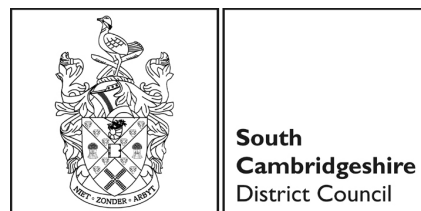


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23 January 2006

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, 1 FEBRUARY 2006** at **10.00 a.m.**

Yours faithfully
GJ HARLOCK
Finance and Resources Director

AGENDA

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

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

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EXCLUSION OF PRESS AND PUBLIC

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

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

PLEASE NOTE!

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

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

At a meeting of the Development and Conservation Control Committee held on
Wednesday, 7 December 2005 at 10.10 a.m.

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

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

Councillors Dr JA Heap, MJ Mason and Mrs VM Trueman were in attendance, by invitation.

Apologies for absence were received from Councillor Mrs J Dixon, Mrs CA Hunt, HC Hurrell and JF Williams.

1. MINUTES OF PREVIOUS MEETING

The Committee authorised the Chairman to sign, as an accurate record, the Minutes of the meeting held on 2nd November 2005, subject to an addition to Minute no. 32 (Appeals against planning decisions and enforcement action - 44 Station Road, Histon) reflecting the comment from Councillor MJ Mason that Inspector Ormerod of Cambridgeshire Constabulary had attended the hearing to give evidence only rather than to support or oppose the appellant's case.

2. MEMBERSHIP OF CAMBRIDGESHIRE COUNTY COUNCIL

Councillors JD Batchelor, SGM Kindersley and RJ Turner declared their membership of Cambridgeshire County Council, as a personal interest, in respect of every item on the agenda on which that Authority had been consulted.

3. S/2102/05/F - BOURN

APPROVAL contrary to the recommendation contained in the report from the Director of Development Services. Members considered the proposal provided local employment, had local support, made full use of a brownfield site, constituted rural diversification, and posed no significant intrusion into the countryside. The increase in floor space was not considered to be contrary to Policy EM 10 of the South Cambridgeshire Local Plan 2004.

During the course of the debate, Councillor R Page made certain comments with which Councillor SGM Kindersley, as Leader of the Council, took issue because it was important to prevent the Council from being brought into disrepute. Councillor Kindersley questioned Councillor Page's attendance record, but withdrew his comments unreservedly once it was clarified that Councillor Page had attended part of the meeting in November 2005. The exchange of views left open the questions of a formal complaint being

submitted by Councillor Page, and of reference to the Standards Committee.

Councillor Mrs CAED Murfitt declared a personal interest in this application, being distantly related to one of the applicants.

Councillor NIC Wright declared a personal interest by virtue of a passing acquaintance with some of the applicants.

4. S/1954/05/F - COMBERTON

DELEGATED APPROVAL subject to receipt of an approved junction layout plan incorporating, into the vehicular access, various geometric standards in terms of width, radii, and visibility, contrary to the recommendation contained in the report from the Director of Development Services. Members considered that the proposal represented appropriate rural diversification in an ideal and safe location. They noted that there was no suitable or available site outside the Green Belt and in the Village Framework, the current shortage of Montessori nursery places in the locality, and considered, therefore, that there existed special circumstances in this case for permitting development in the Green Belt, subject to the application being referred to the Secretary of State as a departure from the Development Plan.

Councillor R Page declared a personal interest as Chairman of the Countryside Restoration Trust, which owns land adjacent to the site.

Councillor Mrs DSK Spink declared a personal interest by virtue of her acquaintance with the applicant's father.

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

Councillor SGM Kindersley declared that he was a fully paid-up member of the Countryside Restoration Trust.

Miss Chris Westgarth, Chairman of Comberton Parish Council, addressed the meeting.

5. S/1955/05/F - COMBERTON

Members noted that this application had been **WITHDRAWN** by the applicant.

6. S/2022/05/O - RAMPTON

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

7. S/1260/05/F - GAMLINGAY

DELEGATED APPROVAL / DELEGATED REFUSAL. Approval personal to the applicant, contrary to the recommendation contained in the report from the Director of Development Services, for a temporary period of five years and subject to it being a replacement for an existing mobile home, and to landscaping and other safeguarding Conditions. The application would be refused if not a replacement for an existing mobile home.

8. S/1993/05/F - GIRTON

DELEGATED APPROVAL for the reasons set out in the report from the Director of

Development Services, subject to no objections being received from the Chief Environmental Health Officer, the receipt of approved plans detailing screening of the units, and to the Conditions referred to in the report.

9. S/1741/05/O - HARDWICK

APPROVAL in accordance with the amended recommendation for approval contained in the report from the Director of Development Services.

10. S/1237/05/F - HARSTON

DELEGATED APPROVAL / DELEGATED REFUSAL. Subject to the receipt of amended plans showing satisfactory improvements to the design of the building, approval would be granted for the reasons set out in the report from the Director of Development Services and subject to the Conditions referred to therein. Failing such resolution, the application would be refused on design grounds.

11. S/1869/05/F - HISTON

DELEGATED APPROVAL, subject to the applicant agreeing to revise the design so as to address the concerns raised by the Conservation Manager, and to a Condition requiring the undertaking of an archaeological survey, contrary to the recommendation contained in the report from the Director of Development Services. Members considered that the reasons for refusal detailed in the report could be overcome by negotiation, and that the proposal would not have an adverse impact on the locality.

Councillor MJ Mason, in attendance as a local Member, declared his membership of Histon Parish Council. He was present at the Parish Council meeting at which this item had been discussed, but was now considering it afresh at the Development and Conservation Control Committee meeting.

12. S/1953/05/F - HISTON

APPROVAL for the reasons set out in the report from the Director of Development Services, subject to receipt of corrected drawings and to amended plans date stamped 16th November 2005, and to the Conditions referred to in the report.

13. S/1613/05/F - LINTON

APPROVAL, as amended by drawing no. SC.163.6 Revision.C date stamped 2nd December 2005, contrary to the recommendation contained in the report from the Director of Development Services, subject to the prior completion of a Section 106 Legal Agreement requiring a contribution of £10,000 towards education provision, and safeguarding Conditions relating to, among other things, materials and landscaping. Members considered that the proposal was in broad compliance with Policies EM8 and SE2(d) of the South Cambridgeshire Local Plan 2004, given that the location of the site close to the High Street / A1307 junction rendered the retention of the site for employment purposes unsatisfactory.

Councillor JD Batchelor declared his membership of Linton Parish Council. He took no part in the discussion of this item by the Parish Council, and was now considering it afresh at the Development and Conservation Control Committee meeting.

14. S/1907/05/O - LONGSTANTON

Members noted that this application had been **WITHDRAWN** by the applicant.

