that:
 - a) The consent for the mobile home is permanent.
 - b) The business has a hazardous waste licence which requires the applicant to live permanently on site.

If granted, the Parish Council asks that the consent be tied to the business.

13. **The Old West Internal Drainage Board** has no comment to make from a drainage point of view.
14. The comments of the **Environment Agency** are awaited and will be reported verbally.
15. The comments of the **Chief Environmental Health Officer** will be reported verbally.

Representations - Neighbours

16. None received at the time of writing report. Consultation period expires 25th November 2005.

Representations - Applicant

17. The circumstances have substantially changed since the previous refusal. The applicant's father has died, his mother still lives in the mobile next door, and he is now wholly in charge of the business. The Environment Agency's Certificate for the business requires a permanent dwelling to be erected on site. A bungalow will result in no material change to the appearance of the area.
18. The site is more secluded as extra landscaping has been carried out, there is a new office block for the business and improved access and storage arrangements.

Planning Comments

19. The basic issues in respect of this application are:
- Does the Environment Agency Licence require a permanent dwelling?
 - Has there been any changes in circumstances since the previous refusal/appeal was dismissed?
 - Is it essential to have a permanent dwelling on site which is outside the village framework?
20. ***Environment Agency Licence***
The business requires two Licences, one for the storage of waste, ie scrap vehicles, and the other to transport same from one site to another. Having checked with the Agency, it has confirmed that neither Licence requires someone to live on, or adjacent, the site. One requirement for the site's Licence is that the site should be secure when unattended - ie fenced, gated and locked.
21. ***Change in Circumstances***
The main change is that since the earlier refusal/appeal was dismissed, consent for the yard is now permanent, as are the two mobile homes, one occupied by the applicants, the other his mother. For as long as he lives on site and runs the business, the site has security. It does not have to be in a permanent building.
22. ***No Justification*** has been put forward to overcome the principal objection of building houses in the countryside.

Refusal is recommended

Recommendation

Refusal.

23. The proposed site lies within the open countryside and outside the village framework for Rampton as shown in the South Cambridgeshire Local Plan 2003. As such the proposal to erect a bungalow is contrary to Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE8 and HG14 of the South Cambridgeshire Local Plan 2004, which preclude the erection of a permanent dwelling in the countryside and outside village frameworks unless it can be proved to be essential and which prevent the replacement of a mobile home in the countryside with a permanent dwelling.
24. Insufficient reasons have been put forward to justify over-turning such fundamental policies, especially as the applicants have accommodation on site for their lifetime to operate the scrap-yard and to provide 24-hour security.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Ref. C/0644/69/O, S/0104/92/F, S/2383/86/F, S/0243/93/O, S/0515/94/F and S/2022/05/O

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

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

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

Departure application.

Update:

1. At the August Committee meeting (item 12) it was resolved to defer consideration of this application for further information in relation to the justification for the proposal.
2. Attached as appendix 1 is the report to Development and Conservation Control Committee of 3rd August 2005.

Further Representations

3. The solicitors acting for the applicant have confirmed, in a letter dated 16th November 2005, that they remain unsure of the applicant's status with regard to security of tenure and they are still trying to establish this.
4. A statement has been received from the applicant's employer and is reproduced below:

"My name is John Newman and I own Limerick Stud in Little Heath Gamlingay. I breed Haflinger horses at the stud and also provide stallion semen to parts of the country for impregnating mares that are unable to get to my stallion for live covering.

Mrs Yvonne Sale helps me with all of this work, it is necessary for her to be nearby as I am very often away from the stud on business and the livestock need caring for, especially during the breeding season of March through to July when mares are foaling and horses are coming to the yard for covering by the stallion. A mare foaling down needs to be watched 24 hours a day in the days leading up to the birth in case of problems that often arise, a mare only has 20 minutes to produce a foal otherwise complications can set in rapidly.

Also important is for someone to be available for the collection of semen as this is done on receiving a telephone call from the mare owner to say that the mare is ovulating, timing is critical on this and the semen must be despatched by carrier within hours to ensure that it arrives for the owners vet to inseminate the mare at the correct time. Mrs Sale must therefore be on call for this purpose, it is therefore very important to me that she be allowed to live next to my stud so that she is always available to attend my horses.

Once the foals have arrived they also must be watched closely for any complications associated with their health and the fact that they are very accident prone in the first 12 months of their lives until they become bigger and stronger. Mrs Sale is responsible for checking on them constantly to ensure that they remain fit and well".

Planning Comments – Key Issues

5. The key issue in this application is the justification for a residential use outside of the village framework.
6. Since the August committee meeting I have been trying to establish the need for the applicant to move from her current location at No. 5 Little Heath, a short distance to the north east, to the application site. In particular I have been trying to establish if the applicant has security of tenure at No. 5. The applicant's solicitor has been trying to establish this from the site owners but has been unable to confirm the position.
7. It is clear that this legal issue is a sticking point and in my opinion much of the justification for a new residential unit depends upon it.
8. I will consider the following scenarios, all of which lead me to believe that there is insufficient justification, at this time, to allow a new mobile home in the countryside:
9. If the applicant has security of tenure at No. 5 there is no need for her to move off site and therefore no justification for an additional mobile home in the countryside although I accept that this will result in the permission for the new dwelling at this location not being implemented.
10. If the applicant has security of tenure at No. 5 but it is possible to relocate her to the adjacent site (believed to be in the same ownership as No. 5) then there will be no need for an additional mobile home in the countryside.
11. If the applicant does not have security of tenure and she is shortly to be made homeless I accept the justification that she is required to continue her work on the nearby Limerick Stud but that other options such as existing buildings at this premises need to be investigated before there would be justification for a new mobile home in the countryside. Moreover there is already a permanent dwelling at the stud.
12. I sympathise with the applicants precarious position and acknowledge that for no fault of her own she has been put in this position and I accept that she has lived and worked here for many years and I understand that her current state of health is poor but for the above reasons I do not consider there is sufficient justification to allow this development at this time.
13. It is unclear how long it will take for the solicitors to establish the applicants tenure status. The application was submitted some 5 months ago and should now be determined.
14. The justification for the proposal appears to be based more on the personal circumstances of the applicant than the functional requirements of Limerick Stud.

Recommendation

Refusal for the following reasons:

1. Insufficient justification has been given for a residential use in the countryside outside of any Village Framework as defined in the Development Plan. Such a use would be contrary to the aim and objective of the settlement policies of the Development Plan of preventing sporadic residential development away from the built up areas of villages which will cumulatively harm the countryside and result in a pattern of development that is unsustainable. As such the proposal

is contrary to Policy SE8 of the South Cambridgeshire Local Plan 2004 and Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003.

Background Papers: the following background papers were used in the preparation of this report: Development and Conservation Control Committee Report of 3rd August 2005, Planning Files reference S/1260/05/F and S/2461/04/O South Cambridgeshire Local Plan 2004 and Cambridgeshire and Peterborough Structure Plan 2003

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

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

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

Departure application**Site and Proposal**

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

Planning History

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

Planning Policy

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

Consultation

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

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

10. **Chief Environmental Health Officer**

No objections.

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

Representations

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

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

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

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

Planning Comments – Key Issues

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

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

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

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

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

Recommendation

20. Refusal for the following reasons:

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

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

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

S/1993/05/F - Girton

**Two external air conditioner condenser units at Unit 3, Wellbrook Court
for Electricity Supply Nominees Ltd.**

**Recommendation: Approval/Delegated Approval
Date for Determination: 13th December 2005**

Site and Proposal

1. Unit 3 is a modern, two-storey office building that fronts Girton Road. It has a small single storey projection on the western elevation. The building is one of three office units built in a terraced block. They are well below the road level of Girton Road and have a landscaped area between the building and road, which is planted with mature shrubs. On the west elevation there are currently three air-conditioning units sited between the single storey projection of unit 3 and an identical projection on unit two, to the south.
2. This application, received on 18th October 2005, seeks full planning permission for the installation of two replacement air conditioning units. These will be larger than the existing units (1.84m high compared with approximately 0.6m high).

Planning History

3. **S/0912/01/F** gave planning permission for four small air conditioning units at this site.

Planning Policy

4. Policy **P1/3 'Sustainable Design in Built Development'** of the Cambridgeshire and Peterborough Structure Plan, 2003, states that a high standard of design and sustainability should be adopted for all new forms of development.

Consultations

5. **Girton Parish Council** objects to the proposal on grounds that the units are obtrusive and detrimental to the street scene, as the rear of the building is actually the side facing the street.
6. **Chief Environmental Health Officer's** comments will be reported verbally.

Representations

7. No representations have been received.

Planning Comments – Key Issues

8. The key issue in relation to this planning application is the impact of the proposed air conditioning condensers on the street scene.

Impact on the street scene

9. The proposed units are well below street level. Due to the screening provided by mature shrubs to the road frontage, the units will not be seen from the north. They will be visible from the south but as vehicles are on the opposite side of the road any views from cars will be minimal. Pedestrians on the pavement are more likely to notice the units, particularly as they are much larger than the existing units and will project above the window cills on the unit. The agent is preparing amended drawings to include screening of the units proposed.

Recommendation

10. Subject to no objections being received from the Chief Environmental Health Officer, delegated powers are sought to approve the application subject to the receipt of plans detailing acceptable screening of the units and the following conditions:
 - a. Standard Condition A – Time limited permission (Reason A);
 - b. Sc51 – Landscaping (Rc51);
 - c. Sc52 – Implementation of landscaping (Rc52).

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P1/3** (Sustainable design in built development);
 - **South Cambridgeshire Local Plan 2004: None**
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Visual impact on the street scene

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Ref. S/1993/05/F and S/0912/01/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

S/1741/05/O - Hardwick
House on Land adjacent 18 Ellison Lane for Mr and Mrs M Haddadi

Recommendation: Refusal
Determination Date: 7th November 2005

Members will visit this site on 5th December 2005

Site and Proposal

1. The irregular shaped site, with a 10.8m wide road frontage and depth of approximately 36m, measures 0.0298 hectares (0.07 acre) in size. It is positioned on the eastern side of Ellison Lane, to the south of 18 Ellison Lane. The site currently forms part of the garden area of 18 Ellison Lane and occupies part of the footprint of an existing garage. At the front of the site is a grassed section of land, with several trees. Along the southern property boundary of the site is a timber close-boarded fence some 1.8m in height. Adjacent this boundary is a grassed area of public land, with several trees, and public footpath linking Ellison Lane with Bramley Way and a communal car parking area. The site is generally surrounded by residential dwellings with a communal car parking area with linked garages, to the rear of the site.
2. The existing pair of two-storey semi-detached dwellings, No. 13 Pippin Walk and 18 Ellison Lane, occupy a corner plot at the intersection of both roads, with an unenclosed grassed area to the front of both properties. This section of Hardwick is characterised by open-frontages. The site is within the Hardwick village framework.
3. The outline application, with all detailed matters reserved, was received on 12th September 2005 and proposes a new dwelling. The illustrative site plan illustrates the erection of a detached dwelling with a similar setback from Ellison Lane as No. 18, following the demolition of the existing garage. Two car parking areas suitable for two vehicles each, are illustrated to the front of both the existing and proposed dwellings.
4. The development represents a density of 33 dwellings/hectare.

Planning History

5. Planning permission for the erection of the existing dwelling, as part of a larger residential estate, was approved in 1976 (**Ref: S/1757/75/F**). Condition 6 of this approval prevented the erection of fences, walls or other means of enclosure to the front of the forwardmost part of any dwelling, without the prior written approval of the Local Planning Authority, in order "to safeguard the appearance of the street picture in the general public interest."
6. Planning permission was given for a boundary fence on the property in 1981 (**Ref: S/1105/81/F**).

7. In 1991, planning permission was given for a single storey side and front extension to the dwelling and detached garage (**Ref: S/2083/91/F**). This consent has not been implemented and has subsequently lapsed.
8. In 1996, planning permission was given for a two-storey side extension to the dwelling with front porch and detached single garage (**Ref: S/0031/96/F**). This consent has not been implemented and has subsequently lapsed.

Planning Policy

9. **Policy P1/3** of the County Structure Plan requires a high standard of design for all new development that responds to the local character of the built environment.
10. **Policy P5/5** of the Structure Plan states that small-scale housing developments will be permitted in villages only where appropriate, taking into account the need for affordable rural housing, the character of the village and its setting, and the level of jobs, services, infrastructure and passenger transport provision in the immediate area.
11. **Policy SE4** of the South Cambridgeshire Local Plan 2004 ("The Local Plan") identifies Hardwick as a Group Village. This policy states that residential development up to a maximum scheme of 8 dwellings will be permitted within the village framework provided that the retention of the site in its present form is not essential to the character of the village; and the development would be sensitive to the character of the village and the amenities of neighbours.
12. **Policy EN5** of the Local Plan states that the District Council will require trees, hedges and woodland and other natural features to be retained wherever possible in proposals for new development.
13. **Policy TP1** of the Local Plan outlines the Local Planning Authority's objective of increasing accessibility non-car modes of travel.

Consultation

14. **Hardwick Parish Council** - Recommendation of refusal on the grounds of overdevelopment, inadequate parking and difficult access.
15. **Councillor Stewart** - No comment on application. Nevertheless, it has been requested that this application be determined at Committee.
16. **Trees and Landscape Officer** - No objection. A Cherry tree fronting No. 18 will be lost to accommodate car parking. A Cupressus fronting the proposed dwelling will be lost to accommodate car parking. He has no objection to the removal of these trees.

Representations

17. Representations have been received from the occupants of 3 and 13 Pippin Walk, which have raised the following issues:
 - a) No. 18 Ellison Lane's gardens back onto a garage block;
 - b) The existing willow tree in the rear garden of 18 Ellison Lane, may affect the foundations of the existing and proposed dwellings.

18. Clarification on the site area has been sought from the occupants of 16 Ellison Lane and 3 Pippin Walk.

Planning Comments - Key Issues

19. The key issue for consideration is whether the principle of residential development is suitable on this site.

Principle of Development

Highway Safety

20. I am satisfied that two car parking spaces can be accommodated within the confines of the proposed site and to the front of the existing dwelling, No 18 Ellison Lane, respectively. This level of parking provision is consistent with the Council's maximum car parking standard of two on-site car parking spaces per 3 or more bedroom dwellings, in poorly accessible areas.
21. I am of the view that satisfactory road access could be provided to the proposed site from Ellison Lane. The speed limit on this section of Ellison Lane is 30 mph.

Pattern of Development

22. The surrounding area is characterised by two-storey detached and semi-detached dwellings setback from the road, on relatively small plots. I am of the view that there is scope to erect a modest two-storey dwelling on this plot, in such a manner, that would not result in the overdevelopment of the site and would be compatible in appearance with the surrounding pattern of built development. The setback of the site 1m from 18 Ellison Lane and the adjacent, detached dwelling, 16 Ellison Lane by a public footpath and public open space, would assist in preventing a cramped appearance in the streetscene.
23. Nevertheless, the proposal would result in the loss of the existing garage and driveway for the parking of vehicles for the existing dwelling. As a result, existing and future residents of No. 18 Ellison Lane could not create replacement on-site car parking, without using the green space to the front of the dwelling. Given the shape of the proposed plot, I am of the view that the only realistic option for the provision of car parking for the proposed dwelling, would be at the front of the proposed plot. The creation of formal parking spaces to the front of the existing and proposed dwelling, in a prominent corner location within an open-frontage residential estate, is considered to have an adverse impact on the visual amenities of the streetscene, and being out of character with the existing pattern of parking provision. I am therefore of the view that the proposed dwelling would not be sensitive to the character of the village, contrary to policy SE4 of the Local Plan.

Residential Amenity

24. I am of the view that there is scope for the erection of suitably designed dwelling on this site, that does not seriously harm the residential amenities of adjacent properties.

Recommendation

25. Refuse for the following reason:

1. The proposal would result in the loss of the existing garage and drive-way for the on-site car parking needs for the residents of 18 Ellison Lane, Hardwick. The proposed site for a new dwelling would lead to pressure to create both replacement car parking for No. 18 Ellison Lane, to the front of this dwelling, as well as car parking for the proposed dwelling forward of the existing dwelling, No. 18 Ellison Lane. The removal of trees to allow for car parking forward of the front elevation of 18 Ellison Lane, in addition to surface treatment to make these areas suitable for the permanent parking of vehicles, would have an adverse visual impact upon the streetscene in this prominent corner position and would be inconsistent with the existing pattern of parking provision in the surrounding area, which is characterised by an open-frontage estate layout, with parking provided to the side of dwellings. The proposal is therefore contrary to Policy SE4 of the South Cambridgeshire Local Plan 2004, which requires residential development to be sensitive to the character of the village.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Refs: S/1741/05/O, S/0031/96/F, S/2083/91/F, S/1105/81/F and S/1757/75/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

S/1237/05/F – Harston
Erection of 8 Flats Following Demolition of Existing Dwelling at 5 New Road
for GRN Ltd

Recommendation: Approval
Date for Determination: 28th September 2005

Members of Committee will visit the site on 5th December 2005

Background

1. Members may recall that the application was deferred at last month's meeting to enable a site visit to take place and to seek clarification on the extent of the public highway. Please refer to item 20 of the 2nd November 2005 agenda for a copy of the report.

Update including additional consultation responses and representations

2. There is one error in the above report. In paragraph 2, the reference to "a communal amenity area for the other 3 flats" in the middle of the paragraph should refer to "a communal amenity area for the other 4 flats".
3. With regard to paragraph 29 of the previous report and the issue of the width of New Road and the provision of a footpath, the applicant has amended the scheme to show New Road kept at its existing width and the deletion of the proposed footpath.
4. Since the above agenda was issued, a further objection has been received from **Harston Parish Council**. This states:
 - a) "New Road is an existing community of family dwellings, whereas the proposed flats are small, non-family units, and therefore out of character;
 - b) The social consequences of housing singles in family areas is that both groups are by their nature socially independent/exclusive; therefore the existing social cohesion of New Road will be divided and disrupted which would be detrimental to the neighbourhood;
 - c) The residents of New Road are a socially responsible group, maintaining their family properties to a high standard; to now insert the equivalent of a multiple-occupancy building would detrimentally change the character of the neighbourhood;
 - d) We would recommend that such a proposal would be better suited to an existing community of small single units, retirement flats, and social housing;
 - e) For the above reasons the Harston Parish Council supports the views of the residents of New Road that the application should be REFUSED."

5. The Authority's **Housing Development Manager** has confirmed verbally that he has liaised with Flagship Housing who are satisfied with the layout/size of the proposed 3 affordable flats.
6. **The Local Highways Authority** has confirmed that part of New Road is an adopted highway. The boundary between the public highway and private road is approximately level with the north-western boundary of the site.
7. An additional objection has also been received from the occupiers of 11/13 New Road. This states:

"I am most surprised and disappointed to learn that the officers will recommend the application in its amended form. I understand that there has been substantial and unanimous objection from both residents and local councils and the recommendation therefore appears to fly in the face of the unanimous democratic opinion of the local people and demonstrably fails to protect the amenities and privacy of the residents of a private road. I consider that the proposal contravenes policy P1/3 of the Cambs and Peterborough structure plan 2003 which requires a high standard of design that responds to the local character of the built environment and policy SE4 of the South Cambs local plan 2004 which requires development in group villages to be sensitive to the character of the area and the amenities of neighbours and to provide an appropriate mix of dwelling size and type.

The plans provide for frosted glass to some windows but this leaves 14 windows on the West and North sides overlooking our gardens, entertaining spaces, bedrooms and living rooms and constitutes an unacceptable loss of privacy. Also our gardens will be polluted from fumes from motor vehicles.

I urge the committee to do its duty by the residents and the local plans and reject this proposal."

Planning Comments

8. The additional comments made by the Parish Council are noted. My comments upon the physical character of the area were incorporated at paragraphs 23 and 24 of the November agenda report.
9. In terms of social character, Government policy, incorporated in Planning Policy Guidance 3 "Housing", encourages the development of mixed and balanced communities, avoiding the creation of large areas of housing of similar characteristics. Although the scale of this proposal and the extent of New Road could not be described as a large area of housing, the provision of a mix of housing fits well into Government and Development Plan Policies.
10. With regards to the comments made by the occupier of 11/13 New Road, it is Officers' views that the proposal would not harm the character of the area, as set out in the analysis in the previous report. Whilst it is acknowledged that this scheme, in itself, does not provide a mix of dwelling types/sizes, it does introduce a mix into New Road and into Harston itself and, in this sense, is therefore considered to comply with the intentions of policies SE4 and HG10 of the Local Plan. The issue of overlooking has been addressed in the previous report, whilst, in relation to the expressed concerns about pollution from fumes from motor vehicles, no specific objections have been raised by this Authority's Environmental Health Officer.

Recommendation

11. Subject to the signing of a Section 106 Agreement to ensure that 3 of the flats would be affordable units (required by proposed Condition 2), the recommendation remains one of approval, as amended by foul and surface water drainage details date stamped 22nd August 2005, plans date stamped 14th September 2005 and site plan date stamped 22nd November 2005.
 1. Standard Condition A – Time limited permission (Reason A);
 2. No development shall begin until a scheme and completed S.106 Agreement for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority, the affordable housing shall be provided in accordance with the approved scheme. (Reason – To ensure the provision of affordable housing in accordance with Policy HG7 of the Local Plan 2004);
 3. Sc5a – Details of materials for external walls and roofs (Rc5aii);
 4. Sc5f – Details of materials to be used for hard surfaced areas (Rc5f)
 5. Sc5 – Details of the sheds (Rc5aii);
 6. Sc22 – No further windows or openings at first floor level in the north and east elevations of the development (Rc22);
 7. The first floor windows in the north elevations of flats 6 and 8 and in the east elevation of flat 8 shall be fitted and permanently maintained with obscured glass and shall be non opening up to a height of 1.7 metres above the first floor level (Reason – Rc23)
 8. Sc51 – Landscaping (Rc51);
 9. Sc52 – Implementation of landscaping (Rc52);
 10. The sheds and adjacent hardstanding shall be constructed in accordance with 'No-Dig' principles in line with Arboricultural Practice Note 1 unless otherwise agreed in writing with the Local Planning Authority (Reason – To safeguard the hawthorn tree adjacent to the northern boundary of the site)
 11. Sc60 – Details of boundary treatment (Rc60);
 12. During the period of construction no power operated machinery shall be operated on the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions (Rc26);
 13. Para C2 – parking, turning, loading and unloading of vehicles during the construction period (Rc10);
 14. Para C3 a & b – Provision of permanent on-site turning and parking (Rc10)

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:** P1/3 (Sustainable design in built development);
 - **South Cambridgeshire Local Plan 2004:** SE4 (Development in Group Villages), HG7 (Affordable Housing) and HG10 (Housing Mix and Design);
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity including noise disturbance, overlooking, overshadowing and loss of light issues;
 - Highway safety and parking;
 - Impact upon character of the area;
 - Surface and foul water drainage implications;
 - Impact on trees.

General

1. Before the existing property is demolished, a Demolition Notice will be required from the Environmental Health Department establishing the way in which the property will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working operation.

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

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- File ref: S/1237/05/F
- Planning Policy Guidance 3: Housing

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 7th December 2005

AUTHOR/S: Director of Development Services

S/1869/05/F - Histon
3 Houses at 53 Cottenham Road for The Land Partnership

Recommendation: Refusal
Date for Determination: 25th November 2005

Site and Proposal

1. 53 Cottenham Road is a residential property with large gardens to the front, west and rear. The site measures 0.232 hectares. The existing house on the site is a fine 19th century villa built in Cambridgeshire gault bricks with a shallow hipped slate roof, however it is not Listed. There is a brick outbuilding attached to the house and a barn-like outbuilding to the west of it. The site contains a number of trees, including a row of pollarded limes to the frontage.
2. The site is within the village framework, forming a spur of land surrounded on three sides by open countryside. To the east there is a pair of thatched cottages at 59 and 61 Cottenham Road, which date from the 17th century and are Grade II Listed. 90 metres to the southwest is Guns Lane, a historic road that is designated as a bridleway.
3. This application received 30th September 2005 seeks full planning permission for three detached dwellings with a detached garage for the existing house. Three large four-bedroom houses are proposed. The site would be developed at a density of 17.39 dwellings per hectare (dph). The application was amended on 10th November 2005 to address highways comments on the access arrangements.

Planning History

4. **S/1982/02/O** granted outline planning permission for two single storey dwellings on the site. The existing dwelling was to be retained within this scheme.
5. **S/2044/04/F** sought planning permission for eight dwellings following the demolition of the existing dwelling. This application was withdrawn prior to refusal, as issues regarding the impact on the village edge, Green Belt and adjacent Listed Buildings had been raised in addition to concerns relating to access, car parking, layout and design.
6. Planning application **S/0075/05/F** for the erection of seven dwellings and a garage to serve the existing dwelling was withdrawn pending refusal on grounds of the impact on the village edge and Green Belt, design, layout and failure to provide an appropriate mix of dwelling sizes.
7. **S/0754/05/F** for the erection of 7 houses, retention of existing and garage for existing was refused at the June Committee, (item 7), on grounds that the development would have an unacceptable impact upon the village edge, was not in keeping with the

character of the area, and the design was not in keeping with the existing built form. An appeal is currently lodged against this decision.

Planning Policy

8. **Policy SE2 'Rural Growth Settlements'** of the South Cambridgeshire Local Plan 2004 ("Local Plan") defines Histon as a Rural Growth Settlement in which residential development will be permitted on unallocated land providing the development meets with the criteria of this and other policies included within the Local Plan.
9. **Policies 9/2a** of the Cambridgeshire and Peterborough Structure Plan 2003 ("Structure Plan") and **Policy GB2** of the South Cambridgeshire Local Plan identify the purpose of the Green Belt and limits development to that which is 'appropriate'. and will preserve the openness of the Green Belt.
10. **Policy SE9 'Village Edges'** of the Local Plan requires development on the edge of villages to be sympathetically designed and landscaped to minimise the impact upon the countryside and to ensure that harmony with the prevailing landscape character is achieved.
11. **Policy HG10 'Housing Mix and Design'** of the Local Plan requires developments to include a mix of housing types and sizes, with the design and layout being informed by the wider area.
12. **HG12 Extensions and Alterations to Dwellings within Frameworks** of the Local Plan sets out the requirements that must be met in order for proposals to extend or alter dwellings within village frameworks to be considered for approval.
13. **Policy TP1 'Planning for More Sustainable Travel'** of the Local Plan seeks to promote sustainable travel and as such planning permission will only be granted where small-scale increases in travel demands will result, unless satisfactory measures to increase accessibility are included. Standards for maximum car parking levels and requirements for cycle storage are found in Appendices 7/1 and 7/2.
14. **Policy EN15 'Development Affecting Ancient Monuments or Other Archaeological Sites'** of the Local Plan seeks to protect, preserve and enhance known and suspected sites and features of archaeological importance and their settings by requiring investigations and refusing planning permission where damage would result.
15. **Policy EN28 'Development Within the Curtilage or Setting of a Listed Building'** of the Local Plan requires proposals that affect the setting of Listed Buildings to not dominate, damage the setting, well-being, attractiveness of the building, or its visual relationship with the surroundings, or damage archaeological remains.
16. **Policy P1/2 'Environmental Restrictions on Development'** of Structure Plan restricts development where it could damage areas that should be retained for their biodiversity, historic, archaeological, architectural and recreational value.
17. **Policy P1/3 'Sustainable Design in Built Development'** of the Structure Plan states that a high standard of design and sustainability should be adopted for all new forms of development.
18. **Policy P5/3 - 'Density'** seeks to achieve best use of land.

19. **Policy P7/6 ‘Historic Built Environment’** of the Structure Plan requires Local Authorities to protect and enhance the historic environment, including designated conservation areas.

Consultations

20. **Histon Parish Council** recommends approval. Its comments on the amended access will be reported verbally.
21. The **Conservation Manager** objects to the design, which adopts a series of quasi-agricultural type structures in an unconvincing group, presents a large two-storey gable to the adjacent listed building, and has inadequate space for landscaping to the village edge, further stating:
- “The concept behind the current proposal may be acceptable, but I believe it requires significant further development before it would be acceptable. I therefore recommend that the applicant be advised to withdraw the current proposal and to hold further discussions with officers before a revised application is submitted”.
22. The **Trees and Landscape Officer** raises no objections.
23. The **Local Highways Authority** requested amendments to the access, which have been received. Comments on the amendments will be reported verbally.
24. The **County Archaeology Office** advises that the site lies in an area of uncertain archaeological potential and it is possible that archaeological deposits survive on the site, which could be destroyed or damaged by the proposed development. The plot lies on the edge of the village, to the north of the historic core and site of St Etheldreda’s Church. Crop marks indicative of Prehistoric or Roman settlement and the remains of a possible Bronze Age barrow are known to the west of the site. A negative condition in accordance with PPG16, requiring a programme of archaeological investigation at the developer’s expense, is recommended.

Representations

25. No representations have been received.

Planning Comments – Key Issues

26. The key issues in determining this planning application are the impact of the design and layout of the proposals on the village edge, character of the area, amenities of the existing dwelling, density and setting of the neighbouring listed buildings.

Impact of the layout and design

27. The three dwellings proposed are all substantial four-bedroom houses with double garages. Due to the size and bulk of these, the site will appear to be over-developed in contrast to the spacious layout of properties in the surrounding area. In effect the dwellings will be too large for the plots proposed and limited space for gardens and landscaping to the village edge.
28. The garden to serve plot 3 is between 3.0m and 6.5m in depth and mostly north facing and will be shaded by the dwelling and by plot 2, which is to the west. The need for landscaping to the village edge also reduces the openness of views to

countryside beyond and will result in the garden having a dark and unappealing feel.

29. Similarly, inadequate garden space has been retained to serve the existing dwelling. The garage proposed to serve the existing house is located at an angle, to the rear of the house, with land associated with plot 3 beyond. Plans indicate that some further land may be included from the garden of the adjoining dwelling, however this is not within the applicant's ownership and so cannot be guaranteed
30. The scheme fails to provide a mix of house sizes and types and as such is contrary to policy HG10.
31. The Conservation Manager has raised issues relating to the design in relation to the adjacent Listed Buildings and village edge and considers the proposals to be harmful to the setting of the listed buildings, particularly from plot 3. In addition, the appearance of the village edge will be harmed due to the failure to incorporate adequate amenity space and landscaping.

Inefficient use of land

32. The proposed development makes inefficient use of land, with a density of just 17.39 dph. Histon is a rural growth settlement with good access to public transport, facilities and services scheme. While the site is on the village edge the proposed scheme fails to provide a density that makes best use of the land and the applicant has not demonstrated that there are strong design grounds for such a low density.

Recommendation

33. Refusal on the following grounds:
 - a) The character of the area is one of spacious plots in an edge of village location, which is adjacent to the Cambridge Green Belt. The proposed development will result in an appearance of overdevelopment of the site due to the size, footprint and siting of the buildings which does not reflect the spacious existing character of the built area and will be harmful to the openness and rural character of the adjacent Green Belt. As such, the proposals do not accord with policies SE2 (Rural Growth Villages) and GB2 (Green Belt) of the South Cambridgeshire Local Plan, 2004.
 - b) The proposed dwelling at plot 3 and the existing dwelling will be served by inadequate private amenity space and as such occupiers will have poor amenity. In addition, the scheme fails to provide an appropriate mix of house sizes and types, which has in part resulted in the site having an appearance of over-development, and is contrary to policy HG10 (Housing Mix and Design) of the South Cambridgeshire Local Plan, 2004.
 - c) The design and scale of plot 3 will be harmful to the setting, visual relationship and curtilage of the adjacent Listed Buildings and as such is contrary to policy EN28 (Development within the Curtilage or Setting of a Listed Building) of the South Cambridgeshire Local Plan, 2004.
 - d) The proposed development makes inefficient use of land, with a density of just 17.39 dph. The application does not demonstrate that there are strong design grounds for such a low density and as such is contrary to PPG3, Policy P5/3 (Density) of the Cambridgeshire and Peterborough Structure Plan, 2003, and SE2 (Rural Growth Settlements) of the South Cambridgeshire Local Plan, 2004.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file refs. S/1869/05/F, S/0754/05/F, S/0075/05/F, S/2044/04/F and S/1982/02/O

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

S/1953/05/F - Histon
Erection of Three Houses Following Demolition of Existing Dwelling (Revised Design)
at 81 Park Lane for CCJ Estates Ltd.