15. S/2118/05/F - GT & LT CHISHILL

Members were **MINDED TO APPROVE** the application, subject to the receipt of a further plan showing the new buildings to be identical to the conversion works previously permitted, to it being advertised as a Departure from the Development Plan, to it being referred to the Secretary of State and not being called in by him for determination, and to the Conditions referred to in the report from the Director of Development Services.

16. S/2006/05/F - MELBOURN

DELEGATED REFUSAL for the reasons outlined in the report from the Director of Development Services, subject to the comments of the Local Highways Authority, the Ecology Officer and the Countryside Services Team at Cambridgeshire County Council..

RESOLVED to authorise officers 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 with a six months compliance period, and to commence prosecution proceedings in the Magistrates Court, should the Enforcement Notice not be complied with, subject to a reconsideration of material circumstances at that time.

17. S/2041/05/F - ELSWORTH

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

18. S/1879/05/F & S/2080/04/F - SAWSTON

DELEGATED REFUSAL of application S/1879/04/F following the consideration of any comments received from those notified on 1st December 2005 on the grounds that the proposal would result in a further dwelling being served off this private road resulting in additional congestion on the road and thereby inconvenience to residents and, as the road and road drainage will remain private, potential problems in ensuring that the road drainage is adequately maintained. As the amendment to application S/2080/04/F was as a consequence of application S/1879/05/F, Members also resolved to refuse the amendment.

Councillors Dr DR Bard and Mrs SA Hatton declared their membership of Sawston Parish Council. They took no part in the discussion of this item by the Parish Council, and were now considering it afresh at the Development and Conservation Control Committee meeting.

19. S/1203/05/LB & S/1204/05/F - ABINGTON PIGOTTS

APPROVAL of both applications, as amended by plans date stamped 3rd November 2005, drawing Nos. 04027-07C, 04027-08C, 04027-09G, 04027-10C, 04027-11E, and date stamped 6th October 2005, and drawing Nos. 04027-06C, 04027-12C, 04027-13C, for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein.

20. S/1785/05/F - STAPLEFORD

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

21. S/1608/05/LB & S/1609/05/F - GT SHELFORD

DELEGATED APPROVAL, as amended by plans date stamped 23rd November 2005 and 2nd December 2005 for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein, and to the applicant, officers and local Members agreeing on a position for the front door.

Councillor SM Edwards declared a prejudicial interest in this application because of his friendship with one of the applicants, withdrew from the Chamber prior to the consideration thereof, did not contribute to the debate and did not vote.

Councillor CR Nightingale declared his Chairmanship of Great Shelford Parish Council. He took no part in the discussion of this item by the Parish Council, and was now considering it afresh at the Development and Conservation Control Committee meeting.

22. S/1581/05/F - GREAT SHELFORD

DELEGATED REFUSAL on the grounds that, by virtue of the density, form, scale and height of the proposed buildings and as the existing and proposed landscaping would not adequately screen the development from the adjoining countryside and Green Belt, the development would not be in keeping with surrounding development and would not provide for an appropriate edge to the village; and, if the Local Highway Authority continues to object to the proposal, also for the reason set out in the report from the Director of Development Services including reference to the proximity of the access to the level crossing. The proposal therefore was contrary to Policy SE 9 of the South Cambridgeshire Local Plan 2004.

Councillor CR Nightingale declared his Chairmanship of Great Shelford Parish Council. He took no part in the discussion of this item by the Parish Council, and was now considering it afresh at the Development and Conservation Control Committee meeting. He also declared his membership of the Great Shelford Village Design Group, but did not attend the meeting from which the comments referred to in paragraphs 30 and 31 of the report originated.

23. S/2105/05/F - FEN DITTON

DELEGATED APPROVAL for the reasons set out in the report from the Director of Development Services, subject to the receipt of revised plans, to there being no objections raised as a result of ongoing consultations, and to the Conditions referred to in the report.

24. S/2040/05/F - FEN DITTON

REFUSED contrary to the recommendation contained in the report from the Director of Development Services. Having visited the site, Members felt that the proposal was out of keeping with the locality, and conflicted therefore with Policies SE 4 and HG11 of the South Cambridgeshire Local Plan 2004. In addition, they considered that the proposal would harm the Conservation Area in breach of Policy EN30 of the South Cambridgeshire Local Plan 2004, and Policy P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003.

Councillor RJ Turner declared his membership of Fen Ditton Parish Council. He took no part in the discussion of this item by the Parish Council, and was now considering it afresh at the Development and Conservation Control Committee meeting.

25. S/1744/05/F - THRILOW

APPROVAL for the reasons set out in the Director of Development Services's report to the Development and Conservation Control Committee meeting on 2nd November 2005, subject to the Conditions referred to therein.

26. S/1898/05/F - WEST WRATTING

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

Councillors Dr DR Bard, RE Barrett, Dr JPR Orme and NIC Wright had been lobbied by the applicant, but had listened only to what he had to say and did not respond.

27. S/2079/05/F - CASTLE CAMPS

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

28. APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

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

- Decisions notified by the Secretary of State

In respect of S/1819/04/F (Moat Farm, East Hatley), Councillor SGM Kindersley declared that he was Clerk to Hatley Parish Council.
- Summaries of recent decisions of interest

Councillor R Hall was not present in the Chamber for this item.
- Appeals received
- Appeals withdrawn or postponed
- Advance notification of future Local Inquiry and Informal Hearing dates (subject to postponement or cancellation)

There were no Local Inquiries or Informal Hearings prior to the next meeting of the Development and Conservation Control Committee on 4th January 2006.

29. MAJOR APPLICATIONS

The Committee **NOTED** that, following last year's letter from the Office of the Deputy Prime Minister setting South Cambridgeshire District Council a new target for the percentage of major applications determined within 13 weeks, a further letter had been received from the Office of the Deputy Prime Minister on the subject. A report from the Deputy Director of Development Services outlined the actions that would be necessary in order to achieve the new target.

The most significant action required was to secure full staffing levels within the Development Control Section as quickly as possible. It was essential that the case load be reduced to, and then maintained at, a figure of about 150 per Case Officer.

The Leader of the Council expressed concern at increased officer workloads brought about by mounting development pressures, extra responsibilities imposed on local government by central Government (without any increase in financial support), and the general adverse effects of having been Council Tax capped, resulting in the reduction in

budget levels, and the leaving unfilled of vacant posts. He urged officers to state the Council's case very forcefully through agencies such as Cambridgeshire Horizons.

Other Members highlighted the specific resource-intensive issues of infrastructure provision and community development in new settlements such as Northstowe. The recently announced Development Tax initiative gave further cause for concern.

RESOLVED That Development Services Department resources be concentrated on achieving the recovery plan outlined in the report from the Deputy Director of Development Services.

30. **TREE PRESERVATION ORDER IN CALDECOTE, AND SUGGESTED FUTURE PROCESS**

Members noted the recent service of a Tree Preservation Order in respect of land at 72 Highfields, Caldecote, and considered streamlining the process for dealing with Tree Preservation Orders.

RESOLVED

- (1) that service of Tree Preservation Order 16/05/SC at 72 Highfields, Caldecote be **NOTED**, and that officers be given delegated authority to confirm it, subject to there being no objections; and
- (2) That delegated authority be given 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; and
 that the Development and Conservation Control Committee (or its successor committee or Group) reserve to itself determination of whether or not to confirm those Orders to which objections are raised and, if so, with or without modification.

31. **CAMBOURNE MASTERPLAN**

The Committee considered a report seeking amendment of the Master Phasing plan, part of the overall Masterplan, which sets out a guide as to the number of dwellings to be constructed Lower, Upper and Greater Cambourne.

The New Village / Special Projects Officer (Cambourne) referred to a number of concerns raised by local residents, mainly centred on the perceived adverse impact on the character of Cambourne.

A Member stated that communities had to evolve in the context of changing commercial circumstances. In the case of Cambourne, the Developers had expressed concern about the future viability of the project in the absence of a recognition of the need for such adjustment. It remained to be seen whether or not further development in Cambourne would come forward under the Local Development Framework.

RESOLVED That, subject to the completion of the Memorandum of

Understanding and to there being no adverse comments from Cambourne Parish Council, the moving of 64 units from Upper Cambourne to Great Cambourne be approved as an amendment to the existing Masterplan.

The Meeting ended at 3.00 p.m.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

At a meeting of the Development and Conservation Control Committee held on
Wednesday, 4 January 2006 at 10.00 a.m.

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

Councillors:	Dr DR Bard	JD Batchelor
	RF Bryant	SM Edwards
	Mrs A Elsby	R Hall
	Mrs CA Hunt	SGM Kindersley
	RB Martlew	Mrs JA Muncey
	Mrs CAED Murfitt	CR Nightingale
	R Page	A Riley
	Mrs DP Roberts	NJ Scarr
	Mrs HM Smith	Mrs DSK Spink MBE
	RJ Turner	JF Williams
	Dr JR Williamson	SS Ziaian-Gillan

Councillors JA Hockney and Dr SEK van de Ven were in attendance, by invitation.

Apologies for absence were received from Councillors RE Barrett, Mrs SA Hatton, Mrs JM Healey, HC Hurrell, EJ Pateman and JA Quinlan.

1. S/2135/05/F - IMPINGTON

This application had been **WITHDRAWN** from the agenda.

2. S/1860/05/F- LINTON

REFUSED, contrary to the recommendation contained in the report from the Director of Development Services. Members considered that , by virtue of its size and bulk, the proposed dwelling would be unduly overbearing when viewed from Barhams, Bakers Lane and that the proposal, therefore, was contrary to Policy SE/2 of the South Cambridgeshire Local Plan 2004.

3. S/1846/04/F - LONGSTANTON

RESOLVED that the Committee consents to an Order quashing the planning permission dated 11th November 2005 and that appropriate enforcement of Planning Condition 18 of the outline planning permission reference S/0682/95/0 be undertaken in two months' time, if necessary.

Members noted that the recommendation at paragraph 22 of the report prepared by the Director of Development Services had been **WITHDRAWN** from the agenda to allow further consultation with all relevant parties prior to the application being presented again to the Development and Conservation Control Committee for final determination.

Councillor A Riley declared a personal interest as a member of Longstanton Parish Council, but confirmed that he was considering the application afresh. For the sake of clarification, Councillor Riley did not vote.

4. S/1984/05/F - ORWELL

This application had been **WITHDRAWN** from the agenda.

5. S/1888/05/LB - NEWTON

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

6. S/2204/05/O - GREAT SHELFORD

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

Councillor R Hall declared a personal and prejudicial interest as a personal friend of the applicant, withdrew from the Chamber prior to consideration of the item, took no part in the debate and did not vote.

Councillor CR Nightingale declared a personal and prejudicial interest by virtue of his relationship by marriage to the applicant, withdrew from the Chamber prior to consideration of the item, took no part in the debate and did not vote. Members noted, and accepted upon the advice of the Head of Legal Services, that Councillor CR Nightingale's e-mail to the Director of Development Services on this subject had been copied to all Elected Members in error.

Councillor Mrs DP Roberts declared a personal and prejudicial interest by virtue of being seen to park outside the property from time to time when visiting London by train on Council business, withdrew from the Chamber prior to consideration of the item, took no part in the debate and did not vote.

Councillor Dr DR Bard abstained from voting.

7. S/2187/05/F - LANDBEACH

REFUSED in line with the recommendation in the report from the Director of Development Services, revised to reflect the fact that the amended plans still did not show a building which was designed for an appropriate use in the Green Belt Enforcement Action referred to in paragraph 4 of the report would now be pursued.

Councillor JA Hockney informed the Committee that he was a member of Landbeach Parish Council, but had not voted when that Council had considered this application.

Councillor Dr J Williamson informed the Committee that she had attended the meeting of Landbeach Parish Council at which this application had been discussed, but was not a member thereof and so did not have a vote.

8. S/2109/05/F - WILLINGHAM

APPROVAL for the reasons set out in the report from the Director of Development Services, subject to Conditions 1, 2, 4 and 5 referred to therein, Condition 3 (external surfacing materials) being omitted.

Councillor Dr J Williamson declared a personal interest as a customer of the applicant.

9. S/2076/05/F - WEST WICKHAM

DELEGATED APPROVAL/REFUSAL. The application would be approved if the gablets on the front elevation were omitted but refused on design grounds if they were not omitted. Approval would be subject to the Conditions referred to in the report from the Director of Development Services and to an additional Condition requiring finished floor levels to be agreed.

10. S/2132/05/F - WEST WICKHAM

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

11. S/2050/05/F - COTON

DELEGATED APPROVAL, for the reasons set out in the report from the Director of Development Services, subject to a revised layout plan showing additional land for planting on the southern boundary, the submission of a Flood Risk Assessment satisfactory to the Local Planning Authority, an amended layout plan addressing Local Highways Authority comments including the provision of a footway, with dropped curbs where appropriate, whilst retaining appropriate access width, to the Conditions referred to in the report, any other Conditions deemed appropriate as a result of outstanding consultations, and to those further consultations

Councillor JD Batchelor abstained from voting.

12. S/2119/05/F - OAKINGTON

This application had been **WITHDRAWN** from the agenda.