Recommendation: Approve/Delegated Approval
Date for Determination: 7th December 2005

Site and Proposal

1. The site lies on the western edge of the village and measures 0.126 hectares. The site has been cleared following demolition of the bungalow which previously occupied the site. Access is off Park Lane, close to the junction with Melvin Way. The site is screened from the road and neighbouring dwellings by mature trees to the boundaries, which have been retained as part of a landscaping scheme. 1.8 metre high, close-board fences define the Pease Way, Melvin Way and rear boundaries. The eastern boundary adjoins Melvin Way, where there is an Anglian Water pumping station sited close to the corner with Park Lane. To the south and west, dwellings on Melvin Way and Pease Way adjoin the site.
2. This full planning application received 12th October 2005 seeks approval of a revised design that incorporates additional bedrooms and storage spaces within the lofts of the dwellings. This involves the addition of rooflights and windows. The application was amended on 16th November 2005, at Officer's request, and revised the siting and number of rooflights and windows in order to avoid overlooking and loss of privacy to neighbouring plots and existing dwellings.

Planning History

3. **S/1320/04/O** gave outline permission, including details of siting and access, for the erection of three dwellings following demolition of existing the dwelling.
4. **S/0415/05/F** gave permission for the erection of three houses following demolition of the existing dwelling. The current application is a revision of this approved scheme.

Planning Policy

5. Policy **HG10 'Housing Mix and Design'** of the South Cambridgeshire Local Plan, 2004, requires residential developments to include a mix of housing types and sizes, including one and two bedroom dwellings, making best use of the site and promoting a sense of community that reflects local needs. Design and layouts should be informed by the wider character and context. In addition, high quality design is sought, combining energy efficiency.
6. Policy **P1/3 'Sustainable Design in Built Development'** of the Cambridgeshire and Peterborough Structure Plan, 2003, states that a high standard of design and sustainability should be adopted for all new forms of development.

Consultations

7. **Histon Parish Council** – recommends refusal, commenting that its Committee is concerned over parking with an increased potential occupancy and would wish to comment on Building Regulations requirements for fire escape provision.
8. **Environmental Health Officer** – requests informatives regarding bonfires and burning of waste and demolition.

Representations

9. Occupiers of “Brantwych” object to the proposal on the following grounds:
 - a. The house is being built too close to the boundary with “Brantwych” – taking away light from the side of the house.
 - b. Fifth bedrooms in the loft will have windows that would take away privacy of the garden to “Brantwych”.
 - c. The increase in bedrooms will result in increased car parking and the road is not wide enough for on-street parking, which is a problem already.

Planning Comments – Key Issues

10. The key issues in relation to the application are parking and neighbouring amenities. Building Regulations are not a material planning consideration.

Parking

11. Double garages will serve each of the dwellings with space in front for two further cars to park, totalling four car parking spaces per dwelling. This is an over-provision of parking by current standards. This element of the proposals has not altered from the extant planning permission.

Neighbouring amenities

12. The siting and design of the proposed dwellings has not altered other than the addition of windows in roof and at second floor. The impact of the proposals in terms of light is identical to the extant planning permission.
13. Additional windows are proposed and amendments to the siting and number of these has been received which will ensure that no significant overlooking or loss of privacy to either the existing neighbouring dwellings or the proposed dwellings will result. At the time of writing a revised drawing of the south elevation of plot two has been requested, as the amended plan is incorrectly drawn.
14. If the current permission (Ref. S/0415/05/F) were implemented the lofts could, once the dwellings have been occupied, be converted under permitted development rights. This potentially could introduce overlooking or loss of privacy. This application can, however be conditioned to ensure that no further windows are added at first or second floor without planning permission having first been granted and will ensure that residential amenities are protected.

Recommendation

15. Approval subject to receipt of corrected drawings, and amended by plans date stamped 16th November 2005, subject to the following conditions:
- a. SCA - RCA
 - b. Sc5a Materials – RC5ai
 - c. Sc5d Refuse storage accommodation – RC5d
 - d. SC22 No further windows: worded 'north, east, south or west elevations and roof slopes' – RC22
 - e. Sc26 – Power operated machinery Worded 'before 8 am on weekdays and 8 am on Saturdays nor after 6pm on weekdays and 1pm on Saturdays (nor at any time on Sundays or Bank Holidays) (Rc26);
 - f. The access and turning area to plot 3 shall be constructed using a 'no dig' method in accordance with 'Aboricultural Advice Note 1' (APN1).
Reason: To protect the roots of trees which are to be retained in order to enhance the development and visual amenities of the area.
 - g. SC51- Landscaping – RC51
 - h. Sc52 – Implementation of landscaping (Rc52);
 - i. Sc56 – Protection of trees during construction (Rc56);
 - j. Sc57 – Protection of existing trees (Rc57);
 - k. Sc60 – Details of boundary treatment (Rc60);
 - l. Highways C3 a) & b) – Car parking, turning and unloading (RC20 – parking and turning of vehicles).
1. Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.
 2. During construction and demolition there shall be no bonfires or burning of waste except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.

Reasons for Approval

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:** P1/3 (Sustainable Design in Built Development)
 - **South Cambridgeshire Local Plan 2004:** HG10 (Housing Mix and Design)
2. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity
 - Highways

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file refs. S/1953/05/F, S/0415/05/F and S/1320/04/O

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

S/1613/05/F - Linton
4 Houses at 9 High Street for P Sargent

Recommendation: Refusal
Date for determination: 13th October 2005

Conservation Area**Site and Proposal**

1. The application relates to a 0.09 hectares/0.22 acres site occupied by a pitched roof workshop, a flat roof office, flat roof toilet buildings and hardstanding. It is now vacant but was previously used as a vehicle servicing and repair garage. The site rises to the south. There is a dropped kerb along the whole of the site's High Street frontage. The Crown PH is situated to the north. Its car park and garden to the rear are set down below the level of the site. A terrace of 4no. 2-storey houses with accommodation in the roofspace accessed from Cambridge Road is located to the west. No.2 Cambridge Road, a detached bungalow set up approximately 1 metre above the level of the site, and No.7 High Street, a two-storey house accessed from Cambridge Road with a detached garage to the rear and a sitting out area in its northern corner, lie to the south of the site. The site has an open frontage. There is a 1.4m high approximately wall along the boundary with The Crown's car park/garden. A flint wall, fence and the rear of an outbuilding within No.2 mark the boundary between the site and No.2 Cambridge Road. The boundary to No.7 High Street is marked by a mix of walls and fencing.
2. This full application, registered on the 18th August 2005 and amended by plan date stamped the 17th October 2005, proposes the erection of a terrace of 2no. 2-bedroom and 2no. 3-bedroom dwellings following the demolition of the existing buildings on the site. The dwellings would be 7.5 metres high to ridge, 5 metres high to eaves and would be faced with brickwork and boarding and would have a slate roof. 6no car parking spaces and on-site turning would be provided. The existing access, reduced in width to 5 metres, would be used. A refuse space would be provided close to the High Street frontage, with each dwelling being provided with bin stores. The density equates to 44 dwellings to the hectare.

Planning History

3. A previous application for 4 houses on the site was withdrawn (**S/2127/04/F**).
4. A Conservation Area Consent application for the demolition of the former garage/workshop building is yet to be determined (**S/2126/04/CAC**).

Planning Policy

5. Structure Plan 2003 **Policy P1/3** requires a high standard of design for all new development which responds to the local character of the built environment.

6. Local Plan 2004 **Policy SE2** states that residential development will be permitted on unallocated land within Linton provided that (a) the retention of the site in its present form is not essential to the character of the village; (b) the development would be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours; (c) the village has the necessary infrastructure capacity; and (d) residential development would not conflict with another policy of the Plan, particularly policy EM8 which relates to the loss of employment sites. It also states that development should provide an appropriate mix of dwellings in terms of size, type and affordability and should achieve a minimum density of 30 dwellings to the hectare unless there are strong design grounds for not doing so.
7. Local Plan 2004 **Policy HG10** states that residential developments will be required to contain a mix of units providing accommodation in a range of types, sizes (including 1 and 2 bedroom dwellings) and affordability, making the best use of the site and promoting a sense of community which reflects local needs. It also states that the design and layout of schemes should be informed by the wider character and context of the local townscape and landscape. Schemes should also achieve high quality design and distinctiveness, avoiding inflexible standards and promoting energy efficiency.
8. Local Plan 2004 **Policy EM8** states that the conversion, change of use or re-development of existing employment sites to non-employment uses within village frameworks will be resisted unless the existing use is generating environmental problems such as noise, pollution or unacceptable levels of traffic or where it is demonstrated that the site is inappropriate for any employment use to continue having regard to market demand. The supporting text states that applications will need to be accompanied by documentary evidence that the sites are not suitable or capable of being made suitable for continued employment use, including evidence that the property has been adequately marketed for a period of not less than 12 months on terms that reflect the lawful use and condition of the premises.
9. Local Plan 2004 **Policy TP1** states that the Council will seek, through its decisions on planning applications, to promote more sustainable transport choices and to reduce the need to travel, especially by car, by amongst other things restricting car parking to a maximum of an average of 1½ spaces plus ¼ space for visitors per dwelling.
10. Local Plan 2004 **Policy CS10** states that, where permission is granted for residential development of 4 or more dwellings, financial contributions will be sought towards the provision of additional permanent or temporary education accommodation in those cases where the new development would cause the planning capacity of permanent buildings at the local primary or secondary schools to be exceeded during the 5 years following the date of the application.

Consultation

11. **Linton Parish Council** recommends approval but asks that the amended site layout be referred to Highways for their comment.
12. **Conservation Manager** states that the revised scheme overcomes his original concerns and has no objection to the scheme as amended subject to conditions relating to materials and landscaping.

13. **Chief Environmental Health Officer** raises no objections subject to the imposition of conditions and an informative relating to the times when power operated machinery shall not be operated during the construction period except in accordance with agreed noise restrictions, driven pile foundations, a site investigation and a remedial strategy and stating that there shall be no bonfires or burning of waste on site during construction except with his Department's prior permission. It is not aware of any recent complaints about any environmental problems caused by the previous garage use of the site.
14. **Building Control Surveyor** confirms that the general layout re. Fire Brigade access appears acceptable.
15. **Local Highway Authority** does not object to the proposal as amended but states that the turning head is only suitable to serve the turning movements of cars. Delivery vehicles etc will be forced to reverse into the site from High Street or reverse out of the site onto High Street. It remains concerned about the number of parking spaces and resultant on-street parking.
16. **Environment Agency** raises no objections subject to the imposition of conditions relating to surface water drainage and ground contamination investigation, assessment and remediation.
17. **County Education** seeks a £10,000 contribution towards education provision as it is concerned that adequate secondary school capacity is not available at Linton Village College where pupils residing at the site would be expected to attend.
18. **Cambs Fire & Rescue Service** states that access and facilities should be provided in accordance with Building Regulations and the responsibility for approving details rests with Building Control.
19. **County Archaeology** recommends that a condition requiring a programme of archaeological investigation is attached to any permission.

Representations

20. Occupiers of 7 High Street and Queens House raise the following concerns:
 - a. Need to ensure dwellings do not now or in the future overlook or result in a loss of light to 7 High Street;
 - b. The use of boarding is totally out of keeping with this part of High Street and would be very overpowering when viewed from 7 High Street;
 - c. Loss of light to 7 High Street;
 - d. Absolute guarantees are required that any damage to 7 High Street's garden wall and/or garden when the office and lavatory block are demolished is repaired;
 - f. Who will maintain the strip of land to the front of the dwellings?;
 - g. Inadequate parking provision;
 - h. Will the High Street footpath be redefined and will public lighting be installed?;
 - i. Wheelie bin storage;
 - j. Sewage and drainage disposal;
 - k. Can the smallest bedrooms accommodate beds?;
 - k. Need to ensure any overground telephone masts do not conflict with the external layout.

Planning Comments – Key Issues

21. The main issues in relation to this application are: the impact on the character and appearance of the Conservation Area, the impact on neighbours; highway matters and parking provision; and the loss of an employment site.
22. The scheme as amended is considered to be acceptable in terms of the impact on the character and appearance of the Conservation Area. The Conservation Manager suggests that the vertical weatherboarding on the north east and south west elevations should be painted a pale colour. Indeed, the reduction in the width of the access provides an opportunity for welcome landscaping to soften the appearance of the site frontage. First floor windows are either high level or would overlook The Crown's car park and garden. The scheme would not be unduly overbearing and would not result in undue overlooking, loss of light to or loss of outlook from neighbouring properties.
23. Whilst delivery vehicles would have to reverse into or from the site, the scheme is for 4 houses and such manoeuvres are likely to be infrequent. Six car parking spaces for 4 dwellings is considered to be appropriate towards the centre of a Rural Growth Settlement with access to public transport.
24. Whilst the scheme is considered to be acceptable in all other respects, Local Plan Policies EM8 and SE2(d) of the South Cambridgeshire Local Plan 2004 and the supporting text state that applications for the redevelopment of existing employment sites will only be supported if they are generating environmental problems such as noise, pollution or traffic or, alternatively, if it has been demonstrated that the site is inappropriate for any employment use to continue having regard to market demand.
25. There is no evidence that the use of the site has caused environmental problems and it has not been demonstrated that the site is inappropriate for any employment use to continue having regard to market demand. With regard to marketing, the agents confirmed that the previous tenants have located to another site in the village and, whilst there has been no official marketing as a commercial site, there have been no enquiries to the applicant in this respect.

Recommendation

26. Refusal (as amended by drawing no. SC.163.6 rev.B date stamped 17.10.05).
26. The proposed development is contrary to Policies EM8 and SE2(d) of the South Cambridgeshire Local Plan 2004 which only support the redevelopment of existing employment sites if they are generating environmental problems such as noise, pollution or traffic or, alternatively, if it has been demonstrated that the site is inappropriate for any employment use to continue having regard to market demand.

There is no evidence that the use of the site has caused environmental problems or, by way of marketing or any other means, that the site is inappropriate for any employment use to continue having regard to market demand.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Refs: S/1613/05/F, S/2127/04/F and S/2126/04/CAC.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

S/1907/05/O - Longstanton
Erection of Two Bungalows, Land at Clive Hall Drive/Mills Lane for D J Harradine

Recommendation: Refusal
Date for determination: 1st December 2005

Departure Application

Conservation Area

Site and Proposal

1. The 0.25 ha site lies to the north-east of the junction of Mills Lane and Clive Hall Drive and has a frontage to both roads. The site is pastureland, surrounded on its boundaries with hedgerows and young trees. There is a wooden shed close to Clive Hall Drive. Directly opposite, to the north-west, there are two dwellings fronting Mills Lane. Further along Mills Lane, to the north-east, there is a group of three dwellings and a caravan park. Oakington Barracks lies beyond these to the north-west. To the south and south-west there are detached dwellings in Clive Hall Drive, and to the south east, there is Badger's Holt mobile home park.
2. The outline application, received on the 6th October 2005 proposes the erection of 2 bungalows on the site. All detailed matters are reserved for subsequent approval. The density proposed is 8 dwellings per hectare. A Planning, Design and Access Statement has been submitted with the application.

Planning History

3. The site has a long history of refusals for residential development dating back to 1975. Two applications in 1994 and 1997 were withdrawn prior to the issue of decision notices refusing planning permission and in 1999 a single bungalow was refused on the south-east half of the site.
4. The Inspector, when reviewing the Deposit Local Plan in January 2002, considered a representation from the applicant for development of this site for a small group of 6 or so houses. He rejected the idea, commenting, "I have supported the infill-only approach to Longstanton St. Michaels. It would be inconsistent with that view to support extension of the larger village framework to include undeveloped land without the character of an infill plot which could not be developed at an appropriate density without exceeding 2 dwellings".
5. Planning permission for the erection of three dwellings on the site was refused by Members on 13th May this year, following a site visit (**S/0475/05/O**). The reason for refusal was:

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

Planning Policy

7. The site is outside the village framework defined in the 2004 Local Plan. The site is included within the extended Conservation Area for Longstanton which has been designated following a period of public consultation and was adopted by Full Council as Council policy on 22nd September this year.
8. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 states: development will be restricted in the countryside unless the proposal can be demonstrated to be essential in a particular rural location.
9. **Policy P7/6** (Historic Built Environment) Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.
10. **Policy SE8** of the 2004 Local Plan states: there is a general presumption in favour of residential development within village frameworks. Residential development outside these frameworks will not be permitted.
11. **Policy SE9** (Village Edges) - development on the edge of villages should be sympathetically designed and landscaped to minimise the impact of development on the countryside.
12. **Policy CS5** (Flood Protection) - planning permission will not be granted where the site is likely to increase flood risk unless it can be demonstrated that the effect can be overcome by appropriate alleviation and mitigation measures.
13. **Policy EN30** (Development in Conservation Areas) – proposals in conservation areas will be expected to preserve or enhance the special character and appearance of the area, especially in terms of their scale, massing, roof materials and wall materials. Schemes that do not specify traditional local materials or details that do not fit comfortably into their context will not be permitted. Applications should be accompanied by sufficient details to allow their impact on the conservation area to be assessed.

14. **Policy Longstanton 5** states development in Longstanton St Michael's will be restricted to infilling within the built-up framework of the village. The supporting text states "in particular, the country lane character of St Michael's Lane and Mills Lane will be retained...".

Consultations

15. **Longstanton Parish Council** recommends approval, provided that only two bungalows are built on this plot of land.
16. **Council's Conservation Manager** recommends refusal of the proposal as it provides no details of the appearance of the development and, notwithstanding this, he considers that the proposal would be harmful to the separation of the Longstanton with the proposed new development at Northstowe.
17. **Environment Agency** objects to the proposal as it provides insufficient information on proposals for both surface water and foul water drainage. For this reason the application fails to conform to Policy CS5.

Representations

18. 17 letters of support for the proposal have been received. These comment that:
- a) A modest and sensible addition to the housing stock at this end of the village.
 - b) It is a logical extension to the Clive Hall Drive housing development.
 - c) This will screen the mobile home park from residents in Mills Road.
 - d) A very appropriate spot that should not cause any problems to neighbours or villagers.
 - e) Complies with infill criteria for this part of Longstanton.
 - f) There is a shortage of this type of bungalow development in this part of Longstanton.
 - g) Government encourages local families to remain within their villages.
 - h) This will fit in well and will 'straighten' the village envelope adjacent to the well established hedge on the northern boundary.
 - i) SCDC has allowed other developments in the countryside and outside the framework of Longstanton, which already override its own policies.
19. 3 letters of objections to the proposal have been received, on the grounds that:
- a) The development would nullify the conception of a buffer strip of land/green belt between Longstanton and the proposed new town.
 - b) This would not protect the rural nature of this part of the village.
 - c) Reduction of green space in the village.
 - d) Increase in congestion and traffic in the area.

- e) Inappropriate for a Conservation Area.
- f) Outside the development framework, contrary to policies SE4, SE8 and Longstanton 5.
- g) Sufficient dwellings are being constructed in Longstanton to cater for local need.
- h) Loss of good agricultural land.
- i) Harmful ribbon development.
- j) A few years ago the owner planted hedge plants and trees in a line across his land parallel to Clive Hall boundary, artificially creating potential 'plots' either side of the field access. The agent has submitted a planning, design and access statement.

20. Agent's Representations

In support of the application, the agent states that:

- a) Since the existing village framework boundary was drawn, the appearance of the site has changed because of the establishment of a mature hedgerow, which provides a visual screen when viewed from the north.
- b) The site is not designated as a Protected Village Amenity Area, so its retention as undeveloped land is not considered important.
- c) There would not be any material harm to the setting of the village of Longstanton or the existing conservation area.
- d) The proposals represent a desire for a rural-based worker to live nearer to their place of work. There is an identified social need in recognising a requirement for special needs housing in a rural location.
- e) The height and scale of the development will be consistent with neighbouring dwellings.
- f) There will be no access onto Mills Road, so preserving its 'country lane' character.
- g) The proposal amounts to infill, in accordance with Policy Longstanton 5.
- h) The application is accompanied by an indicative layout plan showing the possible siting of two bungalows.

Planning Comments

Village Framework

- 21. The site is outside the village framework defined in the 2004 Local Plan and its development for residential purposes would be contrary Policy SE8 and to the specific Policy Longstanton 5 which seeks to retain the "country lane" character of Mills Lane by restricting developments to infilling (i.e. no more than 2 dwellings) within the village framework. The Inspector in 2002 refused to accept that the site could be considered as

an infill plot, and since then the circumstances on which this assessment was based have not changed significantly.

22. The case for an exception to be made in this case is based upon the assessment that there will be no material harm to the country lane character as a result of the development. The site is part of an extensive open and green area which creates a strong rural setting to the village. The erection of two bungalows and the various paraphernalia associated with domestic use would fundamentally alter the character and appearance of the site and its contribution to the setting of the village. In refusing planning application S/0475/05/O, Members accepted that the development of the site for three dwellings would cause harm to the character of the area, and the same concern applies to the current proposal as the openness of the site would be destroyed in a similar way.
23. If allowed, this development would provide a precedent for development on other sites outside village frameworks, to the progressive detriment of the appearance of the countryside.

Conservation Area

24. The site lies within the recently designated extension to the Longstanton Conservation Area. The supporting statement of the report describes the open land between Mills Lane and St Michael's as 'very important to the landscape settling of the village'. Development of the site would harm the character and appearance of the Conservation Area. This is an additional material consideration which adds weight to the refusal of planning permission dated 13th May 2005.

Drainage

25. The Environment Agency has lodged an objection based on the lack of information of drainage proposals supplied with the application. This is capable of resolution and I note that the Agency did not object to application reference S/0475/05/O. The site is not within a high or medium risk flood zone. In itself this objection would not justify the refusal of the application.

Representations

26. The considerations put forward by the agent and supporters of the proposal have been carefully considered. For the reasons set out above I do not consider that any amounts to an overriding reason to allow the proposed development contrary to well established policies designed to protect the countryside from non-essential development and the appearance and character of the Conservation Area.

Recommendation

27. Refusal for the following reasons:
 1. The site is located in the countryside and residential development is contrary to the following Policies:
 - (a) Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 which restricts development in the countryside to proposals which can demonstrate an essential need for a particular rural location. No essential need has been demonstrated in this case; and

- (b) Policies SE8 and Longstanton 5 of the South Cambridgeshire Local Plan 2004 in that the development is not infilling within the physical framework of Longstanton as defined on the Inset Map No 67. The country lane character of Mills Lane would be eroded and development in this location would make it difficult to resist further similar proposals, which cumulatively would damage both the rural character of this part of Longstanton and undermine policies aimed at protecting the countryside from unnecessary development.
2. The site lies within the extended Longstanton Conservation Area. Notwithstanding the inadequate standard of the information of the development proposals submitted with the application, the Local Planning Authority considers that the erection of two dwellings on this land would neither preserve nor enhance the existing landscape setting of the village and the rural character and open appearance of this part of the Conservation Area. For these reasons, the proposal would be contrary to Policy P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policy EN30 of the South Cambridgeshire Local Plan 2004.
3. Notwithstanding the above reasons for refusal, the proposal does not contain sufficient information of surface water and foul water drainage to enable the impact of the development on the environment to be assessed. For this reason, the proposal does not conform to Policy CS5 of the South Cambridgeshire Local Plan 2004.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Refs. S/1907/05/O and S/0475/05/O.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

**S/2118/05/F - Great and Little Chishill
Two Dwellings for Carter Development Ltd**

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

Departure application

Members will visit the site on Monday 5th December 2005

Site and Proposal

1. The site lies in the countryside, approximately 200m south of the village framework. It contained agricultural buildings and silos and essentially two small barns and one larger barn arranged around a courtyard. The two smaller barns are currently being converted to dwellings whilst the larger barn has been completely demolished. The land rises to the south.
2. The full planning application, received on 4th November 2005 is part retrospective and involves the erection of two barn style dwellings following the demolition of an existing barn.
3. The two new dwellings will form a single building of width 34.5m, depth 5.8m and height 5.85m to ridge. The building would be finished in timber weather boarding over a brick plinth and under a pitched clay peg tile roof.

Planning History

4. In March 2003 planning permission was granted for the conversion and use of barns as 4 dwellings. The large barn had dimensions: width 34.5m, depth 5.5m and height 5.4m (shown on plans attached to planning application file **S/0041/03/F** – planning permission for the conversion).
5. During the course of the development the applicant discovered that the large barn, though inwardly and outwardly appearing to be in good condition, had in fact no foundations. He investigated the possibility of underpinning but instead decided to totally demolish the building and erect new.
6. Following complaints received regarding the unauthorised works officers investigated and established that half of the building (one of the dwellings) had been erected up to eaves level. Officers requested that work on the dwellings cease immediately. The applicant agreed to this, all work on the building ceased and this application was submitted in an attempt to regularise the situation.

Planning Policy

7. South Cambridgeshire Local Plan 2004 (Local Plan) Policy SE8 – Village frameworks states (in part):

“Residential development outside these frameworks will not be permitted”.

8. Local Plan Policy HG10 – Housing Mix and Design states:

“Residential developments will be required to contain a mix of units providing accommodation in a range of types, sizes (including 1 and 2 bedroom dwellings) and affordability, making the best use of the site and promoting a sense of community which reflects local needs.

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

9. Structure Plan Policy P1/2 restricts development in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.

Consultation

9. **Great and Little Chishill Parish Council**
States:

“Full assurance is necessary that this structure is the same size as on the original survey. S/0041/03/F”.

The Parish Council has not made a recommendation.

10. **Chief Environmental Health Officer**
No objections subject to conditions and informatives to control noise and disturbance during construction.

Representations

11. Three letters of objection have been received from the occupiers of May Street Farmhouse and 35 May Street. The points of objection are summarised below.
12. The proposal is new build outside the village envelope
13. The development is being advertised as 3 bedroom houses yet the previous permission was for 2 bedroom houses. The increase in size will result in increased noise and disturbance from a more intensive residential development.
14. The plan states the base of the building will be on a brickwork plinth. The current building of this barn is concrete blocks.
15. The roof height of the new build already exceeds the height shown on the plan – the bedrooms will look straight into the bedrooms of May Street Farmhouse.
16. The plans show a building that attempts to emulate the original barn that was demolished. However, the original barn no longer exists and the new plans would simply result in a poor copy that has no architectural merit, let alone any conservation value.
17. Now that the picturesque meadow has been exposed to the road it would seem much more preferable to keep it that way rather than building an ugly barn look-alike.
18. Additional rooflights will impact on privacy of occupiers of 35 May Street.

19. The roof height of the new build already exceeds the height shown on the plan.

Planning Comments

20. The main issues in this application are: the significance of building new dwellings in the countryside in relation to Development Plan Policy, the impact of the new dwellings in comparison with the permitted conversion scheme and the impact on neighbour amenity.

Policy

21. Clearly the building of new dwellings is contrary to Local Plan policy SE8 and Structure Plan policy P1/2 that requires all new dwellings to be within the frameworks of villages to protect the countryside. However, the new dwellings have resulted from the total demolition of a barn that was to be converted to dwellings. The principle of dwellings in this location has, in this regard, already been established albeit by conversion. What has been lost is the historic nature and character of the original building.

Comparison with conversion scheme

22. The overall design of the new dwellings is broadly similar to that approved under the conversion scheme, however, the depth has increased by approximately 0.3m and the vertical dimension has increased by approximately 0.6m. The developer has stated that the overall ridge height is the same as for the previous barn. (he has submitted photographs showing the new build in relation to the old but these are inconclusive). What he says has altered is the ground level which has been lowered. If correct, this results in a taller structure but with no overall increase in height relative to surrounding buildings. However, the increased vertical dimension has changed the proportions of the elevations resulting in a less satisfactory scale and form. In particular I am concerned that the dimension between the top of the openings and the eaves has increased significantly (from 1m to 1.5m) from the conversion scheme and this has unsettled the balance of the proportions of the elevations.
23. The conversion scheme read as a whole with the buildings surrounding a shared courtyard area. In my opinion the site benefits from this approach and the overall scheme would be less satisfactory without the enclosure that the proposed conversion of the large barn would have created. However, I acknowledge that this view is not shared by local residents who see some benefit to the space formed following the demolition of the barn.
24. Although accepting the development of new dwellings contrary to Policy, I do not accept the design revisions and I feel it is important to retain the low key rural character and proportions of the original building. I therefore consider that the new dwellings should be identical in appearance to those of the conversion scheme.

Neighbour amenity

25. Provided the new dwellings are identical in appearance and design to the conversion scheme this proposal will have no greater impact on occupiers of adjoining properties than the conversion scheme and, if anything, less if the ground level has indeed been reduced as stated by the applicant.

Recommendation

26. Subject to receipt of a further plan showing the new dwellings to be identical to the previous permitted conversion works, and referral to the Secretary of State as a departure Committee be minded to approve the application, subject to the following conditions:

1. No further development shall commence until details of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details. (Reason - To ensure that visually the development accords with neighbouring buildings and is not incongruous in accordance with the requirements of Policy HG10 of the South Cambridgeshire Local Plan 2004).
2. Notwithstanding the provisions of Regulations 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order), the following classes of development more particularly described in the Order are expressly prohibited in respect of the property and each unit thereon unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf:-
 - i) PART 1, (Development within the curtilage of a dwellinghouse, all classes).
 - ii) PART 2, (Minor operations), Classes A (erection of gates, walls or fences). (Reason - To safeguard the character of the area and to preserve the appearance of the units as agricultural outbuildings in accordance with the requirements of Policy HG10 of the South Cambridgeshire Local Plan 2004).
3. No windows, doors or openings of any kind shall be inserted in any elevation of the buildings, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf. (Reason - To preserve the appearance of the units as agricultural outbuildings in accordance with the requirements of Policy HG10 of the South Cambridgeshire Local Plan 2004.)
4. No further development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock. (Reason - To enhance the quality of the development and to assimilate it within the area in accordance with the requirements of Policy EN5 of the South Cambridgeshire Local Plan 2004).
5. 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 buildings 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 in accordance with the requirements of Policy EN5 of the South Cambridgeshire Local Plan 2004).
6. 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 buildings are 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 in accordance with the requirements of Policy HG10 of the South Cambridgeshire Local Plan 2004.)

7. Prior to the commencement of any further development, a scheme for the provision and implementation of pollution control, which shall include foul and surface water drainage, shall be submitted to and agreed in writing by the Local planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans. (Reason – To ensure a satisfactory method of foul and surface water drainage and to prevent the increase risk of pollution to the water environment.)
8. During the period of construction no power operated machinery shall be operated on the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing by the Local Planning Authority in accordance with any agreed noise restrictions. (Reason - To protect the occupiers of adjacent properties from an unacceptable level of noise disturbance during the period of construction).

Informatives

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

Environment Agency Informatives

- a) All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.
- b) If soakaways are proposed for the disposal of uncontaminated surface water, percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or Ciria Report 156) and to the satisfaction of the Local Planning Authority. The maximum acceptable depth for soakaways is 2 metres below existing ground level. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted.
- c) Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.
- d) An acceptable method of foul drainage disposal would be connection to the foul sewer.
- e) The applicant's attention is drawn to DETR Circular 03/99, which requires an applicant to demonstrate that a connection to the public foul sewer is not available.
- f) In the eventuality of a connection to the public water sewer not being available, the suitability of any non-mains sewerage systems, particularly those incorporating septic tanks, must be effectively demonstrated by the applicant to the satisfaction of the Local Planning Authority.
- g) Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that Order), any oil storage tank shall be sited on an impervious base and surrounded by oil tight bunded walls with a capacity of 110% of the storage tank, to enclose all filling, drawing and overflow pipes.