RESOLVED to issue an Enforcement Notice immediately to secure the cessation of unauthorised uses of land and the removal of unauthorised structures and hardstandings, with a six month compliance period.

13. S/2227/04/F - COTTENHAM

In updating the report, the Deputy Director of Development Services corrected a number of minor errors, and referred Members to Applications S/2037/04/F, S/1144/05/F and S/1336/05/F on the agenda and, in particular, to the human rights and race relations issues involved in each instance. He confirmed that the report had regard to the recent decision by the Secretary of State at the adjacent Victoria View site. In the case of the current application, the personal circumstances were such that a longer compliance period of 12 months was justified. In moving the proposal, Councillor SGM Kindersley stated that the harm caused by this application outweighed all the other relevant issues.

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

RESOLVED to issue an Enforcement Notice to secure the removal of the mobile home, caravans, day room and hardstandings and the cessation of the unauthorised uses of land, with a twelve month compliance period. Authority was also given to commence proceedings in the Magistrates' Court should the applicant fail to comply with the Notice and subject to there being no material change in circumstances.

RESOLVED that the Head of Legal Services seek an Injunction to secure compliance with

the Enforcement Notice should it not be complied with during the compliance period.

14. S/2037/04/F - COTTENHAM

In updating the report, the Deputy Director of Development Services corrected a number of minor errors, and referred Members to Applications S/2227/04/F, S/1144/05/F and S/1336/05/F on the agenda and, in particular, to the human rights and race relations issues involved in each instance. He confirmed that the report had regard to the recent decision by the Secretary of State at the adjacent Victoria View site. In response to a Member's question, the Deputy Director of Development Services agreed that the compliance period should be the same as for the Pine View site where the personal circumstances were similar to that of this applicant. In moving the proposal, Councillor SGM Kindersley stated that the harm caused by this application outweighed all the other relevant issues.

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

RESOLVED to issue an Enforcement Notice to secure the removal of the mobile home, caravans, day room and hardstandings and the cessation of the unauthorised uses of land, with a three month compliance period. Authority was also given to commence proceedings in the Magistrates' Court should the applicant fail to comply with the Notice and subject to there being no material change in circumstances.

RESOLVED that the Head of Legal Services seek an Injunction to secure compliance with the Enforcement Notice should it not be complied with during the compliance period.

15. S/1144/05/F - COTTENHAM

In updating the report, the Deputy Director of Development Services corrected a number of minor errors, and referred Members to Applications S/2227/04/F, S/2037/04/F and S/1336/05/F on the agenda and, in particular, to the human rights and race relations issues involved in each instance. He confirmed that the report had regard to the recent decision by the Secretary of State at the adjacent Victoria View site. In response to a Member's question, the Deputy Director of Development Services agreed that the compliance period should be the same as for the Pine View site where the personal circumstances were similar to that of this applicant. In moving the proposal, Councillor SGM Kindersley stated that the harm caused by this application outweighed all the other relevant issues.

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

Members noted that Recommendation B had been **WITHDRAWN** as authority for enforcement action had already been given.

RESOLVED that the Head of Legal Services seek an Injunction to secure compliance with the Enforcement Notice should it not be complied with during the compliance period.

16. S/1336/05/F - COTTENHAM

In updating the report, the Deputy Director of Development Services corrected a number of minor errors, and referred Members to Applications S/2227/04/F, S/2037/04/F and S/1144/05/F on the agenda and, in particular, to the human rights and race relations issues involved in each instance. He confirmed that the report had regard to the recent decision by the Secretary of State at the adjacent Victoria View site. In response to a Member's question, the Deputy Director of Development Services agreed that the

compliance period should be the same as for the Pine View site where the personal circumstances were similar to that of this applicant. In moving the proposal, Councillor SGM Kindersley stated that the harm caused by this application outweighed all the other relevant issues.

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

Members noted that Recommendation B had been **WITHDRAWN** as authority for enforcement action had already been given.

RESOLVED that the Head of Legal Services seek an Injunction to secure compliance with the Enforcement Notice should it not be complied with during the compliance period.

17. **S/1963/05/F - FULBOURN**

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

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

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

- Decisions notified by the Secretary of State
- Summaries of recent decisions of interest
- Appeals received
- Local Inquiry and Informal Hearing dates scheduled before the next meeting on 1st February 2006
- Appeals withdrawn or postponed.

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

19. **ENFORCEMENT ACTION PROGRESS - INDEX**

Members **NOTED** the Enforcement Action Progress Report dated 4th January 2006.

On behalf of the Committee, the Chairman conveyed Members' appreciation of the professionalism and dedication of the Enforcement team. The Deputy Director of Development Services reported on developments within the Enforcement Section, and expressed a hope that it would soon be fully staffed.

20. **TRAVELLERS' HOUSING NEEDS SURVEY - FINDINGS**

The Committee **NOTED** a report on emerging official guidance, to be taken into account when preparing the Council's Supplementary Guidance to the Local Development Framework (LDF) on the future provision of Traveller sites, and on the provisional outcomes of the Travellers' Housing Needs Survey, carried out in partnership with other agencies in the Cambridge Sub-Region.

The Deputy Director of Development Services highlighted paragraph 27 of the report.

Members identified the following as issues in need of attention:

- Concentration of sites. While South Cambridgeshire District Council was right

in arguing, at a national level, that there needed to be a fairer distribution of Travellers' sites throughout the country, it must also ensure a fair distribution within South Cambridgeshire so as to avoid concentrations of Travellers in specific villages or groups of villages.

- The cumulative effect of Traveller site development

In response to a Member's question, the Deputy Director of Development Services said that officers were formulating a bid for funding from the Office of the Deputy Prime Minister in respect of new sites planned within the District, but added that there was no current need for similar funding for improving existing sites.

21. **EXCLUSION OF PRESS AND PUBLIC**

RESOLVED that the Press and public be excluded from the meeting during consideration of the following item in accordance with the provisions of Section 100(A)(4) of the Local Government Act 1972 (exempt information as defined in Paragraphs 3, 4 and 12 of Schedule 12A to the Act).

22. **TRAVELLERS' HOMELESSNESS APPLICATIONS - PINE VIEW, COTTENHAM**

The Committee **NOTED** a report on the Council's impending High Court action against four named travellers and their families encamped at Pine View, Cottenham.

Members looked at the four cases afresh against a backcloth of all relevant considerations relating to, among other things, human rights and race equality. They concluded that, since the same four cases were last considered by the Committee, there had been no material change in circumstances. The four individuals, and their families, must therefore move from Pine View. Nevertheless, the Council would fulfil its obligations to its residents by using its best endeavours to minimise the hardship that eviction was likely to cause these travelling families.

Passing reference was made to an upcoming meeting in Cottenham, involving the Commission for Racial Equality, and at which the District Council would be represented.

The Meeting ended at 2.25 p.m.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st February 2006
AUTHOR/S:	Director of Development Services	

**S/2388/05/LB and S/2389/05/F – Babraham
Conversion of Barn and Outbuildings into Dwelling at Church Farm, Sawston Road
for Mr & Mrs H Barnes**

**Recommendation: Approval of both applications
Date of determination: 9th February 2006 for both applications**

Departure Application

Site and Proposal

1. The application relates to a U-shaped group of buildings comprising a barn and attached single storey ranges of buildings. The buildings are constructed from gault brick and timber boarding and have slate roofs. The buildings are attached to Church Farm, a Grade II listed building to the south, via a glazed link. A group of former agricultural buildings which have been converted to 3 dwellings lies to the west.
2. The listed building application, registered on the 15th December 2005 and amended by plan date stamped the 17th January 2006, proposes internal and external alterations to the barn and outbuildings including partial lowering of floor, installation of floor and conversion to a 5 bedroom dwelling with conservatory (Revised Scheme).
3. The full planning application, registered on the 15th December 2005 and amended by plan date stamped the 17th January 2006, proposes to convert the barn and outbuildings into a 5 bedroom house. The dwelling would be served via the existing access onto Sawston Road. Foul water is to be disposed via a proposed sewage treatment tank.
4. The plan date stamped the 17th January 2006 shows the courtyard elevations of the covered car parking and sunroom which were not included as part of the original submission.

Planning History

5. Planning permission and listed building consent were granted under references **S/1171/03/LB** and **S/0421/03/F** to convert the buildings to a dwelling in 2003.
6. An application, which included part of the application site and proposed the conversion of agricultural buildings into 4 dwellings, was refused in 1997 (**S/0515/96/F**).

Relevant Planning Policy

7. The site is within the countryside and the Green Belt as defined in the Local Plan 2004.

8. 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.
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 appropriate 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 (Local Development Documents) 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 planning permission will not be granted for inappropriate development in the Green Belt unless very special circumstances can be demonstrated. It also states that development is inappropriate unless it comprises, amongst others, the re-use of buildings provided that: the development does not result in a materially greater impact on the openness of the Green Belt; strict control is exercised over any proposed extensions and associated uses of surrounding land; the buildings are of permanent and substantial construction and capable of conversion without major or complete reconstruction; and the form, bulk and general design of the buildings are in keeping with their surroundings.
 12. Structure Plan 2003 **Policy P7/6** states that Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.
 13. Local Plan 2004 **Policy EN26** relates to the conversion of listed buildings to new uses and 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.
 14. Local Plan 2004 **Policy EN28** relates to development within the curtilage or setting of a listed building and 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.

Consultation

15. **Babraham Parish Council** recommends approval.
16. **Conservation Manager** recommends approval stating "Approval was granted for a scheme in 2003 (S/1171/03/LB) to convert the redundant 19th century timber framed barn and the attached brick outbuildings to a dwelling. The new applications include a revised internal layout that has resulted in some additional openings and the re-positioning of others; the style of the fenestration and doors is unchanged.
17. "The revised scheme will not result in a significant loss of historic fabric, the number of additional openings is minimal and they are considered to be necessary for the change of use. Externally, the differences between the approved and the proposed scheme are not considered to be significant and the impact on the character of the buildings will be no greater than that already approved."
18. **Chief Environmental Health Officer** recommends that conditions relating to the times when power operated machinery shall not be operated during the conversion 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 except with his Department's prior permission.

Representations

19. None received at the time this report was compiled. Any received before the end of the consultation period (the 30th January 2006) will be considered and reported verbally.

Planning Comments – Key Issues

20. The key issues in relation to these applications are: whether a residential use of the buildings is acceptable in relation to countryside and Green Belt policy; and impact of the external and internal alterations of this listed building.
21. The principle of converting the building to a dwelling has been established by the granting of permission under references S/1171/03/LB and S/0421/03/F. Whilst the Local Plan has been adopted since these approvals, including Policy SE8 which states that residential development outside village frameworks will not be permitted, in view of the extant permission and the limited visibility from the access, I consider that it is important to find a viable use for the buildings and a residential use as opposed to a commercial use of the building is appropriate.
22. The proposed internal and external alterations are sympathetic to the character of the buildings and would not seriously harm the amenity of neighbours.
23. As approval of the planning application is not considered to significantly prejudice the implementation of the development plan, should Members be minded to support it, I do not consider that it would be necessary to refer it to the Secretary of State.

Recommendation

24. Approval (as amended by drawing date stamped 17.1.06) of both applications subject to the following conditions:

S/2388/05/LB Conditions

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 staircase.
 - 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. 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).

Reasons for Approval for S/2388/05/LB

1. The proposed works would not adversely affect the special character or appearance of the building.

2. The proposed works would not result in any significant loss or harm to the historic fabric.
3. The proposed works would not have an adverse impact on the setting and appearance of the historic building.

S/2389/05/F Conditions

1. Standard 3 year time condition A – Reason A
2. Standard condition 60 (all) 'Boundary treatments' – RC To protect the rural character and appearance of the area and the setting of the listed building
3. Standard condition 21 (Part 1 (Development within the curtilage of a dwellinghouse, all classes except Class H (satellite antenna) and Part 2 Class A (Gates, walls or other means of enclosure) 'Removal of permitted development rights' – RC To protect the character and setting of the building
4. During the conversion period, Standard Condition 21 (0800, 0800, 1800, 1300) 'Restriction of hours of use of power operated machinery' – RC21
5. Before development commences, details of the sewage treatment tank shall be submitted to and approved in writing by the Local Planning Authority; the works/scheme shall be constructed and completed in accordance with the approved scheme – RC To prevent increased risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage

Reasons for Approval for S/2389/05/F

1. Although the development is not in accordance with South Cambridgeshire Local Plan 2004 Policy SE8, it is considered to be acceptable as a departure from the development plan for the following reasons: the proposal represents a suitable new use for this listed building; and there is an extant permission for the conversion of the buildings to a dwelling.
2. The development is considered to generally accord with the Development Plan in all other respects and particularly the following policies:
 - Cambridgeshire and Peterborough Structure Plan 2003: P1/2 (Environmental Restrictions on Development) and P7/6 (Historic Built Environment);
 - South Cambridgeshire Local Plan 2004: GB2 (Development in the Green Belt), EN26 (Conversion of Listed Buildings to New Uses) and EN28 (Development Within the Curtilage or Setting of a Listed Building)

Informatives for S/2389/05/F

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

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

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

South Cambridgeshire Local Plan 2004
Cambridgeshire and Peterborough Structure Plan 2003