- h) Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

Reasons for Approval

1. The development does not accord with the Development Plan but is considered acceptable for the reasons given above.
2. The proposal is not considered to be significantly detrimental to the following material considerations, which have been raised during the consultation exercise:
 - Amenity of neighbours
 - Character and appearance of the surroundings

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

- Planning Files reference S/0041/03/F and S/2118/05/F, South Cambridgeshire Local Plan 2004

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

S/2006/05/F - Melbourn**Use of Land for Wholesale Distribution of Building and Landscape Supplies and Siting of Steel Container Units (Retrospective), Clunchpits, 1 London Road for P W Norbury**

Recommendation: Delegated Refusal
Date for Determination: 15th December 2005

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

Site and Proposal

1. The site lies in the countryside adjacent to the village framework for Melbourn at the south western end of the village. It is accessed along a single width dirt track that is also a public right of way. To the north and west lies the Grinnel Hill Pocket Park.
2. The site lies to the rear and side of a bungalow, currently the applicant's home, and was until recently a woodyard.
3. A modern agricultural style building sits to the rear of the site which is used for the manufacture of timber products such as pallets and fencing. Much of the site has been hard surfaced with concrete, various structures have been erected such as loading bays and aggregate bays and the use is currently part wholesale distribution and retail sales of timber products and building supplies, such as aggregates, and landscape supplies. A number of storage containers (in excess of 30) are being let out and used to store retail products for other businesses and domestic storage for rent.
4. The business employs 8 people.
5. The full planning application, received on 20th October 2005, retrospectively proposes to address some, but not all, of the elements referred to above, namely the use for wholesale distribution of building and landscaping supplies and the siting of the storage containers. It does not address the retail sales of goods nor the structures and hardstandings that have been erected without planning permission (the building to the rear has consent) nor the use of the storage containers.
6. Part of the application site has encompassed a small section of land that was previously part of the residential curtilage of the bungalow and thus represents a change of use. This area is what was the rear end of the garden that abutted the woodyard and 'squares off' what was a diagonal boundary.

Planning History

7. In May 2002 a Lawful Development Certificate was issued. It stated the following was lawful:

"Use as a timber yard for storage and wholesale distribution of timber in the form of cord, logs, tree trunks, tops, brush, chippings, sawdust and sawn timber,

manufacturing of timber pallets and timber fencing and recycling of timber together with ancillary processing uses of shredding, screening of root material (including ancillary storage of soil and stones arising from that process) and sawing (for manufacturing and recycling purposes) and stationing on the site all requisite plant, machinery, vehicles and equipment incidental thereto”

8. In February 2002 planning permission was granted for an open sided machinery storage building to the rear of the site.
9. In February 2004 planning permission was granted to allow the open sided building to be enclosed.

Planning Policy

10. Cambridgeshire and Peterborough Structure Plan 2003 Policy P1/2 – Environmental Restrictions on Development states (in part) that development will be restricted in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.
11. South Cambridgeshire Local Plan 2004 Policy EN1 states that the District Council will seek to ensure that the local character and distinctiveness of the Landscape Character Areas are respected, retained and wherever possible enhanced. It states: “Planning permission will not be granted for development which would have an adverse effect on the character and local distinctiveness of these areas.”
12. South Cambridgeshire Local Plan 2004 Policy EN3 states: “In those cases where new development is permitted in the countryside the Council will require that (a) the scale, design and layout of the scheme (b) the materials used within it, and (c) the landscaping works are all appropriate to the particular ‘Landscape Character Area’, and reinforce local distinctiveness wherever possible”.

Consultation

13. **Melbourn Parish Council** recommends refusal. ‘Inappropriate development of commercial activity in rural area, with poor access.’
14. The **Environment Agency** objects to the considerable amount of the site that has either been hard surfaced or built on. This will accelerate surface water run off and increase the risk of flooding to existing property. A flood risk assessment should be submitted.
15. The **Local Highway Authority** comments that the access road to this site forms a junction with Back Lane at the point where Back Lane meets the High Street. Vehicles entering the access have potential to conflict with vehicles negotiating the Back Lane/High Street junction. It is not clear from the submitted application what the increase in traffic is likely to be (or indeed is) over and above that which was generated by the lawful use. Additional details are requested in respect of the aforementioned but the initial view of the Local Highway Authority is that a scheme for improving the junction of the access road with Back Lane should be investigated.
16. The **Chief Environmental Health Officer** notes that the application is retrospective and confirms that there have been no complaints registered in respect of the intensification of use at this site. However officers have been involved in investigations in relation to the burning of waste on site, this issue has now been passed on to the Environment Agency. In respect of this Authority’s contaminated

land strategy there are ongoing investigations involving land adjacent this site and which comprises the only vehicular access to the development. This investigation involves contaminants in the surface of the track, which may be disturbed by the movement of heavy vehicles, and increasing the number of vehicles would also increase the risk to harm of human health. Cambridgeshire County Council should be consulted about the suitability of this track for access by heavy vehicles in its current state.

17. The **Ecology Officer**
Comments are awaited.

18. The **Ramblers Association**
Three concerns are expressed:

- (a) “access to the site, from London Way, is extremely poor and is shared with a well used Public Byway.
- (b) the impact of increased traffic on the surface of what is essentially a single vehicle width rural track, which is shared by walkers and general public.
- (c) it is already impossible for two vehicles to pass safely and pedestrians suffer accordingly, and we fear that the suggested increase in the volume of traffic will only add to the danger to walkers using the track”.

“More detailed objections may follow”.

19. Countryside Services Team
Comments are awaited.

Representations

20. A letter has been received from a planning consultant objecting to the application on the following grounds:
21. **Procedural Points** – concern that the terms of the application do not reflect its purpose or intentions of the applicant. The applicant's agent states that the activities must remain a wholesale operation for trade supplies only. This is not a correct interpretation of the lawful use which permits use as a *timber yard* and *wholesale distribution*, which neither imports nor implies any retail (or other) trade supplies use. The applicant's advertisement in the Royston Crow gives the true intentions, which is a full retail operation that is open to all members of the public and this point should be clarified. A full retail use in the countryside would be entirely contrary to policy.
22. The layout plan submitted falls far short of the expected standard and omits areas for parking, turning, vehicle storage and manufacturing areas on site. Without this information the application cannot be properly judged.
23. It appears that the extent of the operation currently goes beyond that shown on the application plan (and the LDC) as there is an additional area on the north side being used to store logs, tree trunks and other such items. Unauthorised expansion of the site is objected to and should be properly investigated.
24. The Council's Ecology Officer has advised that there is evidence of badgers on the Grinnel Hill Pocket Park, which lies immediately to the north of the application site.

Given the statutory protection afforded to badgers and their habitats this application should not proceed until an appropriate survey and, as necessary, mitigation measures are put in place. The absence of a survey is a reason to refuse permission, by itself.

25. **The Application** – The current applicant is different from the person that obtained the LDC and the use is not consistent with the historical one, which was no more than a logging yard with some manufacture of logs pallets and fence posts. Inconsistencies in the applicant's determination of the lawful use exist in the information concerning vehicle movements, which at over 400 a week is 25% higher than that authorised by the LDC.
26. It appears from the advertisement in the Royston Crow that the applicant misunderstands the meaning of 'wholesale distribution', which does not authorise retail use, whether it be to the trade or the public.
27. The previous applicant also sought to use the site as a goods vehicle operating centre, however the LDC expressly made no allowance for such use. The present applicant cannot benefit from lawful HGV vehicle movements as a basis to permit this use.
28. The applicant should be asked to clarify his intentions in relation to the wholesale use or more particularly should cease forthwith any form of retail activity which is not only in breach of the LDC but outside the terms of the current planning application.
29. **Site Location** – The means of access to the site, from London Way, is extremely poor and is shared with a Public Byway. It is evident that the additional activity at the site is having a detrimental impact on the fabric of the surface of London Way, mainly unbound material in the form of a single vehicle width rural track, which is shared by walkers and general public. It is impossible for two vehicles to pass safely and pedestrians suffer accordingly.
30. The expansion of the commercial operation and associated vehicle movements also have a detrimental impact on the use and enjoyment of Grinnel Hill Pocket Park which adjoins the northern boundary of the site.
31. The expansion, not only by the additional 25% movements but also additional noise, dust, fumes in association with the movement of building and other construction materials within the site seriously impinges on the quiet enjoyment of the Pocket Park and users of the Public Byway.
32. The container storage element of the proposal has absolutely no association with the historical use of the land and the movement and storage of materials in these containers adds further to the harm.
33. The widening of the range of materials and goods sold from the site extending into general retail goods and timber products not associated with the former logging yard including a range of garden furniture, hot tubs etc, has no association with the lawful use and has significantly and materially changed the character of the land use in a location which is poorly suited to it in environmental and traffic terms.
34. **Development Plan** – The site lies well outside the village framework and is therefore in the countryside. The site is served off a single width unmade track which is also a Public Byway. Public transport and extended travel options are non-existent.

35. The development is not required to maintain or sustain the rural economy or the employment base of Melbourn. The land use the subject of the application is not an employment generating use and is not contemplated by the Local Plan as being appropriate in an isolated rural location such as this. There are no employment policies in the Local Plan that support the application.
36. Even if there were, the development has an adverse impact on the environment of the area, by consolidating a non-conforming use, causing problems with traffic, pollution or other damage to the environment. The proposal does not demonstrate how it conforms to Policy EN1 in terms of how the character and distinctiveness of this Landscape Character Area is protected and retained or enhanced. In fact it has adverse effects on the area. In addition the applicant has not demonstrated the extent to which he mitigates or satisfies the provisions of Policy EN3 in relation to development in the countryside and its appropriateness to the this area.
37. It should be remembered that the logging yard arose from unlawful development that became lawful as a result of the LDC and not as a result of the grant of planning permission. If the Authority were presented with this proposal today permission would be refused out of hand. The current application should be refused on the grounds that it is inappropriate to this landscape character in relation to the scale of development and siting coupled with the significant visual impact of stored materials and containers in the countryside; inappropriate built commercial/retail development out of character in this isolated rural location; the absence of any landscaping that could mitigate the adverse impact of this development and; traffic generation that is a 25% increase over that anticipated through the LDC, along with associated retail vehicle movements and the detriment to safety this causes.
38. The application is also contrary to the provisions of Policy EN8 in that it is detrimental to the enjoyment of Grinnel Hill Pocket Park by reason of noise and disturbance from activities on the site, dust and other intrusion, excessive and substantial vehicle movements on inappropriate roads and, as previously stated, potential adverse impact on badgers and their habitats.
39. The use would set an undesirable precedent.
40. The letter includes a copy of the advertisement from the Royston Crow referred to above and photographs of the site.
41. In addition to requesting the application be refused the letter asks that enforcement proceedings be undertaken to bring about the cessation of the use.

Applicant's Representations

42. The applicant would like to make the following general observations:
43. "This site has been in continual use for storage, distribution and manufacture of timber products over many years as confirmed in the Lawful Use Certificate issued by South Cambridgeshire District Council in May 2002. This use included the stationing on site of all requisite plant, machinery, vehicles and equipment incidental thereto.
44. Prior to ... occupation the site was in a very unkempt condition characterised by abandoned vehicles, derelict plant and heaps of spoil which had built up over many years.
45. ...[the] business consists of the manufacture and wholesale distribution of timber products including pallets, fencing, decking etc., mainly associated with the building

trade and the additional bulk building products now available to trade customers do not, in our view, constitute an unreasonable extension of the lawful activity on site.

46. [The applicant] has acknowledged that the activities on site must remain a wholesale operation for trade supplies only”.

Planning Comments – Key Issues

47. The planning application addresses some, but not all, of the activities on the site. The key issues in considering the planning application are the impact of the intensification of the use of the site on the visual quality of the countryside and on highway safety and the visual impact of the steel containers.

48. With regard to other elements on site that are not included within the application, the key issues are the impact of the intensification of the use of the site from the retail sale of goods and the letting of storage containers on the visual quality of the countryside and on highway safety and the visual impact of the additional buildings, structures and hardstandings together with the drainage implications of these.

The planning application

49. It is my view that none of the activities currently on site fall within the lawful use. The only possible exception would be the manufacture of pallets and other timber products specifically referred to in the Lawful Development Certificate, however this was intrinsically connected to the use of the site as a timber yard and not an operation in itself. The scale of this manufacturing, which is significant, has exceeded the associated use as part of a timber yard that was part of the previous use.
50. The proposal involves the wholesale distribution of building and landscape supplies which is a far broader activity than the lawful use, essentially a builders yard, and will intensify the use of this countryside site. The site previously contained largely tree trunks stacked in apparent random locations across the site and although heavy and bulky in nature the site retained a rural and informal appearance. I note that the applicant considers the tidying up of the site to be a positive factor, however it is my view that this proposal formalises the site to the detriment of the rural character of the surroundings.
51. The applicant has verbally stated that the level of vehicle movements is approximately double that of the lawful use. The access is of single width, not metalled and is a public right of way. I am concerned that the intensification of use will represent a danger to pedestrians using this right of way although the formal comments of the Local Highway Authority are awaited following its request for additional information, as are the comments of the Countryside Services Team. Clearly the LHA will have to assess the level of increased traffic movements when these are known and assess the impact to highway safety these will pose.
52. The steel containers are alien features in the landscape that detract from the visual quality of the countryside.
53. The applicant has put forward no justification for the proposal and I do not consider it to be appropriate or essential in this rural location. As such it is clearly contrary to Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 and the Government’s overall aim of protecting the countryside for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources so that it may be enjoyed by all as expressed in Planning Policy Statement 7

Issues outside the scope of the planning application.

54. As stated above the application does not address all of the unauthorised works on site. There is a large building that has been erected on site to the rear of the bungalow's garden. Adjacent to this is a site office and sales counter. Several aggregate bays have been erected. A significant amount of concrete hardstanding has been laid and there is a retail use which will further intensify the use of the site. The visual impact of the building operations are unacceptable in this rural location and the further intensification of a retail use served off this inadequate access will further impact on highway safety and the character of the surroundings more generally. The use of the storage containers for other businesses and for residential storage will further exacerbate the above problems.
55. Unresolved concerns of both the planning proposal and the other issues/activities include the ecological impact, the drainage implications, particularly of run-off from the hardstandings, and the precise impact on highway safety are likely to form reasons for refusal. However, at this stage I find this proposal wholly unacceptable and would recommend Members grant delegated powers to refuse the planning application and grant authority to instigate enforcement proceedings to ensure the removal of the unauthorised structures, hardstandings and storage containers and to cease retail and letting uses along with the wholesale distribution of building and landscape supplies.
56. Additional storage is occurring outside of the site but the applicant has assured officers that within 3 months this will be moved to within the site.

Recommendation

57. A. Delegated powers of refusal be granted for the reasons given above and subject to the comments of the Local Highways Authority, the Ecology Officer and the Countryside Services Team.
- B. In addition that authorisation be given to instigate formal enforcement action to secure the removal of unauthorised structures, hardstandings and storage containers and to secure the cessation of the unauthorised uses of land within a period of 6 months of the Notices coming into effect. If the Notices are not complied with within the specified period, that prosecution proceedings be authorised subject to a reconsideration of material circumstances at that time.

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 reference S/2166/02, S/2584/03, S/2006/05
- Planning Policy Statement 7

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

S/2041/05/F - Elsworth
Change of Use of Land to Garden Land, Land Adjacent Ashwell House, Fardells Lane
for Mr and Mrs Pleszko

Recommendation: Delegated Approval
Date for Determination: 21st December 2005

Site and Proposal

1. The approximately 0.5Ha (1.24 acre) site is situated to the north and west of Ashwell House, a barn-style timber-clad dwelling. The site adjoins but is just outside the village framework for Elsworth and to the north of the Elsworth Conservation Area. The site is identified by the Environment Agency as being partially within a Flood Zone 3 (Medium to High Flood Risk area) and Flood Zone 2 (Low to Medium Flood Risk area). To the east of the site is a brook. Part of the Elsworth to Conington public footpath runs parallel to part of the north-east site boundary. A close-board timber fence approximately 1.8m high has been erected along the north-east site boundary, adjacent the brook. Part of this fence, within the existing curtilage of the dwelling, is unauthorised. There are no internal fences on the site or any other boundary features which separate this land from the approved residential curtilage of Ashwell House.
2. Adjoining the site to the north are fields, a brook to the east with dwellings and gardens further to the east, Ashwell House and its approved residential curtilage to the south and enclosed garden area for Vales House to the west. It is noted that use of the adjacent land to the west as garden land is unauthorised.
3. The full application registered 26th October 2005 seeks planning permission for the change of use of the site to garden land. No changes to the appearance of the site are proposed in this application. The application does not include existing fencing on the property.

Planning History

4. Planning approval was given for the erection of the dwelling known as Ashwell House on 12th January 2001 under planning application ref: **S/1908/00/F**, subject to several conditions of consent. The land the subject of the current application, was excluded from the red-edged site area of S/1908/00/F, although it was illustrated on the approved location plan as within the same ownership (i.e. outlined in blue). As such, this application did not change the use of the site from its former use to garden land. The above application provided for a modest garden area for the approved dwelling.
5. Planning application S/1908/00/F also included the erection of the adjacent dwelling, now known as 'Vales House'. Conditions 3 and 4 of the planning consent required the submission and implementation of a landscaping scheme, whilst Condition 5 removed the permitted development rights for occupants of these dwellings to erect extensions, outbuildings or fences/walls without the need for planning permission.

Condition 8 of the consent required the submission and approval of details of boundary treatment. Several minor amendments to the design and appearance of the approved dwelling have been approved.

6. A landscaping scheme covering land outlined in red (Ashwell House) and blue (current site) in the approved location plan, was approved on 4th April 2002. This landscaping scheme included landscaping along the eastern and northern property boundaries of the site, with a new post and wire fence adjacent to the public footpath and a wire fence along the western property boundary. On 6th December 2002, retrospective approval was granted for the erection of a 1.8m high close-board fence adjacent Fardells Lane, as a minor amendment to the above application, following its consideration by Elected Members at Committee. This fence is positioned to the south-west of the site. The Council was subsequently made aware of unauthorised fencing on this site and the adjacent site in January 2004. Part of this fencing has now been removed.
7. Since the erection of Ashwell House, planning permission has been given for a garage with playroom/store over in May 2004 (**Ref: S/0608/04/F**) and planning permission refused for an outbuilding for swimming pool in April 2005 (**Ref: S/0294/05/F**). Both these structures were proposed to the south of the site, within the approved residential curtilage.
8. A planning application seeking retrospective planning consent for an outdoor swimming pool and erection of boundary fencing at the adjacent site, Vales House, was received on 20th April 2005 and amended on the 3rd June 2005 to delete the proposed fencing **Ref: S/0796/05/F**. This application remains under consideration.

Planning Policy

9. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") states that development will be restricted in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.
10. **Policy P1/3** of the County Structure Plan requires a high standard of design and sustainability for all new development and which provides a sense of place which responds to the local character of the built environment.
11. **Policy EN1** of the South Cambridgeshire Local Plan 2004 ("The Local Plan") aims to protect local character and distinctiveness.
12. **Policy EN3** of the Local Plan states that where development is permitted in the countryside, the Council will require that a) the design, scale and layout of the scheme, b) the materials used within it, and c) the landscaping works are all appropriate to the particular 'Landscape Character Area' and reinforce local distinctiveness wherever possible.
13. **Policy EN5** of the Local Plan outlines that the District Council will require trees, hedges and woodland and other natural features to be retained wherever possible in proposals for new development.
14. **Policy SE9** of the Local Plan states that development on the edges of villages should be sympathetically designed and landscaped to minimise the impact of development on the countryside.

15. **Policy CS5** of the Local Plan aims to prevent development which would lead to increase in number of properties or people at floodrisk, either on the site or elsewhere. This policy reiterates the contents of **Policy P6/3** of the Structure Plan.
16. There are no specific policies for the change of use of land to garden land within either the County Structure Plan or Local Plan.

Consultation

17. **Elsworth Parish Council** - Recommendation of Refusal. It adds "The Parish Council does not see the need for this change of use and supports the original restriction".

It is also noted that the Parish Council in a letter to the Council dated 16th January 2004 expressed concern about the erection of a close boarded fence adjacent the brook, "which will be a barrier to water spilling over the bank and which will likely cause further back up into the village if there is a recurrence of the (flood) event in October 2001". This was further repeated in an email received 22nd March 2005.

18. **Environment Agency** - No objection to change of use, subject to a condition preventing raising of existing ground levels within the floodplain.

In regards to the unauthorised erection of a 1.8m high close-board fence, the Agency has commented that:

"Whilst the Agency has no powers to prevent the erection of such a fence adjacent to an Ordinary Watercourse, it is deemed inappropriate as it could obstruct the floodplain and cause or exacerbate flooding to existing property.

If the applicant is insistent upon retaining the fence, he should incorporate an appropriate flood risk assessment with any subsequent retrospective application for planning approval.

A more sensitive style of fencing within the floodplain would be open ranch style. Wire fencing is also deemed inappropriate as it impedes floodflow by restricting containing debris.

I would reiterate my earlier comments (to the original planning application in 2000), It would be advisable to leave a maintenance strip, say 4000mm wide, free from **any** development or planting parallel to the watercourse to allow riparian owners to carry out future maintenance works".

19. **Conservation Manager** - No objection subject to a conditions removing permitted development and requiring details of planting to reinforce the hedgeline along the northern property boundary.

Adds that "this land is outside both the Elsworth Conservation Area and the Village Framework. However, from an inspection of the aerial photograph, there would appear to be a logic to allowing this land to become garden land, in that its northern boundary would appear to mark the edge of the open countryside (and the land under cultivation). The proposal would not directly impact on the setting of the Elsworth Conservation Area, but it is important that the northern boundary is retained/reinforced as a native species hedge to minimise the impact of the development on the countryside (in accordance with policy SE9). In the event that planning permission is granted, it will be important to remove all permitted

development rights from this land to prevent inappropriate fencing from being erected in the future, and to control the erection of garden sheds and the like on this land”.

- 20. **Chief Environmental Health Officer** - No objection. There are no significant impacts from the Environmental Health standpoint.
- 21. **Ramblers Association** - Comments to be verbally reported.
- 22. **Local Access Forum** - Comments to be verbally reported.
- 23. **Cambridgeshire County Council**, Senior Definitive Map Officer - Comments to be verbally reported.

Representations

- 24. None received.

Planning Comments - Key Issues

- 25. The key issue for consideration is whether the proposed change of use of garden land would harm the visual amenities of the countryside.
- 26. I am of the view that the proposed change of use will not have a significant impact on the visual amenities of the countryside, subject to a condition of consent removing all permitted development rights for outbuildings and fences, gates and other means of enclosure. I am of the view that the application represents a logical extension to the existing residential curtilage of Ashwell House, and will not lead to the intrusion of domestic features into the open countryside. The approved landscaping scheme for planning application S/1908/00/F involving landscaping works along the property boundary, already allows for the enclosure of this land.
- 27. The proposed change of use, by itself, will not increase the risk of local flooding.
- 28. The existing fencing on the site is not included in the planning application, since the erection of this fencing did not require express planning permission. However, the concerns of the Parish Council and Environment Agency concerning the flood risk associated with this fencing are noted. In order to secure suitable fencing that will not exacerbate flood risk adjacent to the brook, I recommend that any grant of planning permission should be subject to the applicant entering into a Section 106 Agreement to substitute more suitable fencing positioned so to allow for a maintenance strip adjacent to the brook. The precise details of these matters should be agreed in consultation with the Environment Agency and the Parish Council. .

Recommendation

- 29. Recommendation of Delegated Approval subject to the applicant entering into a S106 legal agreement for the erection of boundary fencing of a type and in a position to be agreed with the Local Planning Authority. If this is not satisfactorily resolved, it is recommended that the application be refused on the grounds that the proposal would have a harmful effect on the rural character and appearance of the countryside, contrary to policies SE9 and EN3 of the Local Plan 2004.

Recommended Conditions

1. Standard Condition A - Time limited permission - 3 years (Reason A);
2. SC21 - Withdrawal of permitted development rights - Part 1 (Development within the curtilage of a dwellinghouse) Classes E, F and G.
Part 2 (Minor Operations) Class a (Erection of gates, walls or fences).
(Reason - To safeguard the rural character of the area and to prevent obstruction in the floodplain.)
3. The hedgerow along the northern site boundary shall be retained and reinforced by additional plantings. Details of the strengthening/thickening of the existing hedgerow shall be submitted to and approved in writing by the Local Planning Authority, prior to the implementation of the change of use. Any trees or plants within this hedgerow, which within a period of five years from the implementation of the change of use die, are removed or become seriously damaged, 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 protect the rural character and appearance of the countryside.)

Informative

For the avoidance of doubt, this approval relates to a change of use of land illustrated in Drawing 4B only and does not include any operational development (including existing fencing on the site).

Informatives

Reasons for Approval for Planning Application

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
 - P1/2** - Environmental Restrictions on Development
 - P1/3** - Sustainable design in built development
 - P6/3** - Flood Defence
 - **South Cambridgeshire Local Plan 2004:**
 - SE9** - Village Edges
 - SC5** - Flood Defence
 - EN1** - Landscape Character Areas
 - EN3** - Landscaping and Design Standards for New Development
 - EN5** - The Landscaping of New 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:
 - Visual impact on the locality
 - Impact on Flood Risk

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 Application Files: S/1908/00/F, S/0608/04/F, S/0294/05/F, S/0796/05/F and S/2041/05/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

S/1879/05/F – Sawston
2 Houses – Land r/o 16, 18 and 20 Cambridge Road for Park Hill Homes Ltd

Recommendation: Approval
Date for Determination: 28th November 2005

S/2080/04/F – Sawston
Proposed Amendments to Previously Approved Scheme for 7 Houses and Garages –
Land r/o 16-20 Cambridge Road for Park Hill Homes Ltd

Recommendation: Approval

Site and Proposal

1. The 0.03 hectare application site is situated to the rear/east of Nos. 16, 18 and 20 Cambridge Road and forms part of a site upon which permission was granted for seven houses in April 2005. To the south is a site comprising a new police station and eight dwellings.
2. The full application, submitted on 3rd October 2005 and amended on 18th November 2005, seeks to erect two 2-bedroom houses on the site. In effect, this represents an amendment to the previously approved scheme for seven houses by substituting a detached house on the southernmost part of the approved site with a pair of semi-detached houses. The proposed houses would be hipped roof brick and slate properties with a ridge height of approximately 7.2 metres and eaves height of 4.8 metres. Access to the site would be via Cambridge Road. This is the existing point of access serving the adjoining police station and eight dwellings as well as being the approved access for the additional seven houses. The resultant density on the whole site (8 dwellings on 0.17 hectare) would be 47 dph.
3. In order to accommodate two dwellings on the southernmost plot, amendments are sought to the remainder of the approved seven house layout and these changes need to be considered in conjunction with the current application. In order to provide two parking spaces per dwelling, an additional two spaces are proposed at the front of the terraced block (plots 10-13). In addition, to enable cars to access the garage and parking space at the side of Plot 13, the positions of the front entrances to Plots 13 and 14 have been moved from the side to the front elevations.

Planning History

4. **S/2080/04/F** - Planning permission granted for 7 houses on land to the rear of 16-20 Cambridge Road.
5. **S/1535/05/F** – An application for a pair of semi-detached houses on the same site as the current application was withdrawn. Officers had intended to refuse the scheme due to the overbearing impact upon the adjoining dwelling to the south and due to the adverse visual impact of parking/hardstanding at the front of the properties.

Planning Policy

6. Sawston is designated within the South Cambridgeshire Local Plan 2004 as a Rural Growth Settlement where **Policy SE2** states residential development will be permitted providing, amongst other matters, the development would be sensitive to the character of the village and the amenities of neighbours.
7. **Policy HG11** of the Local Plan states that development to the rear of existing properties will only be permitted where the development would not:
 - a) Result in overbearing, overlooking or overshadowing of existing residential properties;
 - b) Result in noise and disturbance to existing residential properties through the use of its access;
 - c) Result in highway dangers through the use of its access; or
 - d) Be out of character with the pattern of development in the vicinity.
8. **Policy P1/3** of the Cambridgeshire and Peterborough Structure Plan 2003 stresses the need for a high standard of design and a sense of place which responds to the local character of the built environment.

Consultation

9. **Sawston Parish Council** recommends refusal of both the current application and the amendment to the approved 7 house scheme for the following reasons:
 - a) Back garden development;
 - b) Overdevelopment of site;
 - c) Traffic problems (busy junction, traffic lights)
10. The remainder of the comments relate to the current application rather than the proposed amendments to the approved 7 house scheme:
11. **The Local Highways Authority** states that the number of units served by a private drive will be greater and queries what justification was accepted by the Authority for such a number of dwellings to be served by a private drive.
12. **The Chief Environmental Health Officer** raises no objections in principle although does express concern about noise disturbance to nearby residents during the construction period. As such, a condition restricting the hours of use of power operated machinery during the construction period needs to be attached to any planning consent.
13. **The Cambridgeshire Fire and Rescue Service** has advised that access for fire appliances may be considered inadequate and that access and facilities for the Fire Service should be provided in accordance with BR Document B5 Section 17. The Authority's Building Control Department should advise accordingly.
14. **The Building Inspector** has advised, further to the Fire and Rescue Service's comments, that the road layout is acceptable from the point of view of access and facilities for the Fire Service.

Representations

15. No.22 Cambridge Road raises no objections to the proposal, but assumes that Conditions 3 and 4 of the original planning permission reference S/2080/04/F

(requiring a 1.8 metre fence to be erected along the northern boundary and a first floor window in the north elevation of the northernmost dwelling to be fitted with obscure glass) would still apply.

Planning Comments – Key Issues

16. The key issues to consider in the determination of this application are:
 - a) Impact upon character and appearance of the area;
 - b) Residential amenity; and
 - c) Highway safety.
17. The principle of developing land to the rear of 16-20 Cambridge Road has previously been established with the permission for seven houses granted under application reference S/2080/04/F. The house previously approved on the southernmost plot of the development was a 4-bedroom detached dwelling sitting on a 10 metre wide plot, whilst the current application seeks to erect two 2-bedroom semi-detached houses on the same size plot. The provision of two small properties rather than one large dwelling represents a more efficient use of the site and, subject to parking and amenity issues, should be supported in principle.
18. Two off-street parking spaces have been shown for each dwelling. In the recently withdrawn application, the same number of off-street parking spaces was provided. However, they were all crammed in at the front of the property, thereby leaving no space for softening or landscaping. The current proposal has addressed this problem by providing two (rather than four) spaces at the front of the building and two at the side.
19. In order to squeeze in parking spaces at the front of the dwellings, the previous application for two houses on this plot proposed setting the building well back into the site, some 6 metres beyond the rear elevation of the adjoining dwelling to the south. This resulted in considerable harm to the outlook from the neighbouring property. In the current application the proposed dwellings are sited just 1 metre beyond the rear elevation of the adjoining property and I am satisfied that the amenities of the occupiers of this property would not be unduly harmed by the proposal.
20. If approved, this application would result in 16 dwellings and a police station being served off an unadopted road and the Local Highways Authority has queried the justification for accepting such a large number of dwellings off a private drive. In considering the previous application for seven houses (which resulted in a total of 15 served off a private drive), the Local Highways Authority raised no highway safety objections as the layout, dimensions and geometry of the existing and proposed roads were to adoptable standards. The road had not been adopted as the drainage and construction detail did not comply with the necessary standards. To address this issue, a condition was attached to the approved seven house scheme requiring details of the laying out and construction of the access road (including drainage details) to be submitted and approved before occupation of the dwellings in order to ensure construction of the road to an appropriate specification.
21. Conditions 3 and 4 of the previous permission referred to by the occupier of No.22 Cambridge Road would still need to be complied with and remain unaffected by this proposal.
22. With regards to the proposed amendments, I am satisfied that four spaces can be accommodated at the front of the terraced block without causing undue harm to the

character of the area. In addition, moving the entrances to the dwellings on Plots 13 and 14 from the side to the front of the properties would improve their appearance.

Recommendation

23. Approve the amendment to application reference S/2080/04/F and approval of application reference: S/1879/05/F, as amended by drawing number 18304/23A date stamped 18th November 2005, subject to the following conditions:
1. Standard Condition A – Time limited permission (Reason A);
 2. Sc5a – Details of materials for external walls and roof (Rc5aii);
 3. Sc5b – Details of surface water drainage (Rc5b);
 4. Rc5c – Details of foul water drainage (Rc5c);
 5. Sc51 – Landscaping (Rc51);
 6. Sc52 – Implementation of landscaping (Rc52);
 7. Sc60 – Boundary treatment details (Rc60);
 8. During the period of construction no power operated machinery shall be operated on the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions. (Reason – To minimise noise disturbance to adjoining residents).