Planning Policy Statement 7 'Sustainable Development in Rural Area' 2004

Planning file Refs: S/2398/05/F, S/2388/05/LB, S/1171/03/LB, S/0421/03/F and S/0515/96/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st February 2006
AUTHOR/S:	Director of Development Services	

S/2000/05/F – Great Shelford
Erection of 6 Flats and 1 Dwelling Following Demolition of Existing Dwelling at 139
Cambridge Road for Dudley Developments

Recommendation: Approval
Date for determination: 14th December 2005

Site and Proposal

1. The application site, which is located on the corner of Cambridge Road and Westfield Road, measures 51m (Westfield Road frontage) x 16m (Cambridge Road frontage) approximately (0.08 hectares/0.20 acres) and is occupied by a render and concrete tile bungalow with accommodation in the roof, a flat roof dormer to the front and a first floor balcony on its northwestern side. A detached bungalow with accommodation in the roofspace used to stand on the adjacent site to the southeast (No.135) but this has recently been demolished to make way for 2 pairs of 2½ storey dwellings. To the southwest is No.5 Westfield Road, a 2-storey detached dwelling with a flat roof garage on its east side, a high level first floor window and a narrow full height first floor window in its side/northeastern elevation. No.141 Cambridge Road, on the opposite side of Westfield Road, has a ground floor window and 2 narrow first floor windows in its end gable and a pitched roof boarded and tile garage to the side/rear.
2. This full application, registered on the 19th October 2005 and amended by plans date stamped the 12th January 2006, proposes the demolition of the existing dwelling and its replacement with a 2½-storey building fronting Cambridge Road accommodating 4 flats (with a frontage of 12.8 metres, a depth of 9.3 metres, an eaves height of 6 metres, a ridge height of 8.9 metres and set back 8-10 metres from the site frontage) with a two-storey rear wing accommodating a further 2 flats (measuring 8.2m deep, 8.4m wide, 5.3m to eaves and 6.5m to ridge) and a two bedroom dwelling fronting Westfield Road (measuring 8.4m x 6.2m, 3.9m to eaves and 6.4m to ridge) at the southwestern end of the site linked to a single storey car port, cycle parking and bin store building. 2no. 1-bedroom units, 3no. 2-bedroom units and 2no. 2-bedroom plus study units are proposed. The amended plans show that 8 parking spaces, accessed from a new access onto Westfield Road, would be provided. The original plans showed 7 parking spaces. The existing vehicular access at the junction of Cambridge Road and Westfield Road would become a pedestrian access. The density equates to 88 dwellings to the hectare. The application is accompanied by a Planning Statement and a Highway Statement.

Planning History

139 Cambridge Road

3. An application for the erection of 8 dwellings with 10 parking spaces following the demolition of the existing dwelling on the site (4 dwellings in a 2½-storey block fronting Cambridge Road and the other 4 dwellings in a 2-storey block fronting Westfield Road) was refused in January 2005 under reference **S/1851/04/F** for the following reasons:
 - a. *“The proposed development would be unduly dominant in the street scenes and would seriously detract from the suburban character of this section of Cambridge Road by virtue of the size, depth and height of the building fronting Cambridge Road, the length of the terrace fronting Westfield Road and the close proximity of the buildings to Westfield Road. The proposal is therefore contrary to: Cambridgeshire and Peterborough Structure Plan 2003 Policy P1/3 which requires all new development to respond to the local character of the built environment; South Cambridgeshire Local Plan 2004 Policy SE2 which requires residential development in Great Shelford to be sensitive to the character of the village; South Cambridgeshire Local Plan 2004 Policy HG10 which states that the design and layout of residential schemes should be informed by the wider character and context of the local townscape; and the Great Shelford Village Design Statement, adopted as Supplementary Planning Guidance in February 2004, which describes the scale and feel of development along Cambridge Road as suburban.*
 - b. *The proposal would seriously harm the amenity of the occupiers of No.137 Cambridge Road as a result of the noise and disturbance generated by the use of the amenity area to the rear of units 5-8 and the parking area. The proposal is therefore contrary to South Cambridgeshire Local Plan 2004 Policy SE2 which requires residential development in Great Shelford to be sensitive to the amenities of neighbours.*
 - c. *The development would also provide for an unsatisfactory standard of amenity for the occupiers of the proposed dwellings due to the fixed, obscure glazed ‘bedroom 2’ windows proposed for units 5-8 that are necessary in order to avoid serious overlooking of the garden area of No.137 Cambridge Road and the very limited amount of amenity space proposed.”*
4. The subsequent appeal was dismissed in August 2005 but only on the grounds that the part of the proposed building fronting Westfield Road would harm the character and appearance of the area and the use of the amenity area to the rear of proposed units 5 to 8 would harm the living conditions for occupiers of No.137. The Inspector concluded that the proposed 2½-storey building fronting Cambridge Road (which was the same as now proposed) would not harm the character and appearance of the area.
5. Outline planning application for a dwelling on the western part of the site was refused in 1985 under reference **S/0988/85/O** on the grounds that: the sub-division of the existing property would create a cramped form of development out of keeping with existing development in Cambridge Road and Westfield Road; and the proposed erection of a house on a site with restricted depth will cause overlooking of adjoining properties with consequent loss of privacy.

137 Cambridge Road

6. Planning permission for 2 pairs of staggered 2½ storey dwellings, 2no. dwellings with 2-bedrooms and 2no. dwellings with 4-bedrooms, measuring 5.2 metres to eaves and 9 metres to ridge was approved on the adjacent site (137) in October 2005 under reference **S/2283/04/F**. The approved plans showed 6 parking spaces for the 4 dwellings. The approved dwellings are currently under construction.

Planning Policy

7. Structure Plan 2003 **Policy P1/3** requires a high standard of design for all new development which responds to the local character of the built environment.
8. Structure Plan 2003 **Policy P5/3** states that Local Planning Authorities should seek to maximise the use of land by applying the highest density possible which is compatible with maintaining local character. It also states that, in setting density standards appropriate to their area, Local Planning Authorities should take into account the following guidelines: densities of at least 40 dwellings per hectare should be sought in locations close to a good range of existing and potential services and facilities and where there is, or there is the potential for, good public transport accessibility; and densities of less than 30 dwellings per hectare will not be acceptable.
9. Local Plan 2004 **Policy SE2** states that residential development will be permitted on unallocated land within the village framework of 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.
10. 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.
11. 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.
12. 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.

13. The **Great Shelford Village Design Statement** describes the scale and feel of development along Cambridge Road as suburban.