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:** P1/3 (Sustainable design in built development);
 - **South Cambridgeshire Local Plan 2004:** SE2 (Development in Rural Growth Settlements) and HG11 (Backland Development)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Overdevelopment;
 - Highway safety;
 - Visual impact on the locality

General

1. Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be

submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.

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

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
- File references S/2080/04/F, S/1879/05/F and S/1535/05/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

S/1203/05/LB and S/1204/05/F - Abington Pigotts

(1) Alterations and Conversion of Barns to 2 Dwellings Comprising (Plot 1) One, 5 Bedroomed Dwelling with Extensions for Library Projecting Drawing Room Window and Family Room, and (Plot 2) One, 3 Bedroomed Dwelling with Extensions for Porch, Playroom and Kitchen and 4 Covered Parking Bays. Alteration, Conversion and Rebuilding of Barn (Plot 3) to Form 4 Bedroom Single Storey Dwelling with Projecting External Steps and Window. Conversion of Granary to Studio/Workshop. New Attached Fences and Gates. Extension of Farmhouse Boundary Wall

(2) Extension and Conversion of Agricultural Buildings into 3 Dwellings, Together with the Erection of Cartlodge with Workshop Over, Fences, and Gates, Home Farm, High Street For Mr D Ivey

Recommendation: Approval
Date for Determination: 12th August 2005

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

1. Home Farm is situated on the north-eastern edge of the village. It consists of a listed farmhouse, with an informal courtyard of barns adjoining to the north-east. The north eastern range of barn, cartshed and granary are listed in their own right, the other historic barn curtilage listed barns on the south-eastern and north-eastern boundaries of the site are predominantly Victorian, those on the north-west and south-west modern. The older barns are clad in timber boarding and roofed in corrugated iron, the exception is the granary which is roofed in slate. The barns also have a number of small modern additions.
2. Fronting the site and running to the rear of the barns is an overgrown historic moat. Vehicular access to the courtyard is between Home Farmhouse and the barns. The north-eastern boundary of the site is marked by a farm track which has its own access to High Street.
3. To the north-west of the site is agricultural land and to north-east a bungalow belonging to the application's mother. Home Farmhouse itself and a modern granary to its rear are on the south-western boundary.
4. The full and listed building applications, received on the 17th June 2005 and amended on the 6th October and the 3rd November 2005 primarily proposes the conversion and extension of the historic barns to 3 dwellings with the erection of a cartlodge with workshop over. Accompanying the application are a planning statement, design statement and a report on potential alternative uses.

5. Unit 1 will be created from the tall listed barn at the northern end of the site. Modern lean-to additions to the north-west and east elevations are to be removed. A lean-to extension and a small projecting bay window are added to the eastern elevation. Accommodation is arranged on 2 floors to create a 5 bedroom dwelling. A cart lodge with workshop over is proposed within its curtilage on the site of existing pig pens.
6. Unit 2 occupies the remainder of the range of barns on the north eastern boundary. Again 2 storey, 3-4 bedrooms will be created with small lean-to extensions being added to the eastern and western elevations. In the existing single storey element of the barn a workshop/studio and 2 parking spaces will be provided.
7. Unit 3 utilises the lower detached barn on the site frontage, the granary and the adjoining cart lodge to provide a 4-bedroom dwelling. A modern appendage on its roadside elevation is removed and a small projecting bay window and external stairs added to the east elevation. New oak columns support the roof on part of the courtyard elevation. The Granary is converted to a studio workshop and 2 parking spaces provided in the adjoining cart lodge.
8. Three residential curtilages will be formed on site involving the realignment of the farm access track on the eastern boundary with extensive tree planting, and the creation of a courtyard with a shared access area.
9. Various modern agricultural buildings and silos will be removed in the process. The modern granary building to the rear of Home Farm currently accessed through the courtyard will have a new opening created in its south-western gable enabling it to be accessed via the farm track on the eastern boundary.
10. In support of the application it is stated that the existing former agricultural barns are no longer suitable for agricultural purposes and alternative use is sought to safeguard their future. They have been redundant since 1997. This is important, especially given their Grade II status. An opportunity is presented to improve the visual appearance of the Conservation Area and the approach to Abington Pigotts itself by the removal of a number of unsightly, redundant structures. The structures are sound and capable of domestic conversion, without the need for major reconstruction, whilst acknowledging important repairs are required.
11. The report on potential alternative uses for the barns concludes:
 1. The agents letting experience shows that it would be extremely difficult to obtain pre-lets in the current market for any commercial use. Even if pre-lets were achieved for commercial uses the financial appraisals show that none of the schemes are economically viable. Therefore undertaking a marketing campaign for commercial use cannot be justified. Furthermore, any such use would generate an unacceptable level of traffic movements in the village.
 2. Holiday lets are difficult to justify financially, particularly in the early years when occupancy rates are unknown and it takes time to establish a customer base. There is an on-going maintenance cost.
 3. Activity and leisure uses are not suitable in terms of impact on the surrounding area and alternative competition.
 4. A livery yard would create a substantial number of traffic moments to and from the site. The cash flow is heavily negative and it would be difficult to justify the expenditure based projected returns.
 5. Residential conversions, incorporating some studio/workshop space to create live/work units, is considered the optimum use for the buildings, both financially and in terms of sustainability.

Planning History

12. There is no relevant planning history

Planning Policy

13. The application site is outside but adjoining the village framework. The buildings are within the Conservation Area.

The following policies are relevant: Cambridgeshire and Peterborough Structure Plan 2003:

Policy P1/2 (Environmental Restrictions on Development).
Policy P1/3 (Sustainable Design in Built Development).
Policy P5/5 (Homes in Rural Areas)
Policy P7/2 (Biodiversity)
Policy P7/6 (Historic Built Environment).

South Cambridgeshire Local Plan 2004:

Policy SE9 (Village Edges)
Policy HG10 (Housing Mix and Design)
Policy EM10 (Employment in the Countryside (Conversions of Rural Buildings)
Policy EN5 (Landscaping of New Development)
Policy EN12 (Nature Conservation Unidentified Sites)
Policy EN14 (Protected Species (Bats/Barn Owls)
Policy EN15 (Development Affecting Archaeological Sites)
Policy EN22 (Conditions to Protect the Fabric and Character of Listed Buildings)
Policy EN26 (The Conversion of Listed Buildings to New Uses) and
Policy EN27 (Application for Planning Permission and Listed Building Consent).
Policy EN28 (Development within the Curtilage or Setting of a Listed Building)
Policy EN30 (Development in Conservation Areas)

14. Paragraph 10.71 of Policy EN27 states in relation to barn conversions:

“Inevitably, the first alternative use examined for a vacant farm building is residential and this poses a number of problems, especially when the building forms part of a farm complex and is situated in an isolated position in open countryside. Aisled timber framed barns are difficult to light without constructing new openings or peppering the roof with skylights. The alterations required for such conversions would frequently have an unacceptable impact on the barn’s appearance. Recreational or commercial uses might be more suitable, particularly where the need to obtain daylight inside the building is less important”.

Consultation

15. **Abington Pigotts Parish Meeting** has no recommendation. It originally recommended approval subject to a tree planting not obstructing sight lines on a bend and to any external lighting being sensitive to the rural character of the village.
16. **The Local Highway Authority** was initially concerned at the lack of turning area within the site, but this has now been resolved by the omission of plot walling in the courtyard.
17. **The Environment Agency** has no objections subject to conditions concerning surface and foul water drainage and contamination.
18. **The County Archaeologist** comments that the site is located within the grounds of Home Farm, a moated site of medieval date. A condition requiring a programme of archaeological investigation is recommended .

19. **The Conservation Manager** has no objection to the proposed conversion, and meetings with the applicants have led to the submission of amended plans which address concern about points of detail.
20. **The Housing Manager** states a housing needs survey in 2004 identified the need for 5 affordable dwellings in the village. This scheme is not appropriate for on-site affordable housing being barn-conversions. The provision of alternative land was explored but was not feasible. Therefore a financial contribution will be sought.
21. **The Trees and Landscape Officer** require a tree survey regarding proposed works in the moat area and adjacent to the barns.
22. **The Landscape Design Officer** agreed with the Parish Council that the dense planting proposed in the front of the moat is excessive and should be replaced by 2-3 trees. Full landscaping and tree protection conditions are required.
23. **The Ecology Officer** confirms that, surprisingly, there was no evidence of bat roosts. However there was evidence of bats feeding within the barn. As such the new development should be conditioned to incorporate a number of artificial bat roosts. Bird boxes should also be required. The treatment of the moat is possibly the biggest impact upon the site's biodiversity. A condition is required concerning a scheme for the ecological restoration of the moat, whilst carefully balancing the need for landscaping and tree retention.
24. **The Chief Environmental Health Officer** has no objections subject to conditions concerning restrictions on the operation of power-operated machinery and a contamination survey to be carried out. Informatives concern bonfires and the use of driven pile foundations.

Representations

25. 2 letters have been received from local residents; one raising no objections, the other expressing concerns about the lack of affordable housing proposed. The ownership of the pond at the front of the site is queried and it is important that it is not screened by trees but remains visible from the road.

Planning Comments – Key Issues

26. The key issues are the appropriateness of a residential conversion and the details of the proposed scheme.
27. The redundant barns, most of which are listed, are located on the edge of the village and form a potentially attractive courtyard adjacent to the main farmhouse, also a listed building.
28. The planning applications is a departure as Local Plan Policy encourages recreational or commercial uses to be given priority. The applicants have submitted a detailed justification for a residential use to address this policy matter. It has been summarised in Para 11 above.
29. The scheme has been designed with studio/workshop space for each of the units to help create a live/work concept which could provide some employment on site. The location of the barns adjoining the village framework makes residential use more acceptable in my view, especially as the courtyard group can easily be divorced from

the working farm which has a separate, existing access. Clearly, a commercial use which generated large amounts of traffic would be inappropriate here.

30. A series of amended plans addressing points of detail have been submitted following discussions with officers in order to achieve a successful scheme. The Conservation Manager is now satisfied the barns will be sensitively converted and will enhance the setting of the listed farmhouse. Inappropriate modern additions to the barns will be stripped away, the courtyard and moat enhanced and the barns restored and given a new lease of life.
31. Affordable housing is required (1 unit) but the Housing Manager has agreed that a financial contribution would be more appropriate in this instance given the difference in converting large barns to meet housing society standards.

Recommendation

32. Approval of both applications as amended by plans franked the 3rd November 2005, drawing Nos. 04027-07C, 04027-08C, 04027-09G, 04027-10C, 04027-11E, and franked 6th October 2005 drawing Nos. 04027-06C, 04027-12C, 04027-13C, subject to the following conditions:
33. **S/1203/05/LB**
 1. Standard Condition 3 years - (Reason A.)
 2. The proposed works shall be carried out strictly in accordance with the approved plans and specification of works noted thereon, except where modified by the conditions of this consent.
(Reason - To ensure compliance with the approved plans.)
 3. Before work commences, arrangements shall be made by the applicant to enable the Local Planning Authority (normally the Council's Conservation Officer) to meet the owner or agent and the contractor on site to discuss the conditions of this Consent and the manner of works.
(Reason - For the avoidance of doubt and to ensure the proper control of works.)
 4. Precise details of the proposed windows and doors to a scale of not less than 1:20 shall be submitted for the prior written approval of the Local Planning Authority.)
(Reason - To ensure the use of details appropriate to this listed building.)
 5. The proposed weatherboarding and all external joinery shall be stained black to the satisfaction of the Local planning Authority.
(Reason - To ensure a traditional finish to the external joinery and weatherboards.)
 6. Any works of repair and replacement, which are agreed on site with the Local Planning Authority, shall precisely match the original to the Local Planning Authority's satisfaction.
(Reason - To ensure that such works are in keeping with the character and appearance of this listed building.)

7. Before work commences on site, precise details of the following shall be submitted for the prior written approval of the Local Planning Authority:
 - a. The position and details of soil vents pipes, mechanical extracts and flues.
 - b. Details of the proposed staircases.
 - c. Details of floor finishes.
 - d. Details of replacement and new rainwater goods.
 - e. Details of the rooflights(Reason - To ensure detailing appropriate to this listed building.)
 8. A sample of the proposed roof tiles and slates shall be provided on site for the prior approval of the Local Planning Authority.
(Reason - To ensure the use of roofing material appropriate to this listed building.)
 9. The roof on dwelling 3 and the single storey roofs of dwellings 1 and 2 shall be covered in natural quarried slate to the approval of the Local Planning Authority.
(Reason - For the avoidance of doubt.)
 10. No member nor part member of the timber frame, floor joists, weatherboards nor roof timber shall be removed without the prior consent of the Local Planning Authority.
(Reason - To protect the fabric of these listed building.)
 11. All mortars, plasters and render shall be lime rich to specifications submitted to and agreed in writing by the Local Planning Authority.
(Reason - To ensure the use of the appropriate mix of traditional lime plasters and mortars.)
 12. All brickwork repairs shall precisely match the existing brick, bonding and mortar to the approval of the Local Planning Authority.
(Reason - To ensure such repairs match the existing brick detail.)
34. **S/1204/05/F**
1. Standard 3 years - (Reason - A).
 2. No development shall commence until details of materials to be used for surfacing of the access road and courtyard 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 the farmyard character of the conversion is maintained.)
 3. Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order), the following classes of development more particularly described in the Order are expressly prohibited in respect of the property and each unit thereon unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf:-
 - i) PART 1, (Development within the curtilage of a dwellinghouse), All Classes
 - ii) PART 2, (Minor operations), Class A(Reason - To safeguard the character and setting of the converted barns.)

4. The development hereby permitted shall not commence until a binding undertaking prepared in accordance with the requirements of Section 106 of the Town and Country Planning Act 1990 shall have been entered into with the Local Planning Authority, requiring the payment of a commuted sum to the Local Planning Authority in lieu of the provision on site of affordable housing. (Reason - To ensure the development makes provision for Affordable Housing in accordance with Policy P5/5 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policy HG7 of the South Cambridgeshire Local Plan 2004.)
5. During the period of alterations and construction no power operated machinery shall be operated on the premises before 08:00 hours on weekdays and 08:00 hours on Saturdays nor after 18:00 hours on weekdays and 13:00 hours on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions. (Reason - To protect the amenities of neighbouring residential property.)
6. Prior to the development commencing an investigation of the site shall be undertaken to establish the nature and extent of any contamination of the site and any remedial works to deal with contamination. This shall initially consist of a desktop study, which will include details of the site history, development of a site conceptual model, and a preliminary qualitative risk assessment. If any likelihood of contamination is indicated by initial study then a further detailed site assessment shall be carried out which shall include intrusive investigations and which shall fully characterise the nature, extent and severity of contamination. Recommendations for a remediation strategy and post-remediation validation testing should be included. Remedial work should be carried out before development commences. The work shall be carried out in accordance with the details approved by the Local Planning Authority. Any variation to the above shall be agreed in writing with the Local Planning Authority before work is undertaken. (Reason - To ensure the site is free from contamination and safe for residential use, and to prevent pollution to the water environment.)
7. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock. (Reason - To enhance the quality of the development and to assimilate it within the area.)
8. 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 buildings 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.)

9. The scheme of landscaping shall include a detailed tree survey including the species of all existing trees, showing which are to be retained and which it is proposed to fell. The landscaping proposals shown on plan No 04027-06 C franked the 6th October 2005 are specifically excluded from this permission. (Reason - To enable an assessment to be made of the appropriateness of the scheme.)
10. A scheme for the restoration and future management of the moat shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any part of the development. The plan shall include:
 - (1) Description and ecological evaluation of the moat and surrounding habitats.
 - (2) Aims and objectives of the restoration and future management of the moat and its surrounding habitats;
 - (3) Appropriate restoration options for achieving the above aims and objectives;
 - (4) Prescriptions for restorations actions and future maintenance of the moat;
 - (5) Preparations of a work schedule to include: timing of works; depth of any excavation; shape of bank profiles and edge treatments; means of disposing of dredged materials; source of water supply; aquatic and marginal planting.
 - (6) Personnel or body responsible for implementation of the scheme.The plan shall be carried out as approved, unless otherwise agreed in writing by the Local Planning Authority.
(Reason - To retain a nature conservation habitat in accordance with Local Plan Policy EN12.)
11. No development shall take place until details of the provisions to be made for the nesting birds and bat roosts have been submitted together with details of the timing of the work, and are subsequently approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details.
(Reason - To provide and enhance roost sites for bats and birds in converted buildings in accordance with Local Policy EN14.)
12. Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and agreed in writing by the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such times(s) as may be specified in the approved scheme.)
Reason - To prevent the increased risk of pollution to the water environment.)
13. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme, and the integrity of any proposed surface water system must be demonstrated prior to the commencement of development.
(Reason - To ensure a satisfactory method of surface water drainage.)

14. No development shall take place on the application site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and agreed in writing by the Local Planning.
(Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains.)

Informatives

1. This permission should be read in conjunction with Listed Building Consent Ref: S/1203/05/LB.
2. The Environment Agency has the following comments:

The application site shall be subject to a detailed scheme for the investigation and recording of contamination and a report submitted together with detailed proposals in line with current practice for the removal, containment or otherwise rendering harmless of such contamination, as may be found.

The applicant's attention is drawn to DETR Circular 03/99 which requires an applicant to demonstrate that a connection to the public foul sewer is not available.

In the eventuality of a connection to the public foul water sewer not being available, the suitability of any non-mains sewerage systems, particularly those incorporating septic tanks, must be effectively demonstrated by the applicant to the satisfaction of the Local Planning Authority.

An acceptable method of foul drainage disposal would be connection to the public foul sewer.

Only clean, uncontaminated surface water, should be discharged to any soakaway, watercourse or surface water sewer.

Where soakaways are proposed for the disposal of uncontaminated surface water, percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or CIRIA Report 156), and to the satisfaction of the Local Authority. The maximum acceptable depth for soakaways is 2 metres below existing ground level. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted.

Any culverting or works affecting the flow of a watercourse requires the prior written consent of the Environment Agency under the terms of the Land Drainage Act 1991/Water Resources Act 1991. The Environment Agency seeks to avoid culverting and its Consent for such works will not normally be granted except as a means of access.

Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that Order), any oil storage tank shall be sited on an impervious base and surrounded by oil tight bunded walls with a capacity of 110% of the storage tank, to enclose all filling, drawing and overflow pipes.

Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

3. **The Chief Environmental Health Officer** advises:

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

4. **Reason for approval**

1. Although the proposal does not accord with South Cambridgeshire Local Plan 2004 Policy which requires recreational or commercial uses to be given priority for barn conversions, it is considered the following material considerations warrant approval of the application:
 - (a) The site adjoins the village framework and is not in open countryside.
 - (b) Commercial and recreational uses have been explored and found to be uneconomic or inappropriate. A use which generated large volumes of commercial vehicles would pose environmental and traffic problems on the narrow village roads.
 - (b) The design; as amended, minimises openings in the external elevations of the frontage barn to maintain the agricultural character of the site.
 - (c) The application barns can be physically separated from the working farm and environmental conflict is unlikely to occur.

In all other respects the proposal is considered generally to accord with the following development plan policies:

Cambridgeshire and Peterborough Structure Plan 2003:

Policy P1/2 (Environmental Restrictions on Development).

Policy P1/3 (Sustainable Design in Built Development).

Policy P5/5 (Homes in Rural Areas)

Policy P7/2 (Biodiversity)

Policy P7/6 (Historic Built Environment).

South Cambridgeshire Local Plan 2004

Policy SE9 Village Edges)

Policy HG10 (Housing Mix and Design)

Policy EM10 (Employment in the Countryside (Conversions of Rural Buildings)

Policy EN5 (Landscaping of New Development)

Policy EN12 (Nature Conservation Unidentified Sites)

Policy EN14 Protected Species (Bats/barn owls)

Policy EN15 (Development Affecting Archaeological Sites)

Policy EN22 (Conditions to protect the fabric and character of Listed Buildings)

Policy EN26 (The Conversion of Listed Buildings to New Uses) and

Policy EN27 (Application for Planning Permission and Listed Building Consent).

Policy EN28 (Development within the Curtilage or Setting of a Listed Building)

Policy EN30 (Development in Conservation Areas)

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

- Impact of conversion on listed building;
- Impact on setting of adjacent listed farmhouse;
- Impact on the historic moat;
- Residential amenity.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Files Ref: S/1203/05/LB and S/1204/05/F

Contact Officer: Bob Morgan Planning Officer
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

S/1785/05/F – Stapleford
Office Extension at 65 London Road for NST Travel Group PLC

Recommendation: Refusal
Date for determination: 14th November 2005

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

Site and Proposal

1. This application relates to a distinctive two-storey buff and white painted brick office building with brise soleil and a first floor balcony facing Church Street and London Road and flat roof and single storey tile roof elements on the west side. The area around the building is hardstanding and used for parking. The access is on to Church Street adjacent to the access to the Travis Perkins site to the north. Parking in Church Street is restricted to 30 minutes along the site frontage/opposite the Post Office and signs and markings indicated that no waiting is permitted along the Travis Perkins site frontage between the hours of 9am and 6pm Monday to Saturday, although there were rows of cars parked here at the time of the case officer's visits.
2. This full application, received on the 19th September 2005 and amended by plans and form date stamped 18th November 2005, proposes the erection of a two-storey extension to the building resulting in an increase in the building's floor area from 846 square metres to 964 square metres, an increase of 118 square metres. Existing and proposed car parking plans indicate that the number of parking spaces would be increased from 30 (at a ratio of one space per 28.2 square metres of floor area) to 32 (at a ratio of one space per 30.1 square metres of floor area), albeit the existing plan does not wholly show the existing arrangement.

Planning History

3. Planning permission was granted in 2001 for a first floor extension and external alterations to the building under reference **S/0376/01/F**. The approved plans involved a 17 square metre extension (resulting in a 848 square metre building) and showed 3 additional parking spaces (29 in total) equating to one space per 29 square metres of floorspace. At that time, the forms indicated that the number of employees would remain unchanged as a result of the development at 45, including 8 part-time employees.
4. Permission has been granted for a fire escape staircase (**S/0936/90/F**), alterations and extensions to building for office use (**S/2547/87/F**), change of use of majority of existing accommodation to offices (**S/2139/86/F**), extension to showroom and stores (**S/2055/78/F**) and two storage sheds (**S/1108/76/F**).
5. Planning permission was refused for use of the site for auction sale of chattels under reference **S/0127/87/F** on the grounds that the use was likely to generate a significant

volume of traffic and a demand for car parking which the Local Planning Authority was not convinced could be totally accommodated on the site.

Planning Policy

6. Structure Plan 2003 **Policy P1/3** relates to sustainable design in built development and requires a high standard of design for all new development which responds to the local character of the built environment.
7. Local Plan 2004 **Policy EM7** states that, within village frameworks, development for the expansion of existing firms will be permitted provided: there would be no adverse impact on residential amenity, traffic conditions, village character and other environmental factors; the development would contribute to a greater range of local employment opportunities, especially for the semi-skilled and unskilled, or where initial development is dependent on the use of locally-based skills and expertise; and the proposal complies with the limitations on the occupancy of new premises in the District set out in Policy EM3.
8. Local Plan 2004 **Policy TP1** states that the Council will seek, through its decisions on planning applications, to promote more sustainable transport choices and to reduce the need to travel, especially by car, by amongst other things restricting car parking to a maximum of 1 space per 25 square metres of gross floor area.

Consultations

9. **Stapleford Parish Council** recommends approval.

Representations – Local Residents

10. The occupiers of 2, 4, 7, 8, 10, 27 and 29 Priam's Way and 14 Church Street object to the proposal on the grounds that there is already insufficient parking provision on-site for the existing building resulting in parking by NST employees in Priam's Way, Dolphin Way and Church Street and sometimes Hawthorne Road. They state that this leads to:
 - a. Difficulties for delivery vehicles, visitors and service workers to park near the house they are visiting and, if ever necessary, also emergency vehicles;
 - b. Difficulties for residents in Priam's Way to enter and exit their driveways safely;
 - c. Hazard to children on foot and cyclists;
 - d. Difficult for pedestrians to get by cars parked on the pavements, particularly if they have wheelchairs, pushchairs or perambulators;
 - e. Dolphin Way effectively becoming single width as a result of parked cars which could mean a driver having to back out onto the London Road if they find the road ahead blocked by an oncoming car; and
 - f. Parked vehicles in Priam's Way affects the outlook from properties.
11. It is stated that, whilst there are yellow lines on Church Street, illegal parking is not enforced against. They also state that the situation is not helped by deliveries to, customer collections from and insufficient parking at the adjacent Travis Perkins Building Supplies.

12. They state that this problem will only be exacerbated by the proposed extension.
13. The following were suggested as possible solutions: on-site parking for all employees or the provision of a minibus pickup for all staff from one of the two nearby park and ride sites (Trumpington or Babraham Road); the introduction of permit only parking in surrounding roads; and underground parking.

Representations – Applicant

14. In a letter responding to the comments of local residents, the agents state that:
 - a. In addition to secure cycle stands, shower and changing facilities would be provided for staff (although the plans don't indicate where these facilities would be provided);
 - b. Car sharing is already actively encouraged but, to ensure greater publicity, a Green Travel Plan co-ordinator would be nominated to publicise car sharing and ensure that details of the local bus and train services are displayed in a prominent position;
 - c. As the site is in a very sustainable location, it will be easy to promote alternative means of transport – there being frequent bus services, Gt Shelford railway station being within easy walking or cycling distance and the close proximity to residential areas which may facilitate walking to work;
 - d. A Green Travel Plan could be secured by condition;
 - e. The suggestion of providing a minibus pickup for staff from one of the two nearby park and ride sites (Trumpington or Babraham Road) would be difficult in practice as a large number of the staff tend to work irregular hours; and
 - f. It is the client's opinion that the staff park within the site on the majority of occasions and, whilst there may be some occasional parking on Priam's Way, NST is not the only concern in the vicinity and the majority of the on-street parking is not created solely by NST.

Planning Comments – Key Issues

15. The main issue in relation to this application is parking provision. The visual impact of the proposed extension is acceptable and the proposal is considered to be acceptable in all other respects.
16. In terms of the standards set out in the Local Plan, the existing building requires a maximum of 34 car parking spaces. 29 spaces are currently marked out, although, at the time of the case officer's visit to the site on 17th November, by double parking and parking other than in marked spaces, 37 cars were parked on site. With the proposed extension, the building would require a maximum of 39 spaces. The proposed parking layout plan indicates that 32 spaces could be provided and also shows space for parking up to 36 cycles.
17. I would normally want to support an expanding local firm and might normally accept that the proposed parking provision was acceptable (being 82% of the maximum provision set out in the Local Plan), particularly if a Green Travel Plan was also secured. However, by the agents' own admission, there are already occasions when

staff park off-site, although they dispute whether it is as regular as objectors indicate. There is already double parking on site and the application indicates that a further 15 people would be employed, making a total of 80. At the time of application S/0376/01/F in 2001, the application forms stated that 45 were employed. Although the provision of secure cycle parking and shower facilities may encourage some employees to cycle to work, the agent states that the applicant already encourages car sharing and it therefore has to be doubted how effective a Green Travel Plan would be in reducing the demand for parking.

18. As a result, it is likely that approval of this application would result in further parking off-site and, consequently, result in an unacceptable level of disturbance and inconvenience to local residents and an adverse effect on the free flow of traffic in the locality.

Recommendation

19. Refusal (as amended by drawing nos. 1132/L04 Rev.P1 and 1132/L05 Rev.P1 and amended Part 2 form date stamped 18.11.05)

The provision of only 32 car parking spaces, some of which would be difficult to manoeuvre in and out of, for the proposed resulting building is likely to result in more staff parking off-site and, consequently, result in an unacceptable level of disturbance and inconvenience to local residents and an adverse effect on the free flow of traffic in the locality. The proposal is thereby contrary to South Cambridgeshire Local Plan 2004 Policy EM7 which states that, within village frameworks, development for the expansion of existing firms will only be permitted where there would be no adverse impact on residential amenity or traffic conditions.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Refs: S/1785/05/F, S/0376/01/F, S/0936/90/F, S/2547/87/F, S/0127/87/F, S/2139/86/F, S/2055/78/F and S/1108/76/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

S/1608/05/LB – Great Shelford

Alterations and Conversion of Barn to Dwelling Including Conversion of Garage to Bathroom and Hall, Replacement of Cart Lodge with Enlarged Cart Lodge and Utility, Replacement of Corrugated Roofing Material with Slate on Single Storey Buildings and Plain Tiles on Main Roof and Attached Post and Rail Fences and Gates

S/1609/05/F – Great Shelford

Extension and Conversion of Barn into Dwelling

The Oat Barn, De Freville Farm, High Green for M Funston & Dakin Estates Ltd

Recommendation: Approval

Date for Determination: 11th October 2005

Conservation Area, Listed Building and Departure Application**Site and Proposal**

1. De Freville Farm is located on the west side of High Green and to the south of the railway line. Although in the heart of the village, the farm lies outside the village framework and in the countryside and Green Belt. This application relates to a Grade II Listed 18th century timber framed and weatherboarded three bay barn with a corrugated asbestos roof. The main part of the barn is approximately 8.8 metres high and there are single storey elements attached to its east and west sides which project beyond the northern elevation of the barn to form a small open courtyard area. To the east of the barn is a grassed area enclosed on its north and east sides by a wall whilst to the west is another grassed area partially bounded along its southern side by conifers. To the north of the site is De Freville Farmhouse, also a Grade II Listed Building, whilst to the south is a Listed thatched cottage. Beyond the western boundary of the site is a timber barn that was formerly part of the De Freville Farm complex but has recently been converted to a dwelling.
2. The applications, submitted on 16th August 2005 and amended on 23rd November 2005, seek to extend and convert the barn into a four bedroom dwelling. As part of the proposals, a lean-to open cart lodge attached to the west side of the main barn would be removed and replaced with a larger lean-to extension comprising a cart lodge and utility room. The roof of the main barn would be replaced with plain tiles whilst slate would be used for the single storey elements. In addition, post and rail fences and gates would be introduced on the presently open parts, including the courtyard, of the north and south boundaries of the plot in order to define the garden areas. Vehicular access would be gained from the existing access on the south side of the site and shared with that serving the converted barn to the west.
3. The application has been accompanied by planning and design statements as well as a bat report and structural survey. The planning statement explains that the proposal retains the open nature of the frontage of the site, with the layout enabling all domestic paraphernalia to be located either within the private courtyard or to the rear of the barn. In terms of the design of the scheme, existing openings have been

utilised to form windows and doors and their location prevents significant overlooking and loss of privacy to the adjoining residential units. All parking has been concentrated to the rear of the barn and out of sight, with the replacement cart-lodge being considered crucial to the scheme to ensure that vehicles are properly planned as an integral part of the proposal. The statement also confirms that all works of repair and rebuilding will be undertaken in matching and sympathetic materials, with all joinery in timber.

4. The planning statement stresses that alternative commercial uses have been considered for the barn but, given its relationship and close proximity to nearby residential properties, it is considered that a commercial use would not be appropriate. In this respect, the Local Highways Authority has advised that the access to the site is not suitable for a commercial use. The possibility of retaining the barn for purposes ancillary to the use of the farmhouse has also been explored but both Cheffins and Carter Jonas have advised that this approach has no merit in practical terms as the existing ancillary buildings to the farmhouse are extensive and the liability of retaining the site within the curtilage of the farmhouse is unworkable. As a consequence, the barn has been severed from the farmhouse. Potential purchasers of De Freville Farmhouse were advised of the intended residential use of The Oat Barn and none raised any objections to this. In addition, the barn was offered for sale to prospective purchasers who, in all instances, showed no interest in securing additional outbuildings. The sale of the farmhouse includes an extensive range of barns and, therefore, any additional ancillary accommodation was beyond the needs of potential purchasers. The possibility of converting the barn to holiday accommodation has also been explored, but it is considered that the potential return would not justify the high level of expenditure required, whilst the use of the barn as a nursing/convalescent home would require a far greater floorspace than is available on the site.
5. The statement summarises that the barn has historic merit, is structurally sound and worthy of retention. It is capable of conversion to residential use in such a way as to respect the existing openings and timbers, to avoid any overlooking and to avoid visual harm when viewed from the public domain. It is argued that to allow buildings of this nature to fall into disrepair, therefore precluding their reuse, would harm the environment.

Planning History

6. There is no history specifically relating to the application site. Planning and Listed Building consent for the extension and conversion of the barn to the west to a dwelling was granted under references S/1930/04/LB and S/1931/04/F and, prior to that, by consents issued in 2003.

Planning Policy

7. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 resists development in the countryside unless proposals can be demonstrated to be essential in a particular rural location.
8. **Policy P9/2a** of the Structure Plan states that development within the Green Belt will be limited to that required for agriculture and forestry, outdoor sport, cemeteries or other uses appropriate to a rural area.
9. Local Plan 2004 **Policy SE8** states that residential development outside village frameworks will not be permitted.

10. Paragraph 17 of Planning Policy Statement 7 'Sustainable Development in Rural Area' (2004) states that "The Government's policy is to support the re-use of appropriately located and suitably constructed existing buildings in the countryside where this would meet sustainable development objectives. Re-use for economic development purposes will usually be preferable, but residential conversions may be more appropriate in some locations, and for some types of building. Planning authorities should therefore set out in LDDs their policy criteria for permitting the conversion and re-use of buildings in the countryside for economic, residential and any other purposes, including mixed uses.

These criteria should take account of:

- a. The potential impact on the countryside and landscapes and wildlife;
 - b. Specific local economic and social needs and opportunities;
 - c. Settlement patterns and accessibility to service centres, markets and housing;
 - d. The suitability of different types of buildings, and of different scales, of re-use;
 - e. The need to preserve, or the desirability of preserving, buildings of historic or architectural importance or interest, or which otherwise contribute to local character.
11. Local Plan 2004 **Policy GB2** states that that planning permission will not be granted for inappropriate development in the Green Belt unless very special circumstances can be demonstrated. Development is defined as 'inappropriate' unless it comprises (in part) the re-use of buildings provided that:
 - a. The development does not result in a materially greater impact on the openness and purpose of the Green Belt;
 - b. Strict control is exercised over any proposed extensions and associated uses of surrounding land;
 - c. The buildings are of permanent and substantial construction and capable of conversion without major or complete reconstruction; and
 - d. The form, bulk and general design of the buildings are in keeping with their surroundings.
12. **Policy P7/6** of the 2003 Structure Plan requires development to protect and enhance the quality and distinctiveness of the historic built environment.
13. **Policy EN20** of the 2004 Local Plan states that permission will be refused for extensions to listed buildings which are not necessary to ensure the continuing use of the building, would dominate or detract from the listed building, would imply the loss of building fabric of architectural or historic interest, would damage archaeological remains of importance, or would harm the well being or setting of adjacent listed buildings.
14. **Policy EN26** of the 2004 Local Plan states that, in judging applications for the change of use of listed buildings, the District 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; 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 proposal would harm the setting and amenity of adjacent buildings.
15. **Policy EN28** of the 2004 Local Plan states that the District Council will refuse applications which dominate a listed building; damage the setting, well being or

attractiveness of a listed building; or would harm the visual relationship between a listed building and its formal or natural landscape surroundings.

16. **Policy EN30** of the 2004 Local Plan requires new development in a Conservation Area to either preserve or enhance the character of the area.

Consultations

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

“No objection to the proposal which does not seem to conflict with green belt policies or conversion of listed buildings policies, but we do have some concern over the setting of the building. We hope the open field to the NE of the barn is retained in its present form as it adds to the agricultural appearance of the surrounding buildings. Should it become a garden it would detract from the open agricultural nature of the site.”

18. **The Chief Environmental Health Officer** raises no objections subject to a condition restricting the hours of use of power operated machinery being attached to any consent in order to minimise noise disturbance to neighbours.

19. **The Ecology Officer** raises no objections subject to a condition requiring full details of measures for bat mitigation and conservation being attached to any consent.

20. **The Conservation Manager** initially objected to the application as it was considered that insufficient evidence had been submitted to demonstrate that the barn could not be used for purposes considered to be less harmful to the appearance of the building than a residential use. Following the submission of further supporting information together with amended plans to revise the design of the carport element, the Conservation Manager now recommends approval stating:

“The applicants have submitted further justification and have demonstrated that any form of commercial use including a less intensive “low key employment” use, as previously suggested, would still have an impact on the setting of the barn, may involve alterations to the interior and would provide insufficient revenue to secure the long-term preservation of the barn. They have also provided further information on the marketing exercise and demonstrated that there was little interest from prospective purchasers of the farmhouse in purchasing the barn as additional ancillary accommodation.

An aerial photograph, date unknown, indicates that there was some sub-division of the farmyard. Buildings extended to the southwest of the barn and walls, in the location of the existing brick and flint wall and the proposed fence, formed a stockyard.

The proposed replacement cartshed/utility building has been redesigned as a lean-to which matches the form of the existing structure, is less dominant than the previously proposed gabled extension and is more in keeping with the character of this former agricultural building.

The alterations, both internal and external will have an impact on the character of the barn but these must be balanced against the repair and continued long-term use of the building.

Recommendation Approval - The applicants have submitted further justification and the key issues regarding the impact on the historic fabric and the character of the grade II listed barn and the impact on the setting of the barn and the adjacent listed buildings have been addressed.”

Representations

21. One letter of objection has been received from the occupiers of Top Barn, the converted barn situated to the west of the site. Concern is expressed in respect of the rebuilding and enlargement of the existing cart lodge and the construction of a new driveway. This would result in vehicle use and noise that the occupiers of the above property do not presently have to contend with.

Representation by the applicant’s agent

22. The applicant's agent has submitted further representations in respect of the proposal. It is pointed out that The Oat Barn has hardly been used for agricultural operations, being used only on a limited basis for the occasional storage of redundant farm machinery, a purpose that is no longer required as all agricultural operations have ceased on the site. It is clear that an agricultural use of the barn cannot be reinstated given the lack of need for it to be used agriculturally for many years, its location within the village and that no farm holding exists within the vicinity to which it could be related. The marketing undertaken in relation to the sale of the farmhouse has demonstrated that no demand exists for the use of the outbuilding either for commercial purposes or uses linked to the farmhouse. Even a low key employment use would result in noise and disturbance to adjoining properties and highway safety problems. In addition, insufficient revenue would be secured through such uses to ensure the long-term preservation of the barn. It is considered that a residential use is the only way of securing the repair and retention of the barn. To leave it vacant will ensure that its appearance and structure will deteriorate thereby harming its future retention.
23. Policy SE8 seeks to resist any form of residential development outside village frameworks. Whilst the site falls outside the framework, it is within an area dominated by residential uses. The character of this area of countryside would therefore not be altered.
24. An aerial photograph has been submitted with the agent's letter showing that further buildings extended to the rear of Oat Barn and walling formed an enclosed area of courtyard. It cannot therefore be concluded that the introduction of walls and fences is fundamentally wrong as this re-establishes the historic position. The severance of the barn from the listed buildings and farmhouse has already occurred and The Oat Barn is a separate unit surrounded on all sides by residential curtilages. Through appropriate boundary treatments, the relationship of the barn to the farmhouse will still be clear.
25. It is argued that the scheme will enhance the barn's appearance, particularly by replacing existing tin and asbestos roofs with tiles to match those on Top Barn. It is estimated that replacing the existing asbestos roof will cost around £35000 and it will only be possible to generate these funds through a residential conversion.

Planning Comments – Key Issues

26. The key issues to consider in the determination of this application are:
- a) The principle of a residential use of the barn in light of settlement policies;

- b) Whether a new use for the barn is necessary and whether a residential use is most appropriate;
 - c) Impact of the proposal upon the character and appearance of the Listed barn and upon the setting of nearby Listed Buildings;
 - d) Impact upon the character and appearance of the Conservation Area;
 - e) Impact upon the countryside and Green Belt;
 - f) Residential amenity.
27. Policy SE8 of the Local Plan states that residential development outside village frameworks will not be permitted. The use of the barn as a dwelling is therefore contrary, in principle, to the development plan and the application has consequently been advertised as a Departure. Given that the proposal is a departure from the plan, it is necessary to consider whether there are other material considerations in this instance that outweigh the general presumption against residential development in the countryside.
28. It is clear from the information submitted with the application that an agricultural use of the barn is no longer viable. Given the listed status and historic importance of the barn, it is accepted by this Authority that it is necessary to find a new use for the building in order to ensure its retention. The use of the barn for employment or commercial purposes is not considered to be acceptable for highway safety reasons and due to the harmful impact such a use would have upon the amenities of occupiers of adjoining residential properties. A low key employment use would still generate such problems, albeit to a lesser extent, but would not generate sufficient revenue to secure the renovation of the barn to an acceptable standard. The possibility of using the barn as an ancillary outbuilding to the farmhouse has also been explored. However, as explained by the applicant's agent, there has been virtually no interest from prospective purchasers of De Freville Farmhouse in using the barn for such purposes due to its size and consequent maintenance costs. In addition, there is an extensive range of barns/outbuildings to the rear of the farmhouse meaning that this additional sizeable building is beyond their needs. It is believed that the only person interested in purchasing the barn along with the farmhouse was interested in securing a residential consent for the building rather than requiring it as an ancillary outbuilding.
29. Officers accept that a residential use is the only viable way of securing the retention of the building. It is therefore necessary to consider next whether the conversion can be achieved without resulting in harm to the character of the building or its surroundings. The Conservation Manager has supported the application, as amended, and considers the proposal would not harm the character of the building or the setting of adjacent listed buildings subject to careful consideration of materials, joinery details and boundary treatments. Officers consider that, in order to preserve the setting of the building and the character of the countryside and Green Belt, it is essential that the open nature of the frontage of the site be protected. If this land is approved as part of the residential curtilage, although it would be possible to require, by condition, applications to be submitted for future extensions etc in this area, it would not be possible to prevent domestic paraphernalia (eg – washing lines, play equipment etc) being sited on this land. For this reason, Officers have requested that this land be removed from the proposed domestic curtilage/site edged red.
30. Although the site lies outside the village framework, it is located in the centre of the village and within walking distance of the services and facilities within the village. As such, approving a residential use in this location represents a sustainable form of development.

31. I am satisfied that the conversion scheme would not result in undue harm to the amenities of adjoining residents. The proposed means of access is an existing vehicular access used by 'Top Barn', the converted barn to the west of the site, and the slight intensification in the use of this access would not result in undue noise and disturbance to the occupiers of No.21 High Green. Windows have also been positioned so as to avoid serious overlooking of adjoining properties.

Recommendation

32. Approval, as amended by drawings date stamped 23rd November 2005:

Proposed conditions of the planning permission

1. Standard Condition A (Reason - A)
2. Sc5a – Details and samples of materials to be used for external walls and roof (Reason – To ensure that the development does not detract from the character and appearance of the Conservation Area and to ensure detailing appropriate to this Grade II Listed Building).
3. Sc5 – Details of the windows and doors, to a scale of 1:20 (Reason – To ensure that the development does not detract from the character and appearance of the Conservation Area and to ensure detailing appropriate to this Grade II Listed Building).
4. Sc5 – Details of materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas (Reason – To safeguard the character and appearance of the Conservation Area and to preserve the appearance of this Grade II Listed Building).
5. Sc21 – Withdrawal of permitted development rights – Part 1 (Development within the curtilage of a dwellinghouse) All Classes; and Part 2 (Minor Operations) Class A (Reason – To safeguard the character and appearance of the Conservation Area and to preserve the appearance of this Grade II Listed Building).
6. Sc22 – No further windows – any elevation of the converted barn, hereby permitted (Reason - To preserve the appearance and character of this Grade II Listed Building and to prevent overlooking of adjacent residential properties)
7. Sc51 – Landscaping (Rc51).
8. Sc52 – Implementation of landscaping (Rc52).
9. Sc60 – Boundary treatment (Rc60).
10. During the period of extension and conversion works no power operated machinery shall be operated on the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions. (Reason – To minimise noise disturbance to nearby residents)

11. No development shall commence until full details of measures for bat mitigation and conservation have been submitted to and approved in writing by the Local Planning Authority. These measures should include:
- a) Appropriate surveys to determine the species of bat(s) present and for what purposes they are using the building;
 - b) Inspection of existing buildings on site within one month prior to their demolition or alteration to determine the presence or absence of roosting or hibernating bats;
 - c) Details of measures for safely excluding bats during the demolition and alteration of any building containing bats;
 - d) Provision prior to demolition or alteration of existing buildings and the commencement of development of a new bat roost/hibernacula constructed to a design and in a location previously approved by the Council;
 - e) A statement outlining the advice taken by the applicant from a professional ecologist experienced in working with bats.

The works shall be completed in accordance with the approved details and timing of the works unless otherwise agreed in writing by the Local Planning Authority. (Reason – To avoid disturbance to protected species as set out within Policy EN13 of the South Cambridgeshire Local Plan 2004).

12. No development shall commence until a schedule of proposed works detailing all those elements of the buildings involved in the conversion to be repaired, replaced, renewed, rebuilt or newly constructed, including below ground features and specifications of materials to be used, has been submitted to and approved in writing by the Local Planning Authority. Any material variations considered necessary as work progresses shall also be so approved. (Reason - To ensure that the scheme involves only the conversion of the buildings by ensuring that the Local Planning Authority retains control over the extent of any rebuilding).

Reasons for approval

1. Although the proposal is not in accordance with Policies P1/2 of the Approved Structure Plan 2003 and SE8 of the South Cambridgeshire Local Plan 2004, it is considered that the re-use and conversion of the existing traditional building would achieve the objectives of Government Guidance in Planning Policy Statement 7 'Sustainable Development in Rural Area' (2004) by securing an appropriate new use for a historic building considered worthy of retention.
2. The development is considered to generally accord with the Development Plan in all other respects and particularly the following policies:
 - a) Cambridgeshire and Peterborough Structure Plan 2003: **P1/2 (Environmental Restrictions on Development), P7/6 (Historic Built Environment) and P9/2a (Green Belts).**
 - b) South Cambridgeshire Local Plan 2004: **GB2 (Development in Green Belts), EN20 (Extensions to Listed Buildings), EN26 (Conversion of Listed Buildings to New Uses), EN28 (Development within the Curtilage or Setting of a Listed Building) and EN30 (Development in Conservation Areas).**

Proposed conditions of the Listed Building consent

1. The works to which this consent relates shall be started not later than the expiration of three years from the date of this decision notice. (Reason - To ensure the consideration of any future application for works will not be prejudiced by planning and listed building consents that have not been acted upon).
2. The proposed works shall be carried out strictly in accordance with the approved plans and specification of works noted thereon, except where modified by the conditions of this consent. (Reason – To ensure compliance with the approved plans).
3. Before work commences, arrangements shall be made by the applicant to enable the Local Planning Authority (normally the Council's Conservation Officer) to meet the owner or agent and the contractor on site to discuss the conditions of this Consent and the manner of works. (Reason - For the avoidance of doubt and to ensure the proper control of works).
4. Precise details of the proposed windows and doors to a scale not less than 1:20 shall be submitted for the prior written approval of the Local Planning Authority. (Reason – To ensure the use of details appropriate to this listed building).
5. The proposed weatherboarding and all external joinery shall be stained black to the satisfaction of the Local Planning Authority. (Reason – To ensure a traditional finish to the external joinery and weatherboards).
6. Any works of repair and replacement, which are agreed on site with the Local Planning Authority, shall precisely match the original to the Local Planning Authority's satisfaction. (Reason – To ensure that such works are in keeping with the character and appearance of this listed building).
7. Before work commences on site, precise details of the following items shall be submitted for the prior written approval of the Local Planning Authority:
 - a. The position and details of soil vent pipes, mechanical extracts and flues.
 - b. Details of the proposed staircases.
 - c. Details of floor finishes.
 - d. Details of replacement and new rainwater goods.
 - e. Details of the type and size of rooflights.
 - f. Details of the material and method of insulation for the walls and roof.(Reason – To ensure detailing appropriate to this listed building).
8. A sample of the proposed roof tiles shall be provided on site for the prior approval of the Local Planning Authority. (Reason – To ensure the use of roofing material appropriate to this listed building).
9. The single storey roofs shall be covered in natural quarried slate to the approval of the Local Planning Authority. (Reason – For the avoidance of doubt).
10. All mortars, plasters and render shall be lime rich to specifications submitted to and agreed in writing by the Local Planning Authority. (Reason – To ensure the use of the appropriate mix of traditional lime plasters and mortars).
11. No member nor part member of the timber frame, weatherboards nor roof timbers shall be removed without the prior consent of the Local Planning Authority. (Reason – To protect the fabric of this listed building).

12. A sample panel of brickwork shall be constructed on site to enable the Local Planning Authority to agree the type of brick, the bond, the joint detail and the mortar mix. (Reason – To ensure detailing and materials appropriate to this listed building).

Background Papers: the following background papers were used in the preparation of this report: Cambridgeshire and Peterborough Structure Plan 2003
South Cambridgeshire Local Plan 2004
Planning applications refs S/1609/05/F and S/1931/04/F
Listed Building applications refs S/1608/05/LB and S/1930/04/LB

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

S/1581/05/F – Great Shelford
Residential Development Through New Build Development and Residential
Conversion of Livanos House (98 No. Units in Total to Include 29 Affordable Units),
New Means of Access, New Internal Access Roads and Footways, Public Open Space,
Hard and Soft Landscaping and Other Ancillary Elements at Livanos House/Abberley
House, Granhams Road, for Huntingdonshire Housing Partnership and MPM
Properties Ltd

Recommendation: Approval
Date for determination: 28th October 2004 (Major Application)

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

Site and Proposal

1. This triangular shaped site, which extends to approximately 1.7 hectares/4.3 acres, is currently occupied by Abberley House, a 2-storey gault brick and large flat tile office building, Livanos House, a modern 2-storey buff brick and slate roof office building with accommodation in the roof, and a very shallow monopitch roof, buff brick single storey building previously used by Trading Standards. There are also a number of temporary buildings on the site. The southern part of the site is well-treed, particularly along the perimeters. The trees are protected by a Tree Preservation Order. Save for the existing access, there is a row of large trees along the site's Granhams Road frontage which, together with the trees on the opposite side of the road, create an avenue along this section of the road. The northern part of the site is rough grassland and more open than the southern part with little existing planting. The site is bounded by the Kings Cross and Liverpool Street railway lines to the northwest and northeast respectively, Granhams Road to the southeast, 5A Granhams Road to the south and properties in Granhams Close beyond an awarded watercourse to the west.
2. This full application, received on the 29th July 2004 and amended by plans date stamped 12th August 2005 and 4th November 2005, proposes the conversion of Livanos House to 9 flats and the erection of a further 89 units (98 units in total including 29 affordable units). The proposed units are comprised of 9no. 3-bedroom dwellings, 24no. 2-bedroom houses, 26no. 2-bedroom flats, 30no. 1-bedroom flats and 9no. 1-bedroom studio flats. Five of the 3-bedroom dwellings are bungalows with accommodation in the roofspace measuring 5.7m to ridge. 27no. 2-storey detached, semi-detached and terrace houses measuring 7.7m high are proposed. The remaining 65 units are flats and are provided in 2no. 2-storey, 5no. 2½-storey and 3no. 3½-storey blocks ranging from 8.1m to 13.1m high. The density equates to approximately 58 dwellings to the hectare. Abberley House and the Trading Standards building would be demolished and the temporary buildings on the site would be removed.
3. A number of trees would be lost as a result of the proposal including 7 trees that form part of the belt of trees along the Granhams Road frontage for the access and

visibility splays. In order to adequately protect the occupiers of the units from railway noise, a 3 metre high fence is proposed along the northwest and northeast boundaries. A 5 metre wide approximately landscape strip is proposed on the outside of this fence line to be planted with trees in accordance with Network Rail's list of recommended species close to railways. A small number of new trees are also proposed within the development. Areas of open space, including a grassland area and an equipped area for play, are proposed within the site. These areas, together with the landscape strip on the outside of the boundary fence, are to be maintained by Huntingdonshire Housing Partnership.

4. The original application was accompanied by a Drainage Strategy, Geoenvironmental Assessment Report, an Ecological Walkover and Bat Survey Report, an archaeological report, a noise assessment, a Flood Risk Assessment, a Tree Survey, a Planning Statement and a Transportation Assessment. The amended plans were accompanied by a Revised Transportation Assessment, a Flood Risk Assessment Addendum, an Ecological Report, a Tree Survey Report and a Design Report.
5. The original scheme proposed to retain Abberley House for employment purposes and erect 93 units, up to 4-storeys high, on the remainder of the site. No formal open space or play space was proposed at that time. The scheme date stamped 12th August 2005 proposed the demolition of Abberley House and the erection of 106 units, up to 4-storeys high, on the whole site. A retained grassland area, children's play area and a proposed landscaped belt along the eastern edge of the development were introduced. The scheme date stamped 4th October 2005 still involves the demolition of Abberley House and the retained area of grassland, children's play area and landscaped belt along the eastern edge of the development but involves a reduction in the number of dwellings proposed from 106 to 98 by deleting the previously proposed 4-storey block at the southern end of the site (the highest buildings now being 3½-storeys) and reducing the block adjacent to the entrance from 3 to 2-storeys. This latest scheme also provides for more space between the central block and adjacent trees. All the schemes proposed 30% affordable housing.

Planning History

6. There have been a significant number of applications for commercial development, including portable buildings, on the site. The following applications are worthy of particular note:
 - a) Planning permission for a new vehicular access onto Granhams Road in a similar position to the new access now proposed, albeit not requiring the removal of as many trees due to the more limited visibility required, was granted in 2001 (**S/0951/01/F**).
 - b) Planning permission for offices (Phase III) at Abberley House was refused in 1993 under reference **S/0604/93/O**. One of the reasons for refusal was that the removal of at least four mature sycamore trees on the Granhams Road frontage in order to provide a safe means of access would cause unacceptable visual harm to the locality and would adversely affect the rural and attractive character of the road.
 - c) Outline planning permission for an office building was refused in 1992 under reference **S/1490/91/O**. One of the reasons related to the safety and free flow of traffic on Granhams Road and on the Cambridge to Liverpool Street railway line, the removal of mature trees necessary for a safe means of access and, due to the position of the proposed access directly opposite properties in

Granhams Road, noise and disturbance to residents of the cottages close to and on the opposite side of Granhams Road resulting from the manoeuvring of the additional traffic generated by the proposal.

7. Outline permission was granted to use Abberley House for residential purposes and erect up to 8 dwellings in the grounds in 1980 under reference **S/0212/80/O**. An alternative scheme for the erection of 2 dwellings was approved in 1982 under reference **S/0052/82/O**.

Planning Policy

Settlement policies, design, density and mix

8. The site is within the village framework.
9. Structure Plan 2003 **Policy P1/3** relates to sustainable design in built development and requires a high standard of design for all new development which responds to the local character of the built environment and creates a sense of place which, amongst other things, is integrated with adjoining landscapes; creates distinctive skylines, focal points and landmarks; includes variety within a unified design; includes streets, squares and other public spaces with a defined sense of enclosure; includes attractive green spaces and corridors for recreation and biodiversity; conserves important environmental assets of the site; and pays attention to the detail of forms, massing, textures, colours and landscaping.
10. Structure Plan 2003 **Policy P5/3** states that Local Planning Authorities should seek to maximise the use of land by applying the highest density possible which is compatible with maintaining local character. It also states that, in setting density standards appropriate to their area, Local Planning Authorities should take into account the following guidelines: densities of at least 40 dwellings per hectare should be sought in locations close to a good range of existing and potential services and facilities and where there is, or there is the potential for, good public transport accessibility; and densities of less than 30 dwellings per hectare will not be acceptable.
11. Local Plan 2004 **Policy SE2** states that residential development will be permitted on unallocated land within Great Shelford provided that (a) the retention of the site in its present form is not essential to the character of the village; (b) the development would be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours; (c) the village has the necessary infrastructure capacity; and (d) residential development would not conflict with another policy of the Plan, particularly policy EM8 which relates to the loss of employment sites. It also states that development should provide an appropriate mix of dwellings in terms of size, type and affordability and should achieve a minimum density of 30 dwellings to the hectare unless there are strong design grounds for not doing so.
12. Local Plan 2004 **Policy SE8** states that there will be a general presumption in favour of residential development within village frameworks where this is also in accordance with, amongst others, policy SE2.
13. Local Plan 2004 **Policy SE9** states that development on the edges of villages should be sympathetically designed and landscaped to minimise the impact of development on the countryside.

14. Local Plan 2004 **Policy HG7** states that the Council will negotiate with applicants to secure the provision of accommodation to meet some of the continuing need for affordable housing in the District before it determines any application for planning permission for residential development of more than 10 dwellings on land within the framework of any village of more than 3,000 population, which includes Great Shelford. Such affordable housing shall be limited to units of types and sizes required to provide accommodation for those revealed to be in 'housing need' by an up-to-date survey; be available for rent at affordable rent levels, for shared ownership leases (or other equity share arrangements approved by the District Council) at affordable shares and managed by registered social landlord(s), that are able to demonstrate their ability to fund the scheme, capacity to deliver, acceptability to the Housing Corporation (if grant funding required), and appropriate long-term management and maintenance arrangements or for purchase as low cost market housing at a discount of at least 25% below the normal market price; in settlements with a population of more than 3,000, represent approximately 30% of the total number of dwellings for which planning permission may be given, although higher or lower percentages may be agreed in the light of factors such as proximity to local services; access to public transport; the particular costs associated with the development; and whether or not the provision of affordable housing would prejudice other planning objectives warranting greater priority in the particular case; be occupied only by qualifying persons, subject to cascade provisions; and be secured in perpetuity as to the above provisions (or any agreed departure from them) by planning obligation under Section 106 of the Town and Country Planning Act 1990 or an alternative form of equally effective provision.
15. Local Plan 2004 **Policy HG10** states that residential developments will be required to contain a mix of units providing accommodation in a range of types, sizes (including 1 and 2 bedroom dwellings) and affordability, making the best use of the site and promoting a sense of community which reflects local needs. It also states that the design and layout of schemes should be informed by the wider character and context of the local townscape and landscape. Schemes should also achieve high quality design and distinctiveness, avoiding inflexible standards and promoting energy efficiency.

Loss of Employment Sites

16. Local Plan 2004 **Policy EM8** states that the re-development of existing employment sites to non-employment uses within village frameworks will be resisted unless the existing use is generating environmental problems such as noise, pollution or unacceptable levels of traffic or where it is demonstrated that the site is inappropriate for any employment use to continue having regard to market demand. The supporting text states that applications for changes of use of premises in or last occupied for employment use will need to be accompanied by documentary evidence that the sites are not suitable or capable of being made suitable for continued employment use, including evidence that the property has been adequately marketed for a period of not less than 12 months on terms that reflect the lawful use and condition of the premises.

Sustainable Travel

17. Local Plan 2004 **Policy TP1** states that the Council will seek, through its decisions on planning applications, to promote more sustainable transport choices and to reduce the need to travel, especially by car, by amongst other things restricting car parking to a maximum of an average of 1½ spaces plus ¼ space for visitors per dwelling.

18. Structure Plan 2003 **Policy P8/2** states that new development will be expected to make provision for integrated and improved transport infrastructure to increase the ability to move by cycle, public transport and on foot.
19. Structure Plan 2003 **Policy P8/8** states that the capacity, quality and safety of walking and cycling networks will be increased to promote their use, minimise motorised travel and to realise health improvements. It also states that all new developments must provide safe and convenient pedestrian and cycle environments.

Education Contributions

20. Local Plan 2004 **Policy CS10** states that, where permission is granted for residential development of 4 or more dwellings, financial contributions will be sought towards the provision of additional permanent or temporary education accommodation in those cases where the new development would cause the planning capacity of permanent buildings at the local primary or secondary schools to be exceeded during the 5 years following the date of the application.

Open Space

21. Local Plan 2004 **Policy RT2** states that in areas where adequate nearby provision does not already exist, new residential developments of 21 dwellings or more shall make a contribution towards local achievement of the minimum NPFA standard of 2.4ha per 1,000 people. For these purposes an appropriate contribution shall be considered as 60sq.m per dwelling. Sheltered dwellings and residential homes do not need to contribute to this requirement. As an integral part of any provision required, space shall be provided for formal and informal children's play space at a ratio of roughly 50:50 and at a standard of 15sq.m for every dwelling with 2 or more bedrooms. Formal play areas shall be equipped with hard 'safety' playing surfaces and fixed play equipment. All such play spaces (both formal and informal) shall be located in such a way as to minimise potential for nuisance to neighbours.

Trees and Landscaping

22. Local Plan 2004 **Policy EN5** states that: the District Council will require trees to be retained wherever possible in proposals for new development: landscaping schemes will be required to accompany applications for development where it is appropriate to the character of the development, its landscape setting and the biodiversity of the locality; and conditions will be imposed on planning permissions to ensure the implementation of these schemes.

Biodiversity/Nature Conservation

23. Structure Plan 2003 **Policy P7/2** states that all development will seek to conserve and enhance the biodiversity value of the areas which they affect, landscape features of major importance to wild fauna and flora will be retained, managed and enhanced and, where damage is unavoidable, agreements will be sought to re-create features on or off-site.
24. Local Plan 2004 **Policy EN12** states that the Council will, wherever possible, seek to retain features and habitat types of nature conservation value where these occur on sites not specifically identified in the plan. Planning permission will only be permitted where the reasons for development clearly outweigh the need to retain the feature or habitat type and in such cases developers will be expected to provide appropriate mitigation measures. Appropriate management of features and habitat types will be

sought by the imposition of conditions, by the use of planning obligations, and by concluding management agreements with landowners and developers.

Noise from Railways

25. Local Plan 2004 **Policy ES8** states that the District Council will seek, by means of appropriate planning conditions, to minimise the impact of noise from railways on noise-sensitive development. The District Council's Adopted Standards for Protection Against Railway Noise and Vibration are set out in **Appendix 11/3** of the Local Plan.

Village Design Statement

26. The Great Shelford Village Design Statement, adopted as Supplementary Planning Guidance in February 2004, provides guidance and sets out principles and guidelines.

Consultations

27. **Great Shelford Parish Council** recommends refusal of the scheme as amended by plans date stamped 12th August 2005 stating "A year ago an application was submitted for 93 units on this site with the retention of Abberley House. At the time the Parish Council objected to the high density and the design and layout necessary to achieve it, the adverse effect on trees on the site, the adverse impact of the high buildings and fencing adjacent to the railway line, the design and materials of the buildings, the lack of public open space and the impact of additional traffic on Granham's Road. We hoped the plans would be amended to overcome these objections.
28. "A year later we still feel our original comments apply and that insufficient changes have been made. The draft South Cambridgeshire Design Guide reinforces many of the recommendations made in the Great Shelford V.D.S. (Village Design Statement) which relate to this site. It is to be hoped that consideration will be given to lowering the density, to creating a more imaginative layout which respects the landscape characteristics of the site, its sensitive position on the edge of the village and the largely domestic scale of buildings in the village."
29. Any further comments received in relation to the latest scheme date stamped 4th November 2005 will be reported verbally.
30. **Great Shelford Village Design Group** objected to the original scheme on the grounds of; density; cars and traffic; design of buildings (need for more variety, local materials and domestic scale); the 3 and 4-storey buildings are too high; layout (the proposed regimented environment with extensive hard surfacing with no natural or country ambience); loss of trees and inadequate replacements; inadequate open space provision (the open space to be provided as part of the golf course development reflects the existing lack of spaces and its acquisition is not certain); loss of wildlife habitats; inappropriate village edge/gateway; and noise of trains.
31. It states that the amended scheme addresses few if any of these concerns and is worse in some respects. In relation to the amended plans it refers to: the visual damage that would be done to the village approach from Granhams Road; the need to reduce the height of the buildings and the need for the planting of large trees within the development to screen the buildings; the Village Design Statement states that 'When seen from the crest of Granhams Road, Great Shelford is largely hidden by trees. It is this view that makes us conscious of the place of the village in the

landscape'. Whilst the proposal quotes this part of the Village Design Guide, there seems to be a complete lack of understanding as it envisages tall buildings among smaller trees in one of the most sensitive approaches to the village; need to retain more trees and grassland; and, whilst the move towards more sympathetic building materials and finishes are welcomed, the development is too uniform in style with little variety, and the loss of Abberley House and its replacement in the view from Granhams Road by a massive blocks of flats seems to typify the lack of sensitivity still prevalent in the proposal.