Consultation

14. **Great Shelford Parish Council** recommends refusal of the original scheme (which showed 7 parking spaces) stating "In light of the inspectors decision we do not object to the frontage to Cambridge Road, but would like to see drawings of the street frontage to see how the proposal fits in within the houses at 137. The northern elevation is too massive and bulky in this prominent corner location. We would prefer to see the length of the rear elevation reduced. Refuse as the application stands (is the car parking adequate and the layout workable?)" Any additional comments received in relation to the amended scheme (which shows 8 parking spaces) will be reported verbally.
15. **Chief Environmental Health Officer** recommends that conditions relating to the times when power operated machinery shall not be operated during the demolition and construction periods 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, before the existing property is demolished, a Demolition Notice will be required.
16. **Local Highway Authority** states that the access width and visibility splays are acceptable and must be provided before any of the dwellings are occupied. It is concerned about the number of parking spaces proposed stating that the originally proposed seven spaces will not accommodate the number of vehicles likely to be generated by the scheme and that such under provision will result in on-street parking on Westfield Road.
17. **Cambs Fire & Rescue Service** states that additional water supplies for firefighting are not required.
18. **County Council Chief Financial Planning Officer** is concerned that adequate primary school capacity is not available in the area to meet the additional demand from this proposal and therefore asks that a contribution from the developer towards the necessary provision of £7000 is sought.

Representations – Local Residents

19. The occupiers of 4 and 5 Westfield Road, 135 and 141 Cambridge Road and the agent for the owner of 137 Cambridge Road objected to the original scheme (which showed 7 parking spaces) on the following grounds:
- a. Inadequate parking provision on site resulting in on-street parking and a risk of accidents at or near the Westfield Road/Cambridge Road junction;
 - b. The parking blocks access to the bin store and cycle park;
 - c. Increased traffic and pollution;
 - d. Surface water drainage;
 - e. Overlooking of 141 Cambridge Road's rear bedroom window, ground floor windows and garden and front of 4 Westfield Road, particularly from the coach house but, in respect of 141, also from flats 5 and 6;
 - f. Impact on living conditions of future occupiers of the new dwellings at 137;

- g. Frontage building and rear element would not blend in well with the road;
- h. There is an even greater unrelieved bulk of return frontage onto Westfield Road than in the previously refused plans and no separation between the building fronting Cambridge Road and the accommodation attached to the rear;
- i. The ridge and eaves heights, design, bulk of the building fronting Cambridge Road and the use of dormer windows does not reflect anything else in the immediate area;
- j. The proposed elevations are completely alien to this locality, neither respecting the rhythm of the existing spaces nor attempting to reflect the best of local vernacular, being bland, out of character with the area and showing little regard to the street scene;
- k. The Westfield Road elevation, Coach House and car port do not integrate with the mixture of detached and semi-detached houses/bungalow along Westfield Road;
- l. Density is too high; and
- m. Restricted open space around the building.

The occupier of 5 Westfield Road states that, if permission is granted, no additional windows should ever be allowed at first floor level in the Coach House's south west elevation.

20. Any further comments received in relation to the amended scheme (which shows 8 parking spaces) will be reported verbally.

Representations – Applicant

21. The Highway Statement, which included a survey of existing parking conditions, submitted as part of the application concludes that:
- a. The proposed level of provision of car parking spaces associated with the development is only slightly below the standard advised by South Cambridgeshire District Council (officers had indicated that one space per dwelling plus 0.25 spaces per dwelling for visitor parking would be appropriate – a total of 9 spaces). This maximises the efficient use of the available land, and it is in line with national policy guidance aimed at reducing car use in all new developments particularly where, as in this case, there are good alternative modes of transport;
 - b. There is ample space on Westfield Road to accommodate a parked car of an occasional visitor to the development. Westfield Road has the capacity to comfortably accommodate 26 cars parked on-street while maintaining the vehicle access to residential properties. The current parking on Westfield Road close to Cambridge Road relates to overspill from Scotthall's Garage and the nearby construction work. There is very little on-street parking relating to the residential properties in the area;
 - c. The closure of the existing access to the site in the centre of the Westfield Road junction would be beneficial in terms of road safety and congestion. There are no other particular road safety concerns in the vicinity of the site; and
 - d. Planning Policy Guidance Note 13 paragraph 51 states that "In developing and implementing policies on parking, local authorities should: not require developers to provide more spaces than they themselves wish, other than in exceptional circumstances which might include for example where there are significant

implications for road safety which cannot be resolved through the introduction or enforcement of on-street parking controls". There is no reasonable justification for refusing the proposed development on the grounds of inadequate parking provision.

Planning Comments – Key Issues

22. The main issues in relation to this application are: the impact on the street scenes and the character and appearance of Cambridge Road and Westfield Road; impact on neighbours; and parking provision.
23. Whilst dismissing the appeal for the erection of 8 dwellings on the site (S/1851/04/F) on the grounds that the part of the proposed building fronting Westfield Road would harm the character and appearance of the area and the use of the amenity area to the rear of proposed units 5 to 8 would harm the living conditions for occupiers of No.137, the Inspector concluded that the 2½-storey building fronting Cambridge Road proposed at that time and forming part of this application would not harm the character and appearance of the area. The Parish Council's principal concern relates to the impact of the proposed two-storey rear wing to this building. By being lower than the main building and set further from Westfield Road, I am satisfied that the proposed two-storey rear wing and resulting building would not detract from the street scenes or the character and appearance of Cambridge Road or Westfield Road. The proposed dwelling at the southwestern end of the site would relate to frontage dwellings along Westfield Road and is considered to be acceptable in relation to the character and appearance of Westfield Road.
24. The proposed 'coach house' has been designed with no first floor windows in the southwest elevation facing No.5 Westfield Road and only a high level window at first floor level in its rear elevation. Whilst there would be some overlooking of the front of No.4 Westfield Road, of 141 Cambridge Road and the new dwellings at 137 Cambridge Road as a result of the development, the degree of overlooking is not considered to be sufficient reason to warrant refusal of the application. The car port, bins and cycle storage building along the boundary with 137 Cambridge Road would have some impact on the amenity of future occupiers of the nearest dwelling at 137 but, again, this impact is not considered to be serious and is not therefore considered to be reason for refusal. The scheme dismissed at appeal had four living room windows and four patio areas along the boundary with 137 Cambridge Road and was dismissed partly on the grounds that the development would have resulted in undue noise and disturbance and thereby harm living conditions for occupants of 137. I consider that the layout of the current proposal and the approved intensification of the use of 137 would ensure that this development would not result in serious additional noise and disturbance suffered by the occupiers of properties at 137. It is considered that the proposal would not seriously harm the amenity of neighbours.
25. The Local Plan requires a maximum of 12 spaces, which would include visitor parking, to be provided for a scheme of 7 dwellings. The amended plans show 8 car parking spaces within the site, which equates to 1 space per dwelling plus 1 visitor space. The previously refused scheme (S/1851/04/F) proposed 1 space per dwelling plus 2 visitor spaces and neither the District Council nor the Appeal Inspector raised any objection to this.
At the time of the appeal, the Inspector commented on the sustainable location of the site relative to public transport and cycling facilities. In view of this, the conclusion of the submitted highway report and as the proposed dwellings would have one, two or two plus study bedrooms, I consider that it would be very difficult to substantiate a refusal based on the inadequacy of the proposed parking provision.