32. **SCDC Chief Environmental Health Officer** recommends conditions relating to a scheme for protecting the proposed dwellings from noise from the railway, times during the construction period during which no power operated machinery shall be operated and driven pile foundations are attached to any permission.
33. **SCDC Trees & Landscape Officer** states that the proposed access will involve the removal of seven mature sycamore trees subject to a Tree Preservation Order. He states that, whilst two of these trees are in a poor condition, the loss of the others will constitute the removal of a legally protected feature that makes a very significant visual contribution to the treed character of Granhams Road. He also states that the two car parking spaces adjacent to 5A Granhams Road should be omitted as, even with no dig construction, their use could compromise the adjacent beech trees canopy.
34. **SCDC Landscape Design Officer** acknowledged that the proposed landscaping scheme purports to have been prepared following Network Rail's standards for lineside planting but requested that it is formally submitted to Network Rail for confirmation that it does not object to the planting of trees close to the railway. She is also concerned about the lack of space to the rear of Block C and D and the future pressure for trees to be removed for light. **Network Rail** was subsequently consulted and has confirmed that the proposed landscaping scheme is acceptable.
35. **SCDC Drainage Manager** objected to the original scheme on the grounds that that scheme involved development within the 5m maintenance strip on the site side of the awarded watercourse along the southwestern side of the site.
36. **SCDC Environment Operations Manager** commented on the scheme as amended by plans date stamped 12th August 2005 and sought confirmation that all roads will be adoptable standard to withstand 26 tonne gross vehicle weight 6x4 vehicle and sought confirmation of the width of roads. He also made the following comments: there are insufficient hammerheads of the appropriate size to turn RCVs and the reversing distance is too excessive; details are needed of the proposed areas to be provided for the storage of containers for each individual dwelling, and especially for the terraced properties; the clearance of any arch or bridge should be 4m to allow for the RCV should access be required between H21 and H22; and details of communal bin stores for all the blocks are required and the locations of bin stores is not as per Council policy.
37. In response, it has been confirmed that all roads can be designed to withstand 26 tonne gross vehicle weight 6x4 vehicles, RCV access should not be required between H21 and H22 and plans have been submitted seeking to demonstrate that refuse vehicles would be able turn within the site. This information has been forwarded to the Environment Operations Manager for comment. Any further comments received will be reported verbally.

38. **SCDC Cultural Services Manager** makes the following comments: I would expect a proper equipped play area to meet SCDC standards within a development of this size- despite the high number of 2 bed properties; there is no provision for formal sport/outdoor play space which should be provided at 45sqm per house. I suggest that this should come in the form of an off-site capital contribution based on the cost of formal sports pitches per square metre; and, in addition, due to the number of homes proposed, there needs to be adequate green space on site for informal kick about.
39. **SCDC Ecology Officer** makes the following comments having read the Ecological Report, Aug 05:
40. "I feel that the application has made a very good attempt to integrate an area of semi-natural grassland within a relatively high density housing site. I accept that the area of grassland retained contains the majority of species found elsewhere within the site, additionally it retains the sites for the uncommon adders tongue ferns.
41. There are a few species, such as the harebell and marjoram that do not occur within the retained grassland. It would be very desirable to transfer a limited number of plants in order to retain the diversity of species retained.
42. I would also wish to explore the opportunity to "salvage" some plants from the area of grassland to be lost for possible inclusion within a wildlife area that is proposed to be established in another part of Gt Shelford in the very near future.
43. Turning to the management of the grass area. Large ant hills are present and represent an interesting feature of the grassland. Normal mowing could destroy these features, thus grass cutting should be undertaken by strimmer with the cutting raked up. The grass cuttings should be piled in locations where they can be beneficial for basking lizards.
44. The correct cutting frequency of the site will be important to maintain the species and should be the subject of further discussions, conditions and back-up by a S106 funding. The cutting and general management of the site (i.e. who will undertake it?) has not yet been clarified to my knowledge.
45. The grassland area should be protected from vehicles by a low level fence. I would not wish to see a footpath across it as it detracts from its natural state, and will encourage further erosion of the site. It would be desirable to erect discrete information boards explaining why the habitat has been retained.
46. I do not object to the planting of a limited number of holly trees around the grassland's periphery but would object to any significant planting that might result in heavy leaf fall upon the grassland.
47. I welcome the retention of an undeveloped strip adjacent to the watercourse as a wildlife corridor. Could it be planted with some attractive marginal plants (a clump of two of iris, marsh marigold and purple loosestrife?). The boundary planting will also provide habitats.
48. The discovery of a colony of ~68 pip.bats is locally significant. A full bat mitigation strategy should be presented as a requirement of a condition (could repeat and build upon the current eco report).
49. A reptile mitigation strategy should be required as a matter of condition (could repeat and build upon the current eco report).

50. A condition should be imposed preventing the removal of vegetation during the bird breeding season (15 Feb to 15 July inc. for this site) unless otherwise agreed in writing.
51. Overall, good progress has been made on this application over the last year.”
52. **Wildlife Trust** supports the Ecology Officer’s comments.
53. **Local Highway Authority** originally stated that 2.4m x 70m visibility splays are required but now states that a 4.5m x 70m splay is required to the southwest and 4.5m x the maximum visibility splay that can be achieved without encroaching on third party land is required to the northeast. It also requests a fully dimensioned layout plan showing 1.8m footways on both sides of the carriageway, 5m long parking spaces and a shared surface beyond the front of plots 19-21. It states that the street lighting on the frontage may need to be upgraded and comments on the location of cycle parking and bin stores. It requests amended plans addressing these points.
54. It also states that this stretch of road has been defined as an accident cluster site and, if permission is granted, the development should pay a £50,000 contribution towards the accident remedial scheme, which will include making the Cambridge Road/High Green junction much safer for cyclists and thereby encourage residents of the site to cycle or walk to local facilities, being worked up for this area. It also states that, if permission is granted, the development should make a £100,000 contribution towards the scheme to provide a cycle link between Addenbrookes and communities to the south of the City and the other cycle networks in this area.
55. **County Archaeology** recommends a (PPG16, para.30) condition requiring a scheme of investigation is attached to any approval.
56. **Environment Agency** raises no objections stating that, whilst the submitted Flood Risk Assessment is satisfactory in principle, final details must be satisfactorily addressed prior to the commencement of development. It therefore recommends that conditions relating to surface water drainage, and ground contamination investigation, assessment and remediation are attached to any permission and makes advisory comments for the applicants.
57. **County Education** seeks a £77,000 contribution towards the cost of providing 11 primary school spaces.
58. **Police Architectural Liaison Officer** made the following comments in relation to the plans date stamped 12th August 2005: the pedestrian access linking the parking courts across the front of Blocks C and D provides anonymity sought by offenders and additional access and escape routes and the same can be said in relation to the ability for pedestrians to get access around Blocks A, G, H, J and K and the associated parking area; any communal parking should be in small courts serving a maximum of 6, and in some cases 8, dwellings where spaces are close to and within the natural surveillance of the dwellings served or the highway; the parking court to the rear of Block J serves 23 dwelling many of which are out of view of the dwelling served; the car park to the rear of Block E serves 26 dwellings and Blocks C and D in particular have little or no natural surveillance of the parking area; as these two parking courts are linked through the private drive which provides parking for an additional 17 dwellings, with parking for A9 rather remote, the potential for crime, most notably associated with vehicles, is increased; care should be taken to ensure that planting around the children’s play area does not impede natural surveillance; and the road, drives, parking courts and footpaths should be provided with column

mounted lighting. In relation to the latest set of amended plans, date stamped the 4th November 2005, he states that the amendments do little to address these concerns. The basic layout remains the same so that there is excessive permeability through the site which is worsened by the size of the two main car parks which are still too large and unnecessarily interconnected.

59. **Cambs Fire & Rescue Service** asks that adequate provision is made for fire hydrants by way of Section 106 Agreement or planning condition.
60. **HM Railway Inspectorate** states that any development of this size will create an increase in road traffic and vehicles turning into the development must not cause traffic to block back onto the crossing therefore preventing or delaying the crossing being closed to road traffic and delaying rail traffic. It states that Network Rail must be consulted but has no further comment. **Network Rail** was consulted but no response has been received in relation to the railway crossing.

Representations

61. In relation to the amended scheme, objection letters have been received from the occupiers of 5, 5A, 16, 18A and 26 Granhams Road and 91 Cambridge Road. A further letter of objection (signed by occupiers of 3, 5, 5A, 6, 8, 12, 16, 18 and 18A Granhams Road, 28 Granhams Close and 1, 5 and 7 De Freville Road) has also been received. The grounds of objection are:
 - a. Height of flats and proximity to Granhams Road being overbearing and out of keeping with the rural character of the neighbourhood and resulting in overlooking of cottages on opposite side of Granhams Road;
 - b. Loss of trees along frontage which form an avenue and contribute greatly to the landscape of Granhams Road and loss of trees within site;
 - c. Intrusion into the open space forming the 'gateway' to the village from Granhams Road approach, with 3-storey blocks still located on this edge of the development;
 - d. The retention of Abberley House, a significant but relatively low 2-storey Victorian building, as part of the original scheme at least gave an appropriate 'mixed character' to the development;
 - e. Lower density with more visitor parking areas and green areas needed;
 - f. The development infringes nos, 3, 6, 7, 8, 9, 11 and 18 of the Great Shelford Village Design Statements conclusions, including no.6 which states that future development should mirror the domestic scale and diversity of style;
 - g. Traffic problems, including further back ups over the level crossing;
 - h. The submitted Transportation Assessment does not take account of the regular (every 8 minutes at peak times) closure of the level crossing;
 - i. An independent transport assessment should be obtained;
 - j. Inadequate parking provision;
 - k. Building along the railway would reflect noise and make things worse for those already within earshot;
 - l. The plan should include a community centre;
 - m. The proposal does not take account of how people live their lives or what they need for a reasonable life;
 - n. No thought is given to what the development might do to the balance of the existing community;
 - o. The proposed 2.3m high close boarded fence along the boundary with 5A Granhams Road needs to have concrete posts and base;
 - p. Damage to the copper beech tree within the garden of 5A Granhams Road and noise and disturbance due to the proposed new road and parking being

right up to the boundary. The road should be moved further away from this boundary.

Planning Comments – Key Issues

62. There are a number of important issues to be considered in relation to this application but the key issues are:
- a) The loss of this employment site;
 - b) Whether the benefits of the scheme outweigh the harm of the loss of mature trees along the Granhams Road frontage;
 - c) Whether the form and scale of development proposed is acceptable on this edge of village site; and
 - d) Highway matters, including whether the proposed visibility splays are acceptable and impact on railway crossing.

Loss of Employment Site and Principle of Residential Development of the Site

63. The site is within the village framework. Local Plan 2004 Policies SE2(d) and EM8 state that the re-development of existing employment sites to non-employment uses within village frameworks will be resisted unless the existing use is generating environmental problems or where it is demonstrated that the site is inappropriate for any employment use to continue having regard to market demand. There is no evidence that the existing use is generating environmental problems.
64. With regard to market demand, the site has not been formally marketed but the agent contends that the site is an under-utilised, low-density employment site in a Rural Growth Settlement that has reasonable alternative employment provision, such as Mill Court. It states that the site is not a preferred employment location in Cambridge City terms, nor in Great Shelford terms and the benefits of developing the site as proposed outweigh any technical objection that might arise in terms of Policy EM8. It also reports that its Commercial Agency Department states that “Shelford is well located on the favoured south side of the City but is not well known or established as an office/business park location. Demand for the south side of the City has been increasingly taken up by developments such as Capital Park at Fulbourn, Granta Park, Chesterford, Pampisford Park and other such locations. Such demand as exists in Shelford is more than catered for by the developments at Station Court and Mill Court where over 75,000 sq ft of office space has been provided in units ranging from a few 100 sq ft to 10,000 sq ft plus. It is normal that there would be space available within either or both of these developments and this would illustrate that supply exceeds demand. By way of anecdotal evidence, as at 5 August 2005 there was some 20,810 sq ft available in 5 buildings in these two schemes. A number of suites within these buildings are known to have been vacant for some considerable time, which indicated that demand is presently relatively weak in this location. We would not expect demand to be any stronger if the commercial buildings on the Livanos House/Abberley House site were offered for re-letting.” According to the agents, only half of Abberley House and 3 rooms in Livanos House are currently occupied and the Alzheimer’s Trust, who currently occupy Livanos House, are to relocate and the tenant of Abberley House has served notice and will be vacating the site by the end of the year.
65. Mindful of these comments and vacant premises at Mill Court/Station Court (which are more centrally located within the village), I consider that the loss of the employment buildings on the site would not be reason to refuse a well-conceived residential scheme which made the best use of the site.

Layout, Form, Scale and Design of Proposed Development

66. The Design Report submitted as part of the application acknowledges the need to keep the dwellings to a lower scale at the northern part of the site to allow the flow of open agricultural landscape and the height of the proposed development consequently rises from bungalows with accommodation in the roofspace at the northern end, through 2-storey and 2½-storey development to some 3½-storey development at the Granhams Road end of the site. The Design Report also states that the particular character of the flats alongside the railway is similar to some of the 'railway' buildings seen in our region, the proposed arches over main openings used throughout the development unifies and simplifies the elevations and, together with the use of local brickwork, render, pantile roofs for the dwellings, slate roofs for the flats, and stained boarding, seeks to recreate a simple agricultural form and reinforce the palette of colour and texture of our region. It also states that the flats are an important part of the scheme to provide some one and two bedroom homes economically and have been sited at the southern end of the site where they are related to large trees, open spaces, the retained Livanos House and the main body of the site and relate to traditional East Anglian mill buildings including The Kings Mill in the village rather than 'just another block of flats'.
67. The proposed buildings will be conspicuous when viewed from the approach to the village along Granhams Road, although they will be seen in the context of the overhead railway lines and, at the southern end of the site, the existing trees (being up to 20m high as compared to the proposed buildings up to approximately 13m high) will remain the dominant features in the skyline. The 3m high acoustic fence and the buildings will be screened to a degree by the 5m wide strip with planting on a bank along the eastern boundary. I understand the concerns of the Parish Council, Village Design Group and local residents, but mindful of the overhead lines, existing trees, and proposed planting, provided a number of the trees along the Granhams Road frontage could be retained (see comments below) and in order to provide smaller units of accommodation and make the best use of the site, I consider the form and scale of development to be acceptable. I also consider the design of the proposed buildings to be acceptable.

Density and Mix

68. The proposed density equates to approximately 58 dwellings to the hectare, significantly higher than the 30 stipulated as a minimum in Local Plan Policy SE2 and also well above the minimum of 40 dwellings per hectare advocated in the Structure Plan for locations close to a good range of existing and potential services and facilities and where there is good public transport accessibility. This crude figure of 58 is skewed by the preponderance of small units proposed and, provided the scheme is considered to be acceptable in all other respects, this density would ensure that the proposed scheme makes good use of the site.
69. The preponderance of small units is also welcomed. If anything, in some instances, I might have liked to see a greater proportion of larger units in order to encourage a more mixed community.

Loss of Trees Along Granhams Road Frontage, Access and Parking

70. The existing trees on both sides of Granhams Road create a pleasing avenue at the entrance to the village. If the site is to be developed, the removal of a number of these trees is necessary for access and visibility splays. As Members will see from

the planning history section of this report, there is an extant planning permission for a new vehicular access onto Granhams Road in a similar position to the new access now proposed, albeit not requiring the removal of as many trees due to the more limited development it would serve and therefore the more limited visibility requirements.

71. The proposed access and visibility splays would involve the loss of seven mature trees. Whilst the Local Highway Authority (LHA) originally stated that the proposed 2.4m x 70m visibility splays would be acceptable, it now states that a 4.5m x 70m splay is required to the southwest and 4.5m x the maximum visibility splay that can be achieved without encroaching on third party land is required to the northeast. The application fails to demonstrate that the required splay to the southwest, which cuts across the front gardens of Nos. 5 and 5A Granhams Road, can be achieved. 4.5m splays also likely to involve the loss of a further two mature trees.
72. Whilst the loss of some of the trees along the Granhams Road frontage coupled with replacement planting (which, over time, would begin to compensate for those removed) would be considered acceptable if it enabled the best use to be made of the site, the loss of up to nine protected trees for the required visibility splays and the resulting detrimental impact on the character of this part of Granhams Road is considered to be unacceptable.
73. The LHA has requested a fully dimensioned layout plan showing 1.8m footways on both sides of the carriageway, 5m long parking spaces and a shared surface beyond the front of plots 19-21. It also states that the street lighting on the frontage may need to be upgraded and comments on the location of cycle parking and bin stores. Whilst I have my doubts that 1.8m footways are required on both sides of the carriageway, if Members are minded to approve the application, a delegated approval would be appropriate to enable a further layout plan to be sought.
74. Parking provision is generally provided at a level of one space per dwelling plus visitor parking, although many of the houses would have two spaces. This is considered appropriate given that the dwellings are predominantly one or two bedroom.

Open Space and Nature Conservation

75. The amended scheme retains an area of grassland within the site as open space. Whilst not formally designated, the ecological survey report and the Ecology Officer's observations highlight the presence of 15 species on the northern part of the site indicative of locally high value semi-natural grasslands. The retention of this area overcomes the Wildlife Trust's and Ecology Officer's objections to the original scheme. The retention and careful management of this grassland area, the provision of an equipped children's play area, public access to the other areas indicated as open space on the plan and a financial contribution based on the cost of formal sports pitches to make up the shortfall in relation to the requirements of Local Plan Policy RT2, as suggested by the Cultural Services Manager, is considered to be acceptable in this instance.

Proximity to Railway Crossing

76. Network Rail has not commented on the application and the Health & Safety Executive has not itself objected to the application. Although the proposed access is likely to be used by more vehicles than the existing access, it is located approximately 15 metres (approximately 52m rather than approximately 37m) further

from the crossing than the existing access, which is to be blocked-up as part of the scheme. Provided a hatched area on Granhams Road like the one adjacent to the existing access is provided to ensure that vehicles entering the village from the northeast are not prevented from turning into the development by stationary vehicles waiting on the approach to the railway crossing from High Green, and in the absence of an objection from any consultees, the position and use of the proposed access relative to the railway crossing is not considered to be reason for refusal.

Impact on neighbours

77. The part of the scheme adjacent to 5A Granhams Road has been revised to reduce the impact on the occupiers of that property and, at their request, a 2.3m high fence is proposed along the boundary between 5A and the site.

Due to the existing and proposed planting, and the distance involved, the proposal is not considered to unduly affect the amenity of the occupiers of properties on the opposite side of Granhams Road. The amended scheme is not considered to unduly affect the amenity of any neighbours.

Other Matters

78. The amended scheme provides for the necessary 5m byelaw distance alongside the awarded watercourse running along the western boundary of the site.
79. It is considered the future occupiers of the proposed dwellings would be adequately protected from noise from the railway provided the proposed 3m high acoustic fence is erected and an agreed scheme for protecting the proposed dwellings from railway noise is implemented.

Conclusion

80. Whilst the proposed development is considered to be acceptable in other respects, refusal is recommended as the application fails to demonstrate that the vehicle to vehicle visibility splays required can be provided and, even if the required splays could be achieved, the development would result in an unacceptable loss of protected trees along the Granhams Road frontage.

Recommendation

81. Refusal (as amended by plans date stamped the 12th August 2005 and 4th November 2005)

The proposed access to the site is inadequate and below the standard required by reason of inadequate vehicle to vehicle visibility. Even if it could be demonstrated that the necessary splays could be achieved, the resulting loss of up to nine protected trees and the consequential opening up of views of the development from Granhams Road would have a serious detrimental impact on the character of this part of Granhams Road.

The proposal is therefore contrary to: Structure Plan 2003 Policy P1/3 which requires all new development to conserve important environmental assets of the site; South Cambridgeshire Local Plan 2004 Policy SE2 which states that residential development will only be permitted on unallocated land within Great Shelford where the development would be sensitive to the character of the village and local features of landscape importance; the aims of South Cambridgeshire Local Plan 2004 Policy

EN5 which seeks to ensure the retention of trees; and the Great Shelford Village Design Statement 2004 which seeks to preserve mature trees that mark 'gateways' to the village and identifies the mature trees on the west side of the railway crossing on Granhams Road as one such 'gateway'.

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

Great Shelford Village Design Statement 2004

Planning file Refs: S/1581/04/F, S/0951/01/F, S/0604/93/O, S/1490/91/O, S/0052/82/O and S/0212/80/O.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

S/2105/05/F - Fen Ditton
Erection of 2 dormer windows to rear roof slope at No.2 Shepherds Close
for Mr & Mrs Turner

Recommendation: Approval
Date of determination: 31st December 2005

Conservation Area

Site and Proposal

1. No.2 Shepherds Close comprises a two storey detached dwelling with detached garage, shared gravel drive and landscaped gardens to the rear overlooking a paddock area and green belt land. The site is within the Conservation Area.
2. The application received on 4th November 2005 seeks full planning permission for the insertion of 2 dormer windows to the rear roof slope elevation of the dwelling. The dormers would be positioned 1.4m up the roof slope from eaves height and include a flat lead roof set 0.6m lower than the existing roof ridge. Each dormer would be 1.5m high and 1.4m wide and collectively provide light to two additional bedrooms, the resultant property being a 6-bedroom dwelling. As part of the roof conversion the owner is to insert a single roof light to the front roof slope and two roof lights to the centre of the rear roof slope (between the proposed dormers). All roof lights are specified as Conservation type.

Planning History

3. None relevant

Planning Policy

4. **Policy P1/3 'Sustainable Design in Built Development'** of the Cambridgeshire and Peterborough Structure Plan 2003 requires a high standard of design and sustainability for all new development
5. **Policy P7/6 'Historic Built Environment'** of the Structure Plan 2003 states Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.
6. **Policy EN30 'Development in Conservation Areas'** of the Local Plan 2004 sets out the requirements for development within Conservation Areas
7. **Policy HG12 Extensions and Alterations to Dwellings within Frameworks** of the South Cambridgeshire Local Plan 2004 sets out the requirements that must be met in order for proposals to extend or alter dwellings within village frameworks to be considered for approval.

Consultation

8. **Fen Ditton Parish Council**

Refuse – “windows overlooking neighbour”

9. **Conservation Manager**

“The proposals will have little impact on the Conservation Area, (though will be visible from the adjacent greenbelt) and I would not wish to oppose the application. That said I believe the design of the dormer windows on the rear roof slope could be improved to produce something less ‘boxy’. I would suggest that an arched headed dormer with a curved lead roof might be appropriate on this type of dwelling.”

Representations

10. No comments have been received at the time of writing this report. The statutory consultation period expires on 6th December 2005; any additional comments will be reported to Members verbally.

Planning Comments – Key Issues

11. The key issues in respect of this application are the impact on the Conservation Area and the impact on the amenity of neighbours in particular with regard to loss of privacy.
12. In considering the merits on the Conservation Area, Members should take account of Policy EN30 of the South Cambridgeshire Local Plan 2004 which seeks to ensure development either preserves or enhances the character and appearance of the Conservation Area (CA). As the Conservation Manager notes the scheme would have a limited impact on the CA subject to a small detailed revision to the roof of the dormers (change from flat roof to curved).
13. Turning to neighbour amenity, I refer Members to Policy HG12 of South Cambridgeshire Local Plan 2004. Point 2 refers to proposals that would harm seriously the amenities of neighbours through, amongst others, loss of privacy. I consider that whilst there are views of the rear gardens of neighbours and the wider green belt the proposed dormers would be sited 1.4m up the roof slope (in section 1m from the roof edge). As the actual windows will only be 1.0m in width, a person in one of the bedrooms would have to make a conscious effort to go into the dormer window space in order to look out of the window. As such, in my opinion, the immediate private areas of neighbours will be obscured by the edge of the roof. The proposal would not therefore ‘harm seriously’ the amenities of neighbours through loss of privacy.
14. The agent has showed willing to amend the design of the dormers to meet with the recommendations of the Conservation Manager. Amended drawings have been requested.

Recommendation

15. Approve subject to receipt of revised plans and to the following conditions:
1. Standard Condition A – Time limited permission (Reason A);
 2. Sc5a – Details of materials for external cheeks and roofs of the dormer windows (Rc5aii);

3. The roof lights shall be Conservation style roof lights unless otherwise agreed in writing with the Local Planning Authority. (Reason: To preserve and enhance the character and appearance of the Conservation Area)

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
 - P1/3 (Sustainable design in built development)
 - P7/6 (Historic Built Environment);
 - **South Cambridgeshire Local Plan 2004:**
 - HG12 (Extensions and Alterations to Dwellings within Frameworks)
 - EN30 (Development in/adjacent to Conservation Areas)
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 overlooking issues

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

Planning file reference S/2105/05/F
South Cambridgeshire Local Plan 2004
Cambridgeshire and Peterborough Structure Plan 2003

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

S/2040/05/F - Fen Ditton
Dwelling at Meadow View, off High Street for Mr. David Frost and Mr. Derek Frost

Recommendation: Approval
Date for Determination: 28th December 2005

Conservation Area

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

Site and Proposal

1. The site measures 0.064 hectares, of which 0.048 hectares is developable land. The site is served by a 3.6 metre wide and 27 metre long access track that runs between 36 and 38 High Street. This also provides access to outbuildings at the rear of 26-36 High Street and to a field north of the site. There is an area of wooded land between the site and fields beyond. The land immediately to the north of the site lies within the Green Belt. The site itself is relatively flat, however it is located above the ground level of properties fronting High Street. There are two vacant mobile homes currently located on the site and an outbuilding comprising a carport and store.
2. This full planning application, registered on 26th October 2005, proposes the erection of a two-bedroom bungalow with integral garage with access via the existing track. The density of the development will be 20.8 dwellings per hectare (dph).

Planning History

3. In 1970 planning permission was granted for the siting of one caravan under ref. **C/0690/70**. Subsequently temporary planning permission was granted for the siting of two mobile homes under ref. **S/0226/79** and this was renewed twice under references **S/1684/89/F** and **S/1917/91/F** before permanent permission was granted in 1996 under ref. **S/1587/95/F**.
4. Earlier this year an outline planning application for two houses on this site was refused under ref. **S/0434/05/O**. The grounds for refusal were: (summarised):
 - a. Out of keeping with the strong linear character of the High Street and failure to enhance or preserve the character and appearance of the Conservation Area;
 - b. It would create an unsympathetic and intrusive form of development that will fail to preserve the openness of the surrounding countryside and Green Belt;
 - c. Harm to neighbouring amenities as the development would be overbearing visually, result in overlooking of rear gardens, and noise and disturbance from use of the access;
 - d. Highway safety due to inadequate visibility splays;
 - e. Lack of affordable housing.

Planning Policy

Cambridgeshire and Peterborough Structure Plan 2003:

5. **Policy P1/3 Sustainable Design in Built Development** seeks to provide a sense of place, which amongst other matters, responds to the local character of the built environment and is sustainable.
6. **Policy P5/3 - Density** seeks to achieve best use of land.
7. **Policy P5/5 – Homes in Rural Areas** permits small scale housing developments in villages taking into account the need for affordable rural housing, village character and setting and the level of jobs, services, infrastructure and public transport in the area.
8. **Policy P7/6 - Historic Built Environment** will be protected and enhanced by sensitive schemes of quality.
9. **Policy P9/2a - Green Belt** limits development within the green belt, the purpose of which is to preserve the character of Cambridge, maintain and enhance its setting and to prevent coalescent of communities.

South Cambridgeshire Local Plan 2004:

10. **Policy SE4 - Allocates Fen Ditton** as a 'Group' Village where development of up to a maximum of 8 dwellings will be permitted within village frameworks. Development may exceptionally consist of up to 15 dwellings if this would make the best use of a brownfield site.
11. **Policy SE9 - Village Edges** - any scheme on the edge of a village should be sympathetically designed and landscaped to minimise the impact on the countryside.
12. **Policy HG10 - Housing Mix and Design** requires residential developments to include a mix of units in terms of type, size, and affordability, making best use of land and for the design and layout of schemes to be informed by the wider character and context of the local townscape and landscape.
13. **Policy HG11 - Backland Development** only permits development to the rear of existing properties when it would not 1) result in overbearing, overlooking or overshadowing of existing properties 2) result in noise and disturbance to existing residential properties through the use of its access, 3) result in highway dangers through use of its access or 4) be out of character with the pattern of development in the vicinity.
14. **Policy GB1 - Green Belt** - the setting and special character of Cambridge will be protected.
15. **Policy GB2 - Green Belt** - inappropriate development will not be granted unless very special circumstances can be demonstrated, the fundamental aim being to protect the character and openness of the Green Belt.
16. **Policy EN5 - The Landscaping of New Development** - new development will require appropriate landscaping schemes to be submitted and agreed. Existing features on site i.e. trees and hedgerows, should be retained and incorporated into the scheme.

17. **Policy EN30 - Development in Conservation Areas** - expect new developments to enhance and/or preserve the character of a Conservation Area.
18. **Policy EN31** - Expects high standards of materials and landscaping in a Conservation Area.

Consultations

19. **Fen Ditton Parish Council** recommends refusal and comments that it is against backland development and does not feel the proposed dwelling would be in keeping with the area.
20. **The Conservation Manager** recommends refusal, commenting:

“This application follows the refusal of a previous application for a pair of semi-detached dwellings on the same site. Whilst this current application will have a smaller impact, and see the removal of two mobile homes on the site, I remain of the opinion that it will result in an inappropriate backland development that will be out of character with the pattern of development in the vicinity and, on balance, it will still neither preserve nor enhance the special character and appearance of the Conservation Area. The proposal is therefore contrary to Policy EN30 of the Local Plan. Removal of the mobile homes would be an enhancement of the Conservation Area, but their replacement by a dwelling could set a precedent for further backland development on adjacent sites that would result in further harm to the Conservation Area.

As backland development the proposal should also be assessed against the requirements of Policy HG11 of the Local Plan. The adoption of a single storey solution might avoid the issue of overbearing development and overlooking of existing properties, but I believe it is still in conflict with the remaining three criteria of this policy in that:

- a) The development will result in noise and disturbance to the existing residential properties through the use of its access;
 - b) The access has very limited visibility and is near a bend, so will result in highway dangers;
 - c) The development will be out of character with the pattern of development in the vicinity.”
21. **The Trees and Landscape Officer’s** comments are awaited and will be reported verbally to the Committee.
 22. **The Chief Environmental Health Officer** comments that in order to minimise the effects of development on nearby residents or occupiers a condition should be attached covering hours of construction using power operated machinery. Informatives regarding bonfires and pile foundations is also recommended.
 23. **The Local Highways Authority** comments that there is a lack of pedestrian and vehicular visibility splays. The poor geometry and visibility of the existing access is not adequate to serve the existing traffic so is certainly not suitable to cater for any further development. Notwithstanding, the site comprises two mobile homes which, if they have been occupied until recently, then vehicles associated with them would have been using the access and it would be difficult to sustain an objection to one replacement dwelling.

Representations

24. No representations had been received at the time of writing. However the statutory consultation period does not expire until the 29th November 2005. Any representations received will be reported verbally to the Committee.

Planning Comments – Key Issues

25. The key issues in relation to this proposal are the impact on the Conservation Area, whether the site is appropriate for backland development and highway safety.

Conservation Area

26. The site is currently occupied by two mobile homes with permanent consent. While these are relatively modest structures, the replacement with a permanent single storey, albeit of greater footprint, is in the long-term considered to be preferable in terms of the impact upon the appearance of the Conservation Area.

Backland Development

27. The High Street has a very linear character, however there is an established use of the site for residential purposes. In the long-term, as stated in paragraph 26 above, I consider that the replacement of the two mobile homes with a permanent dwelling of modest scale, using appropriate materials, will enhance the appearance of the Conservation Area, and as such accords with conservation and backland development policies.

Highways

28. The proposed development will reduce the number of vehicles using the access, as it will serve only one dwelling as opposed to two mobile homes. There is an established relationship in terms of the access and neighbouring dwellings, which is unlikely to alter significantly as a result of these proposals.
29. The Local Highways Authority acknowledges that as there is a permanent residential use on the site, refusal of this application for one dwelling would be difficult to substantiate. It is acknowledged that the access is sub-standard, however reducing the number of residences using it is a gain in highway terms.

Recommendation

30. Subject to no objections being received from the Trees and Landscape Officer it is recommended that the planning application be approved, subject to the following conditions:
1. Standard Condition A – Time limited permission (Reason A);
 2. Sc5 a – Details of materials for external walls and roofs (Rc5aii)
d – Refuse storage accommodation (Rc5d)
e – Finished floor levels of the building in relation in ground level(Rc5e);
 3. Sc22 – No further windows (specify 'east, south and west) (Rc22)
 4. Sc51 – Landscaping (Rc51);
 5. Sc52 – Implementation of landscaping (Rc52);
 6. Sc60 – Details of boundary treatment (Rc60);

7. Sc5f – Details of materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas (Reason – To minimise disturbance to adjoining residents);
8. During the period of construction no power operated machinery shall be operated on the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions. (Reason - To minimise noise and disturbance to nearby residential dwellings.)

Informatives

1. Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted to and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.
2. During construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.
3. See attached Environment Agency advice regarding soakaways.

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:** P1/3 Sustainable Design in Built Development, P5/3 - Density, P5/5 – Homes in Rural Areas, P7/6 - Historic Built Environment, P9/2a - Green Belt
 - **South Cambridgeshire Local Plan 2004:** SE4 - Group Villages SE9 - Village Edges, HG10 - Housing Mix and Design, HG11 - Backland Development, GB1 - Green Belt, GB2 - Green Belt EN5 - The Landscaping of New Development, EN30 and EN31 - Development in Conservation Areas.
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Conservation Area
 - Residential amenity
 - 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 file refs. S/2040/05/F, S/0434/05/O, and S/1587/95/F.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

S/1744/05/F – Thriplow
House and Garage on Land Adjacent 22 Middle Street for S Hurst

Recommendation: Approval
Date for determination: 8th November 2005

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

Conservation Area

Update

1. At the 2nd November 2005 meeting of this Committee, Members resolved to defer the application for a site visit.
2. In relation to the last sentence of paragraph 21 of the report to the 2nd November meeting (which states that, whilst I do not consider it necessary, I would ask the applicant to consider replacing the landing window in the southern window with a rooflight(s) to minimise any perceived overlooking), and as reported verbally at the 2nd November meeting, the applicant's agent states that it is his client's view that the window makes an attractive feature on the side elevation and because it is at high level would not give rise to problems for the neighbour. He states that, ideally, the applicant would like to retain the window but, if Members have strong views, he is prepared to replace this with a conservation roof light and provide an amended plan.

Recommendation

3. Approval for the reasons and subject to the conditions set out in the report to the 2nd November meeting.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Refs: S/1744/05/F, S/2242/04/CAC, S/2036/04/F, S/2035/04/F, S/2034/04/F, S/0660/96/F and S/0484/84/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 2nd November 2005
AUTHOR/S: Director of Development Services

S/1744/05/F – Thriplow
House and Garage on land Adjacent 22 Middle Street for S Hurst

Recommendation: Approval
Date for determination: 8th November 2005

Conservation Area**Site and Proposal**

1. The site, which extends to approximately 0.07 hectares/0.18 acres previously formed part of the garden area of No.22 Middle Street, a brick, boarding and large flat tile two-storey dwelling with part of the roof dropping to single storey eaves height. A detached double garage currently sits on the site. To the south of the site is No.24, a monopitch roof detached bungalow with a gable end pitched roof garage to the front and a utility room door and utility room, bedroom, en-suite and secondary living room windows in its north elevation facing the site. There is a 2.5m high hedge along the site's road frontage save for the existing access at the southern end of the frontage. A separate new access to serve No.22 has recently been completed. The boundary between the site and No.24 is marked by fencing of varying heights and a new 1.8m high fence has been erected along the boundary between the site and No.24. There is a holly tree within the site close to the boundary with No.24.
2. This full application, received on the 13th September 2005, proposes the erection of a 4-bedroom detached house and detached triple garage on land to the south of No.22 Middle Street. The triple garage would serve the proposed dwelling (two bays) and No.22 (one bay). The main two-storey part of the house would measure 6.9m to ridge and 4.2m to eaves with an attached 4.2m to ridge and 2.2m to eaves single storey element to the side. The house would be faced with timber boarding over a brick plinth. The main part of the house would have a slate roof. The single storey element would have a pantile roof. The garaging building, which would stand gable to the road behind the frontage hedge, would be faced with bricks with a pantile roof. It measures 4.5m to the ridge and 2.2m to eaves. The density equates to 14 dwellings to the hectare.

Planning History

3. Planning permission for the erection of a part two-storey (7.5m high), part one-and-a-half storey house, and a double garage with a ridge running parallel to the road, on the site was refused in November 2004 under reference **S/2036/04/F** for the following reasons:

"This part of the Thriplow Conservation Area is relatively loosely spaced, with the spaces between the buildings being almost as significant to the character of the street scene as the buildings themselves."

1. *The proposed dwelling, by virtue of its scale, design and detailing, together with the fact that it would almost completely fill the gap between Nos. 22 and 24 Middle Street, would have a detrimental impact upon the street scene and would neither preserve nor enhance the character and appearance of the Conservation Area. In addition, the design, detailing, siting and orientation of the proposed garage in relation to the road would not be in keeping with the character of its surroundings. Consequently the proposal would contravene: Cambridgeshire and Peterborough Structure Plan 2003 Policies P1/3 which requires a high standard of design that responds to the local character of the built environment, and P7/6 which requires development to protect and enhance the quality and distinctiveness of the historic built environment; and South Cambridgeshire Local Plan 2004 Policies EN30 which states that permission will be refused for schemes within Conservation Areas which do not fit comfortably into their context and SE5 which requires new development to be sensitive to the character of its surroundings*
- 2 *The visual impact of the garage, and its subsequent harm to the character and appearance of the Conservation Area, would be compounded if the garage was built back-to-back with that proposed under planning reference: S/2035/04/F.*
- 3: *The proposed dwelling, by virtue of its height and proximity to the southern boundary of the site, would be an overbearing presence when viewed from the living room, dining room and bedroom windows in the north elevation of No.24 Middle Street. These windows would also be overlooked by the first floor bedroom window in the south elevation of the new dwelling to the detriment of the privacies of the occupiers of the neighbouring property. Consequently the proposal would contravene South Cambridgeshire Local Plan 2004 Policy SE5 which requires new development to be sensitive to the amenities of the locality.”*
4. At the same time, planning permission was refused for a double garage for No.22 which was proposed to be attached to the double garage for the dwelling proposed under reference **S/2036/04/F** and new access for No.22 under reference **S/2035/04/F** for the following reasons:
 1. *“The proposed garage, by virtue of its design, detailing, siting and orientation in relation to the road, would have a detrimental impact upon the street scene and would neither preserve nor enhance the character and appearance of the Conservation Area. Consequently the proposal would contravene: Cambridgeshire and Peterborough Structure Plan 2003 Policies P1/3 which requires a high standard of design that responds to the local character of the built environment, and P7/6 which requires development to protect and enhance the quality and distinctiveness of the historic built environment; and South Cambridgeshire Local Plan 2004 Policies EN30 which states that permission will be refused for schemes within Conservation Areas which do not fit comfortably into their context and HG12 which resists additions to dwellings that would have an unacceptable impact upon the street scene.*
 2. *The visual impact of the garage, and its subsequent harm to the character and appearance of the Conservation Area, would be compounded if the garage was built back-to-back with that proposed under planning reference: S/2036/04/F.”*

5. Permission was granted for a new access for No.22 in November 2004 under reference **S/2034/04/F**.
6. Conservation Area Consent for the demolition of the existing garage and shed was granted in December 2004 under reference **S/2242/04/CAC**.
7. Permissions for extensions to No.22 were approved in 1984 and 1996 under references **S/0484/84/F** and **S/0660/96/F** respectively.

Planning Policy

8. Structure Plan 2003 **Policy P1/3** requires a high standard of design for all new development which responds to the local character of the built environment.
9. Structure Plan 2003 **Policy P7/6** states that Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.
10. Local Plan 2004 **Policy SE5** states that residential developments within the village frameworks of Infill Villages, which includes Thriplow, will be restricted to not more than two dwellings comprising, amongst others, a gap in an otherwise built-up frontage to an existing road, provided that it is not sufficiently large to accommodate more than two dwellings on similar curtilages to those adjoining, and provided the site in its present form does not form an essential part of village character, and development is sympathetic to the historic interests, character, and amenities of the locality.
11. Local Plan 2004 **Policy EN30** states that proposals within conservation areas will be expected to preserve or enhance the special character and appearance of the conservation areas in terms of their scale, massing, roof materials and wall materials. It also states that the District Council will refuse permission for schemes within conservation areas which do not specify traditional local materials and details and which do not fit comfortably into their context.

Consultations

12. **Thriplow Parish Council** recommends refusal stating "Thriplow Parish Council is strongly opposed to this application.
13. Comments received from Parish Councillors are:

Whilst appreciating that this proposed dwelling is smaller than the previous proposal, this design is ugly and feather edged boarding is inappropriate in this location. It does not blend in or complement in any way the houses to either side.

Any development on this garden plot detracts strongly from the approach to No.22 as it was, and therefore its appeal to buyers. It would completely cramp the style of a once attractive dwelling. It is pointless for planners to argue over design features, it is the principle of building on this piece of land anything larger than a small bungalow, with a shared access to Middle Street, that should receive prior consideration.

Whilst the proposal shows greater separation between the proposed dwelling and No.24, the proximity to the existing No.22 is unacceptable.

This is not 'land adjoining' 22 Middle Street, it is part of what has always been 22 Middle Street.

The proposed dwelling appears to be squeezed onto this plot. A smaller house would fit better onto the site and the village does need some smaller homes.

A shared access with No.22 would be preferred. Putting an additional access on to Middle Street on a difficult bend will have safety implications on what is now a busy through-road.

Parish Councillors are unanimous in their opposition to this proposal and would ask that it be refused."

14. **Conservation Manager** raises no objections to the proposal. He states that the current application follows on from a refusal for a similar scheme (but to a different design) last year and the current scheme has evolved from his discussions with the applicant and agent. He is broadly satisfied that the issues he previously raised have now been addressed and that the current scheme would not harm the Thriplow Conservation Area. He would wish to see conditions attached to any approval requiring samples of materials, the agreement of the size and details of the rooflights and the removal of permitted development rights.
15. **Chief Environmental Health Officer** raises no objections subject to safeguarding conditions to protect residents from noise disturbance during the construction period.
16. At the time of application S/2036/04/F, the **Trees and Landscape Officer** raised no objections to the loss of the holly tree.
17. At the time of application S/2036/04/F, the **County Archaeologist** requested that a standard archaeological condition be attached to any consent.

Representations

18. Objections have been received from the occupiers of Nos. 24 and 24a Middle Street. The main points raised are:
 - a. The spaces between buildings is almost as significant to the character of the street scene as the buildings themselves;
 - b. The proposed garage siting would create a solid mass of building which would have a detrimental effect on the street scene and conservation area;
 - c. The existing southern boundary fence would provide insufficient privacy from the french doors in the rear of the proposed dwellings;
 - d. The landing window would have a direct view into No.24's principal rooms;
 - e. The bedroom window in the southern elevation would have views into No.24's bedroom and kitchen;
 - f. Probable loss of a substantial holly tree;
 - g. Bland, overbearing and out of proportion elevation facing No.22;
 - h. A hip or half-hip should be incorporated at the southern end of the single storey element;
 - i. A two-metre high wall with tiles on top, to match the existing wall along No.24's southern boundary, should be erected along the boundary between the site and No.24;
 - j. The original No.22 and its grounds should not be allowed to be divided into two properties;
 - k. Inadequate storm water drainage;
 - l. Another entrance would increase the likelihood of more accidents in this notorious black spot; and
 - m. Little has changed since the previous refusal.

Planning Comments – Key Issues

19. The main issues in relation to this application are: the impact on the street scene and the character and appearance of the Conservation Area; and impact on neighbours. With regards to some of the other issues raised: a new access to serve No.22 has previously been approved and the existing access that previously served No.22 is to be used to serve the proposed dwelling only; and the Trees & Landscape Officer has raised no objections to the loss of the holly tree.
20. This scheme (which is lower, simpler in design and fills less of the space between Nos. 22 and 24 Middle Street than the scheme refused under reference S/2036/04/F) is considered to preserve the character and appearance of the Conservation Area and street scene. The proposed garage, being gable end to the road like the garage at No.24 to the south, albeit sitting behind the front boundary hedge rather than on the frontage like the garage at No.24, is also considered to preserve the character and appearance of the Conservation Area and street scene.
21. This scheme, by only having a single storey element projecting towards No.24, also overcomes the third reason application S/2036/04/F was refused (impact on occupiers of No.24). That said, I consider it important to ensure that a 1.8-2m high boundary treatment along No.24's boundary be provided to protect the privacy of the occupiers of No.24. Ideally, this would be a wall with tiles on top to match No.24's existing southern boundary wall as requested by the occupier of No.24. The occupier of No.24 has requested that the scheme be amended to incorporate a hipped roof at the southern end of the single storey element to reduce the impact on his amenity. This is not considered necessary to ensure that the proposal would not unduly affect the amenities of the occupiers of No.24 and, whilst there may be examples of hipped roofs in the village, the Conservation Manager considers that the proposed gable end is preferable in terms of the proposed design and appearance of the dwelling. There is a first floor landing window in the southern elevation of the main part of the dwelling facing No.24 approximately 10m from the boundary between Nos. 22 and 24. Given the limited size of this window and as it only serves a landing, I consider that it would be difficult to argue that it would result in a serious degree of overlooking of No.24. However, I will ask the applicant to consider replacing this window with a rooflight(s) to minimise any perceived overlooking and will report his response verbally at the meeting.

Recommendation

22. Approval
 1. Standard Time Condition A (3 years) (Reason A);
 2. SC5 – Samples of materials to be used for external walls and roofs (RC To ensure the development preserves or enhances the character and appearance of the Conservation Area);
 3. SC5 – Details of the rooflights (RC To ensure the development preserves or enhances the character and appearance of the Conservation Area);
 4. SC51 – Landscaping (RC51);
 5. SC52 – Implementation of landscaping (RC52);
 6. SC60 (all) – Details of boundary treatments (RC To ensure the development preserves or enhances the character and appearance of the Conservation Area; and to protect the amenity of the occupiers of the hereby permitted dwelling and neighbouring dwellings);

7. SC5f – Details of materials to be used for hard surfaced areas within the site (RC To ensure the development preserves or enhances the character and appearance of the Conservation Area);
8. SC22 – No further windows, doors or openings of any kind shall be inserted at first floor level in the side (north and south) elevations of the development (RC22);
9. SC21 (Part 1, Classes A, B and C (Enlargement, improvement or other alteration of a dwellinghouse, including additions and alterations to the roof)) – Removal of permitted development rights (RC To ensure that additions or alterations that would not otherwise require planning permission do not detract from the character and appearance of the Conservation Area);
10. During the construction period, ... SC26 (0800, 0800, 1800, 1300) – Restriction of hours of use of power operated machinery (RC26);
11. SC66 (on the application site) – Archaeology (RC66).

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:** P1/3 (Sustainable design in built development) and P7/6 (Historic Built Environment);
 - **South Cambridgeshire Local Plan 2004:** SE5 (Development in Infill Villages) and EN30 (Development in Conservation Areas)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise: impact upon character and appearance of the Conservation Area; impact on amenity of occupiers of Nos. 22 and 24; highway safety; loss of holly tree; and inadequate storm water drainage.

Informatives

In relation to **Condition 3**, the rooflights should be 'conservation type'. Further information can be obtained from the Council's Conservation Section.

In relation to **Conditions 6**, the applicant is encouraged to consider erecting walls with tiles on top along the southern and northern boundaries to match No.24's existing southern boundary wall.

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

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

South Cambridgeshire Local Plan 2004

Cambridgeshire and Peterborough Structure Plan 2003

Planning file Refs: S/1744/05/F, S/2242/04/CAC, S/2036/04/F, S/2035/04/F, S/2034/04/F, S/0660/96/F and S/0484/84/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

**S/1898/05/F – West Wratting
 Dwelling on Land at The Causeway for Henry D’Abo on behalf of the
 H Settlement Trust**

**Recommendation: Refusal
 Date for determination: 1st December 2005**

Departure Application and Conservation Area

Site and Proposal

1. The site, which extends to approximately 0.2 hectares/0.5 acres, is grassed/covered in vegetation and rises towards the southwest and, to a lesser extent, towards The Causeway to the southeast. Surrounding development to the northeast, southeast and southwest is a mix of dwelling types, designs and materials with boundaries between these properties and the site marked by chain link fencing, close boarded fences, conifers or post and rail fencing. A 1m high hedge marks the boundary with the field to the northwest with Bull Lane and the Recreation Ground beyond. St Andrews Church, a Grade II* listed building, lies beyond The Causeway to the east. No.84 High Street to the southwest, a render and thatched roof cottage, is a Grade II listed building.
2. This full application, registered on the 6th October 2005, proposes the erection of a U-shaped dwelling, predominantly single storey but with a two-storey central element standing 6.4m high. The dwelling would have 4-bedrooms plus a guest suite and would be accessed from The Causeway. Materials and boundary treatments are to be agreed. The density equates to approximately 5 dwellings to the hectare.

Planning History

3. An application for a dwelling of the same design and in the same position as now proposed on the site was refused in 2001 under reference **S/0035/01/F** for the following reasons:
 - “1. The proposed development of a dwelling outside of the village framework, in the absence of any agricultural or other justification, is contrary to Policy SP12/1 of the Cambridgeshire Structure Plan and Policy H5 of the approved South Cambridgeshire Local Plan, which seek to protect the countryside for its own sake and restrict new dwellings to locations within the village framework.
 2. The proposed development would have an adverse impact on the open and rural character of this part of the West Wratting Conservation Area, contrary to Policies C32 and C33 of the Approved South Cambridgeshire Local Plan 1993 and Policy EN45 of the 1999 Deposit Local Plan.”

Planning Policy

4. A small part of the site adjacent to The Causeway is within the village framework. The majority of the site, including the part on which the dwelling would be sited, is outside the framework and within the countryside.

Development in the Countryside

5. 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.
6. Local Plan 2004 **Policy SE8** states that residential development outside village frameworks will not be permitted.
7. Local Plan 2004 **Policy EN3** states that, in those cases where new development is permitted in the countryside, the Council will require that (a) the scale, design and layout of the scheme (b) the materials used within it, and (c) the landscaping works are all appropriate to the particular 'Landscape Character Area' (the boundary between the East Anglian Chalk Landscape Character Area and the South Suffolk & North Essex Clayland Landscape Character Area in this instance), and reinforce local distinctiveness wherever possible.

Development within Village Frameworks

8. Local Plan 2004 **Policy SE5** states that residential developments within the village frameworks of Infill Villages, which includes West Wrating, will be restricted to not more than two dwellings comprising:

1. a gap in an otherwise built-up frontage to an existing road, provided that it is not sufficiently large to accommodate more than two dwellings on similar curtilages to those adjoining; or
2. the redevelopment or sub-division of an existing residential curtilage; or
3. the sub-division of an existing dwelling; or
4. subject to the provisions of Policy EM8, the conversion or redevelopment of a non-residential building where this would not result in a loss of local employment;

Provided the site in its present form does not form an essential part of village character, and development is sympathetic to the historic interests, character, and amenities of the locality.

9. Local Plan 2004 **Policy SE9** states that development on the edges of villages should be sympathetically designed and landscaped to minimise the impact of development on the countryside

Development in Conservation Areas and Affecting the Setting of Listed Buildings

10. Structure Plan 2003 **Policy P7/6** states that Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.

11. Local Plan 2004 **Policy EN28** states that the District Council will resist and refuse applications which would: dominate a Listed Building or its curtilage buildings in scale, form, massing or appearance; damage the setting, well-being or attractiveness of a Listed Building; harm the visual relationship between the building and its formal or natural landscape surroundings; or damage archaeological remains of importance unless some exceptional, overriding need can be demonstrated.
12. Local Plan 2004 **Policy EN30** states that proposals within conservation areas will be expected to preserve or enhance the special character and appearance of the conservation area in terms of their scale, massing, roof materials and wall materials. It also states that the District Council will refuse permission for schemes within conservation areas which do not specify traditional local materials and details and which do not fit comfortably into their context.

Consultations

13. **West Wratting Parish Council** states that "The parish council are split on this with 5 for, 2 against and would like the following points to be noted:-

The site is largely outside the village framework and this is of concern. We would therefore wish the conditions given below to be attached if permission is granted.

1. A s.106 is entered into to protect the field behind the property (to the north west and viewed from the proposed living areas) from any form of development. *[Reason: to retain a degree of openness and rural environment at this edge of the village].*
2. A condition be imposed to ensure that no further development is accessed via the road entrance to this single residential property. *[Reason: to control the spread of unplanned development].*
3. A condition is imposed to permanently prohibit any extension which would increase the area or extent of the first floor of the property *[Reason: to ensure the property does not become a more significant visual intrusion amongst the older properties to the south of this site, which includes listed buildings within a conservation area].*

We believe that the 3 points made above are of vital importance to the village. Infill between properties allows the village to grow within its existing boundaries. We must be able to ensure that the surrounding fields are protected against development. Experience suggests that any relaxation of a Planning Regulation such as the boundary of a Village Envelope would result in other similar applications."

14. **Conservation Manager** recommends refusal stating:

1. The site lies outside of the village framework. It currently forms an important and attractive open space within the Conservation Area. It also is part of the foreground setting for the church when viewed across from the recreation ground. The character of this part of the village is defined by its frontage development on to the roads and the enclosure of the open space behind.
2. The proposed backland development, to the rear of the Causeway, would detract from the established built character of the village and intrude upon the important open spaces, conflicting with the setting of the existing building group.
3. The architectural form of the building proposed is rather sprawling and incoherent, being an unhappy mix of pseudo-agricultural courtyard buildings

with an attached vaguely Palladian, glass portico. In my opinion, the architectural design takes nothing from its context and is entirely ill conceived.

4. The proposed building will also visually dominate and detract from the overall character and appearance of the Conservation Area, by reason of its inappropriate scale, architectural form and mass.
5. In addition, the insertion of such a scale of development into this part of the Conservation Area will intrude into the setting of the enclosing listed buildings, by removing their visual context and connection with the open paddocks beyond. This is also true for the setting of the church, the tower of which is currently viewed across the fields from the recreation ground and which, if this scheme was approved, would be pushed into the background and dominated by views of what might appear to be a small retail park.
15. In conclusion, he states that he is consequently of the opinion that this poorly conceived development conflicts with both key policy areas, by intruding into the countryside setting of West Wrattling, and eroding the visual character and quality of both the Conservation Area and the adjoining listed buildings. Therefore, it is his view that the proposal should not be supported and this application should be refused.
16. **Chief Environmental Health Officer** recommends that conditions relating to the times when power operated machinery shall not be operated during the construction period except in accordance with agreed noise restrictions and driven pile foundations are attached to any approval. He also recommends that an informative is attached to any approval stating that there shall be no bonfires or burning of waste on site during construction except with his Department's prior permission.
17. **English Heritage** has been consulted. Any comments received will be reported verbally.

Representations – In Support of the Application

18. Letters supporting the proposal from the occupiers of The Old School, The Causeway and Nos. 2, 4 and 6 The Causeway were submitted as part of the application. The grounds for supporting the application are: it has been thoughtfully designed; would not be in the line vision or spoiling views of the village from the High Street or The Causeway; the land is derelict and could be illegally occupied; the proposal does not cause any highway issues in The Causeway; there is a requirement for housing of all sizes in the area; and, for all practical purposes, the proposal is for an in-fill development.

Representations – Against the Application

19. The occupiers of 54 High Street and The Old Vicarage, The Causeway object on the following grounds: most of the proposed development is outside the village framework and would create a dangerous precedent; and the land is not derelict but has purely been neglected and could be reinstated as a field with trees with the greatest of ease.

20. The Ely Diocesan Board of Finance states that the Parsonage is situated to the northeast of the site and, whilst beginning by stating that the opportunity could be taken to increase the density in accordance with the guidelines of PPG3, continues by stating that if the site is outside the village envelope it is concerned that, if permission was granted, the decision would set a somewhat dangerous precedent.

Planning Comments – Key Issues

21. The main issues in relation to this application are: the principle of erecting a dwelling on this countryside site; and the impact of the development on the visual amenities of the countryside, Conservation Area and the setting of nearby listed buildings.
22. The part of the site on which the proposed dwelling would be sited is outside the village framework and within the countryside. As no essential need for the dwelling has been demonstrated, the application is contrary to development plan policies which state that development in the countryside will be resisted unless the proposals can be demonstrated to be essential in a particular rural location and residential development outside village frameworks will not be permitted.
23. Furthermore, the site currently forms an important and attractive open space and is part of the foreground setting for St Andrews Church when viewed across from the recreation ground. The proposed dwelling, by reason of its inappropriate scale, architectural form, mass, siting to the rear of properties and intrusion into an important open space would detract from the established built character of the village, the visual amenities of the countryside, the character and appearance of the Conservation Area and the setting of St Andrews Church, a Grade II* listed building, and No.84 High Street, a Grade II listed building.
24. In relation to other issues, there would be no serious harm to the amenity of the occupiers of neighbouring properties and, whilst visibility from the access to the southwest is restricted by The Old School's entrance piers, the proposed access is not considered to be an additional reason for refusal.
25. There has been no material change in circumstances since the refusal of planning permission in 2001, when Committee Members visited the site, to warrant supporting the application.

Recommendation

26. Refusal
1. The part of the site on which the proposed dwelling would be sited is outside the village framework as defined in the South Cambridgeshire Local Plan 2004 and within the countryside. In the absence of any agricultural or other justification, the proposed development is contrary to Structure Plan 2003 Policy P1/2 which states that development in the countryside will be resisted unless the proposals can be demonstrated to be essential in a particular rural location and South Cambridgeshire Local Plan 2004 Policy SE8 which states that residential development outside village frameworks will not be permitted.
 2. Notwithstanding reason 1, the site currently forms an important and attractive open space and is part of the foreground setting for St Andrews Church when viewed across from the recreation ground. The proposed dwelling, by reason of its inappropriate scale, architectural form, mass, siting to the rear of properties and intrusion into an important open space would detract from the established

built character of the village, the visual amenities of the countryside, the character and appearance of the Conservation Area and the setting of St Andrews Church, a Grade II* listed building, and No.84 High Street, a Grade II listed building. The proposal is therefore contrary to: Structure Plan 2003 Policy P7/6 which states that Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment; South Cambridgeshire Local Plan 2004 Policy EN28 which states that the District Council will refuse applications which damage the setting, well-being or attractiveness of a Listed Building or harm the visual relationship between the building and its formal or natural landscape surroundings; South Cambridgeshire Local Plan 2004 Policy EN30 which states that proposals within conservation areas will be expected to preserve or enhance the special character and appearance of the conservation areas and the District Council will refuse permission for schemes within conservation areas which do not fit comfortably into their context; and South Cambridgeshire Local Plan 2004 Policy EN3 which states that, in those cases where new development is permitted in the countryside, the Council will require that the scale, design and layout of the scheme are all appropriate to the particular 'Landscape Character Area' (the boundary between the East Anglian Chalk Landscape Character Area and the South Suffolk & North Essex Clayland Landscape Character Area in this instance) and reinforce local distinctiveness.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Refs: S/1898/05/F and S/0035/01/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

S/2079/05/F- Castle Camps
General Purpose Agricultural Building at Sangsters Farm for L. and F.J. Cottage

Recommendation: Delegated Approval/ Refusal
Date for Determination: 28th December 2005

Site and Proposal

1. Sangsters Farm is situated to the south west of Camps End, outside the village framework of Castle Camps and in the countryside. It comprises a modern dwelling and group of agricultural buildings surrounded by open and undulating countryside. The total area of the holding is 99 hectares. A public footpath runs through the farmyard north to south. A brook/ stream is situated between Camps End and the farm. The site lies within Flood Zone 3 (high risk) as defined by the Environment Agency.
2. The application, received on the 2nd November 2005, proposes the erection of a 5 bay, general purpose agricultural building to the south east of the existing farmyard. The building measures 30 metres in length, 18 metres in width and has a height of 5.5 metres to the eaves and 8 metres to the ridge. The building would be used for general agricultural storage and would be constructed from Plastisol coated steel composite cladding of a colour to be agreed.

Development Plan Policy

3. Policy **P1/2** of the **Cambridgeshire and Peterborough Structure Plan 2003** states, in part, that no new development will be permitted within or which is likely to adversely affect functional flood plains or other areas where adequate flood protection cannot be given and/or there is significant risk of increasing flooding elsewhere. The policy continues by restricting development in the countryside unless the proposals can be demonstrated to be essential in a particular rural location and where there would be an unacceptable risk to the quality of ground or surface water.
4. Policy **CS4** of the **South Cambridgeshire Local Plan 2004** states that development will not be permitted that poses an unacceptable risk to the quality of the underlying groundwater.
5. Policy **CS5** of the **South Cambridgeshire Local Plan 2004** states, in part, that planning permission will not be granted for development where the site is liable to flooding unless it is demonstrated that the effects can be overcome by appropriate alleviation and mitigation measures.

National Planning Guidance

6. Paragraph 60, Annex F of **Planning Policy Guidance Note 25 (Development and Flood Risk)** is particularly relevant to this application.

Consultation

7. **Castle Camps Parish Council** approves the application.
8. The **Environment Agency** objects to the application and makes the following comments: -

The site is identified as being within zone 3 (high risk) of the Agency's Indicative Flood Risk mapping. The proposed development would be at risk of flooding and would increase the risk of flooding to the existing property.

Planning Policy Guidance Note 25 states that the applicant should carry out an assessment of flood risk and the run-off implications of their proposals that is appropriate to the scale and nature of the development and the risk involved.

The aforementioned Flood Risk Assessment should be submitted with the application. No such assessment has been submitted and the flood risk has therefore not been considered.

Notwithstanding the above, the applicant should also consider pollution control measures appropriate to the nature of the development.

Representations

9. None received.

Planning Comments – Key Issues

10. The main issues to consider during the determination of this application relate to: -
 - i) The impact of the building upon the character and appearance of the countryside;
 - ii) The essential need for the building in this particular location; and,
 - iii) Flood risk.

Impact upon the Countryside

11. The proposed building would be located in an area of open countryside to the south-east of the existing group of agricultural buildings that form part of Sangsters Farm. Whilst the building would be highly visible from Camps End and the public footpath that runs through the site, it's siting is considered to be appropriate in relation to the existing group of agricultural buildings, the nearest of which is 10 metres from the site. The appearance of the building is considered to be acceptable. The materials are suitable for an agricultural building and the colour of the cladding would be agreed by condition. The building would not therefore harm the rural character or openness of the countryside.

Essential Need

12. The application form states that the proposed building would be used for general purpose storage in connection with the existing holding. I have asked the applicant's to clarify exactly why a new building is required and will report their response verbally at the meeting.

Flood Risk

13. The proposed building lies within Flood Zone 3 (high risk) as defined by the Environment Agency. No flood risk assessment has been submitted with the application that demonstrates that the flood risk and run-off implications of the proposal can be overcome by appropriate alleviation and mitigation measures.
14. This is critical to the recommendation. I shall advise Committee of progress and confirm my recommendation accordingly.

Recommendation

Either:

15. i) Delegated approval subject to conditions if the applicants submit an acceptable flood risk assessment that overcomes the Environment Agency's objection.
 1. Standard Condition A – Time limited permission 3 Years (Reason A);
 2. Sc5- Details of the colour finish of the cladding (Rc5ii);
 3. Prior to the commencement of any development, a scheme for the provision and implementation of pollution control, which shall include foul and surface water drainage, shall be submitted to and agreed in writing by the Local Authority. The works/scheme shall be constructed and completed in accordance with the approved plans. (Reason- To ensure a satisfactory method of surface/foul water drainage and to prevent the increased risk of pollution to the water environment.)
 4. No development shall take place until details of the provisions to be made for nesting birds, particularly barn owls, have been submitted together with details of the timing of the works, and are subsequently approved in writing by the Planning Authority. The works shall be completed in accordance with the approved details.
(Reason - Policy EN14 encourages the provision of features for protected species within farm buildings. Planning Policy Statement 9, Key Principals ii & v also support the inclusion of appropriate biodiversity features within the development.)

Or:

16. ii) Delegated Refusal if the applicants do not submit an acceptable Flood Risk Assessment or have not submitted a Flood Risk Assessment by the date of the Committee meeting.

Refusal.

The applicant has not demonstrated through the submission of a Flood Risk assessment that the proposed agricultural building would not adversely affect the functioning of the flood plain. In addition, pollution control measures appropriate to the development have not been considered.

As such the proposal would be contrary to Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies CS4 and CS5 of the South Cambridgeshire Local Plan 2004 that state that planning permission will not be

granted for development where the site is liable to flooding unless it is demonstrated that the effects can be overcome by appropriate alleviation and mitigation measures; or where the development poses an unacceptable risk to the quality of the underlying groundwater.

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:** Policy P1/2 (Environmental Restrictions on Development)
 - **South Cambridgeshire Local Plan 2004:** Policy CS4 (Ground Water Protection); Policy CS5 (Flood Protection)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Flood Risk

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

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- File Reference S/2079/05/F

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APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION**TOWN AND COUNTRY PLANNING ACT 1990**

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

1. Decisions Notified By The Secretary of State

Ref. No.	Details	Decision and Date
S/2199/04/F	Mrs E Eayrs Brock Cottage, 2 Brockley Road Elsworth Extension (Delegated Refusal)	Dismissed 11/10/2005
S/2198/04/LB	Mrs E Eayrs Brock Cottage, 2 Brockley Road Elsworth Internal and external alterations and two-storey extension (Delegated Refusal)	Dismissed 11/10/2005
S/2210/04/F	Mr M J Ellingham Moat Farm, Hitherford Lane Over Appeal against conditions 2,3,4 &5 of permission	Dismissed 11/10/2005
S/2252/04/O	Mr R Smart Adj The level Crossing, Over Road Swavesey Bungalow (Delegated Refusal)	Dismissed 11/10/2005
S/0043/05/F	Januarys 6 & 8 Earith Road & r/o 3 Fen End Willingham Erection of 8 dwellings following demolition of 6 & 8 Earith Road. (Delegated Refusal)	Dismissed 14/10/2005
S/2280/04/O	Mr F Oldham 88 Swaynes Lane Comberton Dwelling (Delegated Refusal)	Allowed 20/10/2005
S/0134/05/F	Mr & Mrs Cormack 2 Josiah Court Waterbeach Extension (Officer Recommendation to Approve)	Allowed 20/10/2005

S/0204/05/F	Mr & Mrs W Rankine 1 Woollards Lane Great Shelford Dwelling (Amended Design) (Officer Recommendation to Approve)	Allowed 20/10/2005
S/0285/05/F	The Crown & Punchbowl Ltd High Street Horningsea Erection of fencing for terrace and bin store. (Officer Recommendation to Refuse)	Allowed 24/10/2005
S/0462/05/F	Heddon Management 12 Pieces Lane Waterbeach Erection of 8 houses following demolition of existing bungalow (Officer Recommendation to Approve)	Dismissed 24/10/2005
S/0629/04/F	Mr and Mrs Noyes 22 North Brook End Steeple Morden Extension (Delegated Refusal)	Dismissed 28/10/2005
S/0628/04/LB	Mr and Mrs Noyes 22 North Brook End Steeple Morden Internal and external alterations including conversion of bathroom to utility room and two ground floor bedrooms to study and garden room with pantiled and rendered extension comprising dining room with two first floor bedrooms and bathroom. (Delegated Refusal)	Dismissed 28/10/2005
S/0328/05/F	J G Christy 27 Mill Lane Arrington Removal of condition 1 of permission S/0288/89/F to allow use of annexe as separate dwelling (Delegated Refusal)	Dismissed 31/10/2005
S/0662/05/A	Countryside Properties PLC Garden Centre & Chinese Restaurant A428 Papworth Everard 2 non-illuminated signboards (Delegated Refusal)	Allowed 31/10/2005
E499	Mr F Cooke Hilltrees, Babraham Road Stapleford Removal of motor vehicles etc (Enforcement)	Dismissed 02/11/2005

S/1819/04/F	Mr M W Southern Moat Farm, East Hatley Hatley Alterations to building 4 and change of use to manufacture of foiled products (class B2) Use of buildings 1,2,3 & 5 for associated storage. Use of building 6 & 7 for personal use. (Appeal against Non-Determination)	Dismissed 10/11/2005
S/0777/05/A	Tesco Stores Ltd 15-18 Viking Way Bar Hill Signs (Delegated Refusal)	Allowed 10/11/2005
S/1109/04/F	Beaugrove Ltd. Crail, High Street Croydon Erection of two houses following demolition of existing house (Delegated Refusal)	Dismissed 17/11/2005

2. Summaries of recent decisions of interest

Mr & Mrs Cormack – Two-storey extension – 2 Josiah Court – Waterbeach - Appeal allowed

The main issue in this appeal was the impact of the extension on the living conditions for the occupiers of 1 and 3 Josiah Court. The properties are characterised by a steeply sloping mansard roof with front and rear upper floor windows with no. 3 being at right angles to the appeal site. The proposed extension would project 5.3 metres from the rear of the property with the rear roof height only slightly lower than the existing roof. There would be windows facing both neighbouring properties.

So far as privacy was concerned, the inspector was satisfied that the position of windows, the use of obscure glazing, restricted opening and high level windows and existing boundary screening would be sufficient to prevent any undue loss of privacy. Neither would the extension materially alter the amount of sunlight received by no 1 or cause undue overshadowing of no. 3. The loss of daylight received by adjoining properties would also not be materially affected.

The appeal was therefore allowed subject to conditions regarding external materials, restriction on further windows, the use of obscure glazing, high level and fixed windows where appropriate.

Mr & Mrs Rankine – Dwelling (amended design) to include two windows with obscure glass in rear of garage – 1 Woollards Lane, Gt Shelford - Appeal allowed

Planning permission had been given for the dwelling in February 2004. It had been erected with two windows in the rear of the garage. The only issue was whether there would be overlooking of 1a Spinney Drive as a result.

The two windows are close to the common boundary with no 1a. The boundary consists of a close-boarded fence with trellis on top and some tree and shrub planting. Although the garage sits on higher ground, the inspector found that the boundary features “ ... are more than sufficient to ensure that neither the neighbouring garden nor the ground floor of the dwelling at No 1a Spinney Drive is overlooked from the garage.” These conclusions were based on his own inspection from within no.1. Any possible overlooking could also be controlled through conditions.

The appeal was therefore allowed subject to conditions that the windows are glazed with obscure glass and fixed shut within two months of the decision (i.e. by 20th December 2005), that the garage only be used as living accommodation and that no further openings be inserted in the rear and side elevations of the garage.

Heddon Management – Erection of 8 dwellings – 12 Pieces Lane, Waterbeach – Appeal dismissed

This appeal concerns a site for which two previous appeals have been dismissed. The main issues in this case were the density of development, its design and layout and its impact on the amenities of neighbouring residents.

The Council had concluded that the proposed density of 30 dph was too low. This was no different, however, than in the previous appeal where such a density was considered acceptable. The appellants had also sought to address concerns related to the amount of hard surfacing and space for landscaping and this scheme was adjudged to have gone a long way towards meeting the previous inspector's conclusions.

In doing so, the present inspector agreed with the Council that the revised layout would now unacceptably affect neighbour's amenities. The design and layout of the proposed houses was found to "... be substandard and they would have an overbearing impact when viewed from the rear windows and gardens of the nearest bungalows ... (and) "... on the kitchen window of 11 Pieces Lane.

The appeal was therefore dismissed for the above reasons.

Fleet Cooke – Use of agricultural land for the storage of motor vehicles, mobile home, containers, trailer and associated materials – Land at Hill Trees, Babraham Road, Stapleford – Appeal dismissed

This was an appeal against an enforcement notice, heard by way of a public inquiry. Cllr Nightingale and a representative of the Parish Council spoke in support of the notice.

The appellant has previously used adjoining land, which was also the subject of an enforcement notice and an unsuccessful appeal. In complying with that notice, many of the vehicles and the mobile home were moved to the present site. The appellant argued that he had occupied land at Hill Trees for over ten years. As the land was all part of Hill Trees, this allowed him to lawfully occupy the appeal site. The inspector agreed with the Council that Hill Trees comprises several planning units and the appellant did not therefore have any right to occupy the present field without planning permission. As the appellant accepted he had only been on this site for about four years, the inspector concluded that the use was unlawful.

The site lies within the Green Belt and the inspector found that the development is visually intrusive and harms the openness of the Green Belt and the character and appearance of the countryside. The appellant was unable to put forward any very special circumstances to justify granting planning permission.

The compliance period is two months. The appellant is therefore required to remove all of the motor vehicles, mobile home etc on or before 2nd January 2006.

M W Southern – Alterations to building and change of use to the manufacture of foiled products (building 4), associated storage (buildings 1, 2, 3 and 5) and personal domestic use (buildings 6 and 7) - Moat Farm, East Hatley – Appeal part allowed, part dismissed

This appeal concerned a cluster of former agricultural buildings behind the appellants house and others along the main road into the village. The main issue was the effect on the living conditions of neighbouring residents.

The buildings already have permission for light industrial purposes under class B1. This permission has not been implemented.

The proposed use involves the storage of chemicals and the use of machinery in building 4. The Council did not raise specific objections to these aspects and the inspector saw no reason to disagree, particularly as the disposal of chemicals can be controlled under other legislation.

The Council's main argument centred on the impact of vehicle movements. The inspector accepted these would be low because of the scale of the operation and that the driveway is some way away from the neighbouring properties. However, the intended loading area would be much nearer and there would inevitably be noise and disturbance from the manoeuvring of commercial vehicles. Such noise would be alien to this quiet rural location. Moreover, the proposed route vehicles would take to this area had not been specified and this could result in vehicles coming even closer to houses. The proposed operation would unacceptably harm the living conditions of local residents.

In accordance with national policy and Local Plan Policy ES6, the inspector considered whether appropriate conditions could be imposed to address his concerns. He was not persuaded that the use could be restricted to as applied for, as the use was not particularly specific. He did not consider it would be possible to ensure that the small scale nature of the business could be secured. He also concluded that a B1 use would have less impact and that a return to agricultural use need not have a greater effect than the proposed use.

There was nothing to suggest that the workforce would live locally or that the use would reduce reliance on the private car. This would not be a sustainable use of the buildings.

The proposed means of access was considered acceptable in terms of highway safety and the consequent loss of hedge would not harm the countryside. Nonetheless, the use of buildings 1 – 5 for commercial use was unacceptable and this part of the appeal was therefore dismissed.

No objections were raised to the residential use of the two barns in connection with the existing dwelling house. These are furthest from neighbouring properties and the inspector saw no reason to oppose this part of the appeal. The Council had also raised no objections.

3. Appeals received

Ref. No.	Details	Date
S/1520/05/F	Warmwell Homes Ltd 14 Green End Comberton Dwelling (Officer Recommendation to Approve)	13/10/2005
S/0754/05/F	The Land Partnership Ltd 53 Cottenham Road Histon Erection of 7 houses and garage for existing dwelling (Delegated Refusal)	14/10/2005

S/0958/05/F	Hogger Homes Ltd Adj. 17 Gog Magog Way Stapleford Dwelling (Officer Recommendation to Approve)	18/10/2005
S/0909/05/F	Hutchison 3G UK Ltd Land at Solopark, Station Road (adj. A11) Pampisford 17.5m high telecommunications mast & associated development (Delegated Refusal)	19/10/2005
S/6300/05/F	Mr R Hume Site of garage at 13 Willow Lane Cambourne House (Delegated Refusal)	20/10/2005
S/0645/05/O	Mr & Mrs J Hedges R/o 34 Rampton Road Cottenham Erection of bungalow & garage (Delegated Refusal)	25/10/2005
S/1484/05/O	Ms T A Hanson Adj 4 Portway Melbourn Dwelling (Delegated Refusal)	25/10/2005
S/1249/05/F	Mr P Rai White House Farm. Cambridge Road Melbourn Wall (Retrospective Application) (Officer Recommendation to Refuse)	26/10/2005
S/0420/05/F	Mr & Mrs Lauterpacht Old Webbs, 44 West Green Barrington Extension (Delegated Refusal)	26/10/2005
S/0419/05/LB	Mr & Mrs Lauterpacht Old Webbs, 44 West Green Barrington Internal and external alterations (Delegated Refusal)	26/10/2005
S/0938/05/F	Mr & Mrs Harrison Weathercock Barn, Little Linton Farm Barns Linton Extension (Delegated Refusal)	02/11/2005

S/0937/05/LB	Mr & Mrs Harrison Weathercock Barn, Little Linton Farm Barns Linton Extension and external alterations. (Delegated Refusal)	02/11/2005
S/0931/05/F	Mr & Mrs Minett 48 High Street Great Shelford Extensions including conversion of garage into annexe (Delegated Refusal)	03/11/2005
S/0930/05/LB	Mr & Mrs Minett 48 High Street Great Shelford Internal and external alterations and extensions to garage and store to create annexe with conservatory linked to carport. (Delegated Refusal)	03/11/2005
S/0576/05/LB	St Andrews Bureau The Old Well, 55-59 Station Road Stow-cum-Quy Alterations and extension for gazebo containing hot tub with attached fence and timber decking (retrospective). (Delegated Refusal)	08/11/2005
S/0577/05/F	St Andrews Bureau The Old Well 55-59 Station Road Stow-cum-Quy Gazebo, fence & decking (retrospective application). (Delegated Refusal)	08/11/2005
S/0856/05/F	Mr & Mrs J McGiven Green Hedge Farm, Gog Magog Way Stapleford Change of use of land from agricultural to garden land. (Delegated Refusal)	10/11/2005
S/0321/05/O	Unwins Properties Ltd Land north of Impington Lane Impington Residential Development (Delegated Refusal)	17/11/2005
S/2460/03/F	Mr & Mrs L Holmes 5 Middle Street Thriplow Extensions and Garage/Store (Officer Recommendation to Refuse)	17/11/2005

4. Local Inquiry and Informal Hearing dates scheduled before the next meeting on 4th January 2006

None

5. Appeals withdrawn or postponed

Ref. No.	Details	Reason and Date
S/1640/04/F	Camstead Ltd 137 Cambridge Road Great Shelford Erection of 7 flats and cycle bin stores following demolition of existing dwelling	Withdrawn By Appellant 20/10/2005
S/0931/05/F	Mr & Mrs Minett 48 High Street Great Shelford Extensions including conversion of garage into annexe	Withdrawn By Appellant 11/11/2005
S/0930/05/LB	Mr & Mrs Minett 48 High Street Great Shelford Internal and external alterations and extensions to garage and store to create annexe with conservatory linked to carport.	Withdrawn By Appellant 11/11/2005

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

Ref. No.	Details	Date
S/1909/04/O	Mr & Mrs Cole 66 Cambridge Road Great Shelford 3 houses and garages	10/01/2006 Confirmed
S/2533/04/O	Mr & Mrs Cole 66 Cambridge Road Great Shelford 2 houses and garages	10/01/2006 Confirmed
S/0917/05/O	Mr & Mrs G Cole 66 Cambridge Road Great Shelford 4 dwellings following demolition of existing dwelling	10/01/2006 Confirmed
S/2505/04/F	Mr & Mrs A Brown Schole Road Willingham Siting of 2 gypsy caravans (retrospective) utility block and mobile medical unit for disabled person	07/02/2006 Confirmed
S/6258/04/RM	MCA Developments Land South of Great Cambourne Alterations in land form (dispersion of soil from building works.)	09/05/2006 Confirmed

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

Major Applications

Purpose

1. This item is to advise Members that, following last year's letter from the O.D.P.M. setting SCDC a new target for the percentage of major applications determined within 13 weeks, a further letter has been received and the actions that will be required to achieve this target.

Effect on Corporate Objectives

2.	Quality, Accessible Services	The Government equates speed of determination with quality of service.
	Village Life	Major developments can provide a range of benefits to village life including improved infra-structure, affordable housing, community facilities and employment
	Sustainability	Major Developments frequently contribute to sustainability by, for example, funding cycle ways and travel to work plans
	Partnership	Major developments frequently require agreements involving Parish Councils and other bodies in providing community resources, including buildings and workers.

Background

3. The Council has always balanced quality and speed of service in relation to major applications. Accordingly the agreed local target was set at 40%, notwithstanding that Government had introduced a specific target three years ago and this was set as 60% within 13 weeks. Last year the ODPM set SCDC and 76 other authorities a Best Value performance target of 57% within 13 weeks for major applications in 2005/06. Effectively Authorities that determined less than 40% in the year ending June 2004 were targeted (SCDC's figure for this period was 30%). In response to this letter Members in January supported a recovery plan designed to meet this target. This year's standards letter has now been received and it reaffirms SCDC, along with 69 other authorities, as a standards authority in respect of major applications and it sets a further target for 2006/7 of 60% within 13 weeks.
4. Members should note that Government expects all authorities to achieve the three performance targets by March 2007.
5. The purpose of this report is to update members on the progress that's been made towards meeting the targets.

Considerations

6. The Council's performance has significantly improved over the year, despite the Area teams not being fully staffed. In effect the teams have missed an Area Planning Officer for the year and two experienced planning assistants for most of it. This has resulted

in an average caseload of 180 cases per officer. Government funded research recommends 150 as the optimum caseload. Authority has now been given to try and recruit replacements for the vacant posts, although the delays in the process will mean that they are unlikely to be of any meaningful assistance until the year 2006/07 when the average caseload should return to 150. However, it is unlikely, given the market place for planners, that we will be able to recruit qualified planners for the planning assistant posts, and this will place an increased burden on the more experienced members of the team (i.e. through mentoring and training), and in the short term make less time available for dealing with major applications.

7. In focussing the teams on clearing applications, other aspects of their work have had to be slowed down. In particular this has meant that the response time on informal enquiries has increased. The knock-on effect has been increased customer dissatisfaction and time consuming complaints to senior staff within the department.
8. In addition, it has delayed the possibility of encouraging the use of Lawful Development Certificates, and hence an additional income stream to the Authority.
9. The table below illustrates the current position (i.e. end of October) for the current calendar and financial year.

10.		Major	Minor	Other
	Gov. target	60% in 13	65% in 8	80% in 8
	Calendar year	49%	64%	84%
	Numbers of apps.	75	506	1302
	Financial year	54%	67%	88%
	Number of apps.	63	377	983

11. In respect of the 43 major applications received this calendar year, 22 have been determined, and 73% of these have been dealt with within 13 weeks. Looking at the financial year, 36 have been received and 17 determined and 94% of these have been dealt with within 13 weeks. Given our close monitoring of those yet to be determined major applications, I am confident that for these applications we will exceed the target set for us by Government. However, the backlog of yet to be determined major applications from earlier years will continue to bring down the percentage within 13 weeks. It is too early to be confident therefore that the target will be met.

Additional Improvements

12. Earlier in the year, Go-east reviewed our recovery plan, and in addition, both internal and external audit reviewed our systems for determining major applications. No significant additional actions emerged from these review. More recently Cllr Orme and David Rush attended a regional seminar that targeted best practice for performance improvement in Development Control. Again, while little extra emerged, the need to review SCDC's terms of delegation has been highlighted. To this end a report on general changes to the terms of delegation will be prepared for Members' consideration in the New Year.

Current position on recovery plan

13.	Action	Ownership	Target date	Actual date	Comments
	Review admin processes, and reorganise to frontload admin	Rachael Fox	Review to be completed by summer and implemented by Autumn	Review completed in December, completion in New Year	Capping led to staff resources being redeployed to find budget cuts and to enable partial migration of some Planning functions to the Contact Centre
	Guidance to developers	Gareth Jones	Spring	Spring	Relatively muted protest at the new regime
	Set up agents users panel	Gareth Jones	<i>Letter seeking interest summer Panel set up Autumn</i> First meeting Winter	Interest sought, panel established, first meeting scheduled for December	Strong interest from agents to be involved
	Agree with Legal pro-forma agreements & use of undertakings & where Grampian conditions can be used	Chris Taylor (now Colin Tucker)/ Gareth Jones	<i>Pro-formas to be available in Spring and new approach adopted</i>	New approach agreed in summer. Outsource agreements in short term till staff resources allow work to be done in-house	Staff turnover and need to redeploy resources to find capping budget cuts
	New application forms	David Rush/Majors Champion Officer	<i>Draft available in Summer, in use by Autumn</i>	Draft has been the subject of discussion with staff. Work proceeding on Guidance Notes. Now scheduled for early in the New Year.	Delay in appointing Majors Champion + other priorities have delayed
	Major Champions Post	Gareth Jones	<i>JD, advert & interviews in Spring. Start in summer</i>	Post filled in September	Delayed due to need to redeploy resources to find capping budget cuts

Financial Implications

14. While the Government provides Planning Delivery Grant, there will be a significant increase in revenue to the Council. Last year, for example, this was a figure in the region of £508,000. However, there have been clear indications from Government that it will increasingly weight the grant away from the other targets towards majors. Also, in the longer term, Government has said that it is committed towards revising the fees for planning applications and implied that those authorities that don't meet the target will not be able to set realistic fees that cover the costs of determining major applications.

Legal Implications

15. In addition to the income point, Government could take other sanctions against those authorities that don't meet the targets set for them, and this will not be clear till the Order is made.

Staffing Implications

16. The Authority relies on the Planning Delivery Grant to fully fund its staffing costs and to progress our IT plan. Any significant reduction will reduce our ability to meet our other targets and to meet our IT requirements for E-Government and to migrate parts of the service to the Contact Centre.

Risk Management Implications

17. If we do not meet this target we will loose resource and make it difficult to meet all our targets. Increasing pressure on officers could lead to a leakage of experienced staff when it is increasingly difficult to recruit suitable professionals with relevant skills and experience. Further, in concentrating on majors we run the risk of performance slipping for the majority of our applications and turning around informals, and hence not meeting our population's reasonable needs and expectations.
18. Delays in preparing for and changing our systems of work essential for e-planning will limit migration of planning functions to the Contact Centre and is likely to reduce our PDG based on our Pendleton points score.

Consultations

19. The Chairman of the D and CCC Committee has been fully briefed, and he is supportive of the need for a different approach towards major applications while maintaining our performance for the majority of our applications.

Conclusions/Summary

20. The Council's target of 40% within 13 weeks for major applications is no longer viable.
21. The Council will loose out financially if the target is not met. Staff and IT resource will be lost and this would lead to an overall decline in performance

Recommendation

22. That resources be concentrated on achieving the recovery plan.

Background Papers: the following background papers were used in the preparation of this report:
Proposed Planning Best Value Performance Standards for 2005/06 & 07 Consultations
An overview of the Evaluation of Planning Standards Authorities 2004/05
Evaluation of Planning Delivery Grant 2004/05
Planning Advisory Service; Good practice notes for processing major planning applications & developing a development control improvement strategy

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation
Control Committee

7 December 2005

AUTHOR/S: Finance and Resources Director

Tree Preservation Orders – Notification of service of 16/05/SC in Caldecote, and re-evaluation of process

Recommendation: To note service and approve suggested process

Purpose

1. (a) To inform Members about a Tree Preservation Order in respect of land at Highfields, Caldecote.
- (b) To consider streamlining the process for dealing with Tree Preservation Orders.

Effect on Corporate Objectives

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

Background

3. Tree Preservation Order no. 16/05/SC (Highfields, Caldecote) was served by officers on 15th November 2005. It was not deemed an emergency (it was not, for example, linked to a planning application) for which officers currently have delegated authority to act. However, it was considered sufficiently important that service should not be delayed until after the December meeting of the Development and Conservation Control Committee. The Order relates to an oak tree in the rear garden of 72 Highfields, Caldecote, and was made because the tree is visually important within the vicinity and adds to the local character of the area. It remains in force, provisionally, until 14th May 2006.
4. The Town and Country Planning Act 1990 prescribes the form that Tree Preservation Orders should take, but leaves it for Local Planning Authorities to determine their own internal processes. The current practice at this Council is as follows:
 - (a) where a Tree Preservation Order is deemed necessary as a matter of emergency, officers have delegated authority to serve such an Order. In such a case, a report seeking confirmation of the Order would be presented to the Development and Conservation Control Committee within six months of service, regardless of whether or not any objections to it have been received.

- (b) Where a Tree Preservation Order is deemed necessary, but there is no emergency, perhaps because it has been requested by the land owner, a report is presented to the Development and Conservation Control Committee seeking authority to make the Order and further, subject to there not being any objections, to confirm it within six months of service without further reference to Committee.
 - (c) In the case of both (a) and (b) above, a valid objection to a Tree Preservation Order triggers a Member site visit and a report to Committee for Members to determine whether or not to confirm.
5. There is nothing to prevent Local Planning Authorities from delegating to officers the entire process of making and confirming Tree Preservation Orders.
6. The Council can either:
- confirm the Order, having not received any objections
 - confirm the Order, without modification, having considered objections but rejected them
 - confirm the Order, subject to such modifications it deems expedient
 - decide not to confirm the Order
7. There is no right of appeal to the Secretary of State against the making or confirmation of a Tree Preservation Order. Once the Order has been confirmed though, an aggrieved, interested party may, within six weeks of the date of confirmation, apply to the High Court to have the decision reviewed.

Considerations

8. Members may feel that there is a better way of processing Tree Preservation Orders.

Options

9. The Committee has a number of alternative options:
- (a) continue the procedure outlined in paragraph 4
 - (b) extend delegated authority to officers to make and serve *all* Tree Preservation Orders (both emergency and non-emergency) with Committee determining whether or not to confirm them and, if so, with or without modification.
 - (c) extend delegated authority to officers
 - to make and serve all Tree Preservation Orders (both emergency and non-emergency)
 - to determine whether or not, in consultation with the Chairman and Vice-Chairman of the Development and Conservation Control Committee and the local Member or Members, to confirm them and, if so, with or without modification,.
 - (d) extend delegated authority to officers
 - i to make and serve all Tree Preservation Orders (both emergency and non-emergency);
 - ii to determine whether or not, in consultation with the Chairman and Vice-Chairman of the Development and Conservation Control Committee, and with the local Member or Members, those Orders to which no objections are raised should be confirmed and, if so, with or without modification; and

- iii. reserve to itself determination of whether or not to confirm those Orders to which objections are raised and, if so, with or without modification.

Financial Implications

10. Options (a) and (b) are cost neutral. Options (c) and (d) may result in small cost savings in not having to prepare and print reports. The average Tree Preservation Order report, with appendices, amounts to 5-6 pages, and the print run currently is 72.

Legal Implications

11. The issue is one of administrative efficiency and effectiveness. The changes outlined in this report respect the legal requirements imposed by the Town and Country Planning Act 1990.

Staffing Implications

12. None.

Risk Management Implications

13. There are no risk management implications.

Consultations

14. The Democratic Services Manager, Head of Legal Services and Trees and Landscape Officer have been consulted in preparing this report.

Recommendations

15. It is **recommended** that the Committee
 - (1) notes service of Tree Preservation Order 16/05/SC at 72 Highfields, Caldecote, and gives officers delegated authority to confirm it, subject to there being no objections; and
 - (2) extends delegated authority to the Trees and Landscape Officer or, in that officer's absence, to the Trees and Landscape Assistant
 - to make and serve all Tree Preservation Orders (both emergency and non-emergency); and
 - to determine whether or not, in consultation with the Chairman and Vice-Chairman of the Development and Conservation Control Committee, and with the local Member or Members, those Orders to which no objections are raised should be confirmed and, if so, with or without modification; andreserves to itself determination of whether or not to confirm those Orders to which objections are raised and, if so, with or without modification.

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

- Tree Preservation Orders – A Guide to the Law and Good Practice, Department of the Environment, Transport and the Regions 2000

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 7th December 2005

AUTHOR/S: Director of Development Services

Cambourne Masterplan: Proposed Amendment

Recommendation: Approval

Date for Determination: N/A

Purpose

1. To approve an amendment to the Master Phasing plan, part of the overall Masterplan, which sets out a guide as to the number of dwellings to be constructed on each parcel.

Background

2. The Cambourne Consortium lost its appeal to add 1559 units to the village earlier this year, and is now aware of the SCDC proposal to add 700 units to the village as part of the LDF process, promoted due to the need to meet the new PPG3 density standards. As a result of this uncertainty, it will not commence building in Upper Cambourne until it is sure of the overall number of houses that will be allowed. In the meantime the southern end of Great Cambourne remains to be constructed, and reserved matters planning permissions have been granted of all but 2 parcels, and several are currently under construction. Most of the parcels are around the southern and eastern edge of Great Cambourne, where lower densities have been required to create an edge of village location.
3. The Consortium is now concerned that some of the lower density areas will not be financially viable to construct, given the current state of the housing market. However, they do need to keep building otherwise work will stop on site and the consequences for the village will be the inconvenience caused by the longer time taken to finish the village, and further delay in the provision of community facilities as trigger points simply would not be reached for a greater time. More worrying is that some of the sites are land-locking affordable housing sites, causing delays in the provision of affordable housing, which relies heavily on keeping to a build programme to maintain a funding stream.
4. The Consortium therefore proposes to move 64 of the units allocated for Upper Cambourne into the remaining undeveloped area of Great Cambourne, in order to increase densities slightly and make the development more viable. It must be made clear that these 64 units are out of the 3,300 approved for the whole of Cambourne and not related to the LDF. At the same time, the approved Phase Five South Briefing Plan would still apply, thereby maintaining relative densities and character areas across this part of the site. The Consortium acknowledges that this leaves Upper Cambourne in a difficult position in terms of viability because of a reduced density, but it asserts that Upper cambourne is already unviable as planned, so 64 units will make little difference. It is prepared to await the outcome of the LDF process before deciding what to do about Upper cambourne. It may be that the 700 additional units are indeed allocated as policy and would therefore deal with the problem. If they are not allocated then the Consortium will have to consider

reducing the developable site area to improve densities with the allocated numbers remaining.

5. The 64 units are proposed to be located in particular parcels that are as yet undeveloped, in some cases the second half of a parcel currently under construction. More detail about the proposal and its impact on the layout of the site will be shown at the meeting, including in plan form.

Considerations

6. Moving 64 units from Upper Cambourne to Great Cambourne will have some impact on existing residents, who have purchased on the basis of the anticipation of a certain level of passing traffic to the development beyond their properties. The Consortium has been asked to show that it is willing to provide something to the community in return. Clearly, as these units will be part of the already approved 3,300 houses, there can be no requirement for additional facilities. However, a commitment to bring forward a future facility would be a tangible, positive step.
7. If the LDF does allocate 700 additional houses to Cambourne, there would be an outline planning application for these, any approval of which would be subject to a Section 106 agreement for additional facilities to cope with the additional population. It is very likely that a permanent building for youth facilities would be a high priority for negotiation into such an agreement, and would be set to be provided at the earliest at a trigger point of 3,301 houses. I have negotiated with the Consortium a Memorandum of Understanding between it and the Council, that if the 64 units are approved to be moved over to Great Cambourne, the Consortium will, in return, agree to apply for and construct the youth building referred to above at an earlier date, namely within a year of the outline permission being granted rather than waiting for 3,300 homes to be completed under the original outline permission.
8. I have no objection in principle to the moving of the allocated units, and I am satisfied that the areas yet to be built can accommodate them without harming the intended character and density for this area of Cambourne. There is a deficit of youth provision in the village, with nothing (apart from play equipment) having been provided for youth under the original S106 Agreement, and the negotiations resulting from this proposal will bring forward a much needed facility in the event that the LDF proceeds as anticipated. If there are no additional houses allocated to the village under the LDF then the Memorandum of Understanding will not apply, but that is an acknowledged risk.
9. The Parish Council has been sent a copy of this report, and will consider it at its next meeting on 6th December. I will report its comments verbally.

Financial Implications

10. None.

Legal Implications

11. None.

Staffing Implications

12. None.

Sustainability Implications

13. None.

Recommendation

Subject to the completion of the Memorandum of Understanding and to positive comments from the Parish Council, to **APPROVE** the moving of 64 units from Upper Cambourne to Great cambourne as an amendment to the approved Masterplan.

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

Outline planning permission dated 20th April 1994, reference S1371/92/0
Cambourne Masterplan.
Phase Five South Briefing Plan
Proposed amended schedule of dwelling numbers from Cambourne Consortium.

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