26. Whilst limited amenity space is proposed, I do not consider that this is reason for refusal.
27. Local Plan Policy CS10 requires a financial contribution towards the provision of school accommodation for developments of 4 or more dwellings. Whilst no such contribution was offered at the time of the previous appeal, (and the Inspector concluded that, there was little supporting evidence before him regarding school capacities or justifying the level of contribution sought towards education provision, and the absence of such an agreement would not be fatal were it to be acceptable in all other respects) I consider that it would be appropriate to seek a financial contribution towards the provision of school accommodation if Members are minded to support the proposal.

Recommendation

28. Subject to the prior signing of a S.106 Agreement relating to a financial contribution towards the provision of school accommodation resulting from this development, approval as amended by drawing nos. CR/03C AND CR/04A date stamped 12.1.06 subject to the following conditions:
1. Standard Condition A – Time limited permission (Reason A)
 2. SC5a – Details of materials for external walls and roofs (RC To ensure the satisfactory appearance of the development)
 3. SC5e – Details of finished floor levels (RC To ensure the satisfactory appearance of the development)
 4. SC51 – Landscaping (RC51)
 5. SC52 – Implementation of landscaping (RC52)
 6. SC60 – Details of boundary treatments (RC60)
 7. SC5f – Details of materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas (RC To ensure the satisfactory appearance of the development)
 8. The 'Vehicle visibility Splays' and 'Pedestrian Visibility Splay' shown upon drawing no. CR/03C shall be provided and shall be maintained free from any obstruction over a height of 600mm (RC In the interests of highway safety)
 9. Before any of the hereby permitted dwellings are first occupied, the new access onto Westfield Road shown upon drawing no. CR/03C shall be provided (RC In the interests of highway safety)
 10. Highway condition C3 a and b – Parking and turning (RC In the interests of highway safety)
 11. During the periods of demolition and construction ... SC26 (0800, 0800, 1800, 1300) – Restriction on hours of use of power operated machinery during demolition and construction periods (RC26)
 12. No further windows or openings of any kind shall be inserted at first or second floor levels in any elevation of any of the flats or the 'coach house' hereby permitted unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf (RC22)

Reasons for Approval

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

- **Cambridgeshire and Peterborough Structure Plan 2003:** P1/3 (Sustainable Design in Built Development) and P5/3 (Density)
 - **South Cambridgeshire Local Plan 2004:** SE2 (Development in Rural Growth Settlements), HG10 (Housing Mix and Design), TP1 (Planning for More Sustainable Travel) and CS10 (Education)
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; character and appearance of Cambridge Road and Westfield Road; parking provision; highway safety; traffic; pollution; drainage; and open space.

Informatives

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

Before the existing property is demolished, a Demolition Notice will be required from the District Council's 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:

South Cambridgeshire Local Plan 2004
Cambridgeshire and Peterborough Structure Plan 2003
Great Shelford Village Design Statement 2004
Planning file Ref: S/2000/05/F, S/2283/04/F, S/1851/04/F and S/0988/85/F.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st February 2006
AUTHOR/S:	Director of Development Services	

S/1209/05/F - Little Shelford
Erection of Dwelling & Reorganisation of Restaurant Car Park at 1 Church Street,
for Mr & Mrs Sharpe

Recommendation: Refusal
Date for Determination: 12th August 2005

Conservation Area**Background**

1. Members may recall that the application was to be refused under officers' delegated power at 2nd November 2005 meeting subject to independent highways advice. The reasons for refusal were to be based on concerns over 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; the adequacy of car parking provision and loss of open space in the Conservation Area. Members requested that the application should be presented to the Committee should the independent highways advice not be supportive of a refusal on highways grounds.
2. Attached as Appendix 1 is the report to Development and Conservation Control Committee of 2nd November 2005.

Update including the independent highways advice and representations from the Parish Council

3. M. J. Hampton, an independent transport planning consultant has confirmed that the proposed parking arrangement and the amount of traffic using the proposed new access would not create an unsuitable safety or amenity situation. It is based on the fact that:
 1. The proposed access to Church Street is of good width at the point of connection with Church Street, being some 6 metres wide. The proposed access is approximate 28m clear of the junction with Hauxton Road, with which there is good visibility. Vehicle speeds on Church Street (30 mph) are relatively low. The use of the existing access onto Church Street as the new means of accessing the restaurant car park is acceptable; and
 2. The amount of parking to be provided in the proposal would be adequate. Although 10 parking spaces for the restaurant (and one for the flat) is just below the maximum standard (under Policy TP1 of the Local Plan that 54 square metres would justify a maximum of 11 parking spaces for the restaurant) and some of the proposed parking spaces are not easy to leave and turn in the immediate vicinity of the parking space in order to proceed in forward gear, it would appear that all spaces may seldom be used thus enabling easier reversing and manoeuvring.

4. Attached as Appendix 2 is a letter from M. J. Hampton dated 18th December 2005.
5. Subsequent to the November Committee, a letter has been received from the Little Shelford Parish Council. This states:
 - a. 'The Parish Council were informed that the planning permission for 1 Church Street had been rejected subject to it being established that there was not a regular entry/exit onto Church Street;
 - b. The meeting included councillors with decades of residence in the village, was unanimous that no such entrance/exit has been in use;
 - c. One of the ongoing items on the Parish Council meeting agenda is the current dangerous nature of traffic in Church Street, particularly at the High Street/ Hauxton Road junction; and
 - d. The use of the existing access from Church Street to the restaurant car park would serve to exasperate an already difficult and dangerous situation.'

Recommendation

6. In view of the resolution at the Committee on 2nd November 2005 and the independent highways advice, the application is recommended for refusal for the following reason:

The subdivision of the site to accommodate a dwelling would result in the loss of the restaurant's garden which performs an important role as an open space within the Conservation Area. The proposal would therefore detract from the character of the village, and the character and appearance of the Conservation Area. The proposal is therefore contrary to Structure 2003 Policy P7/6 which states that Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment; and 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 conservation areas and the District Council will refuse permission for schemes within conservation areas which do not fit comfortably into their context.

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

Cambridgeshire and Peterborough Structure Plan 2003

South Cambridgeshire Local Plan 2004

File references: S/0398/92/O, S/1241/92/O and S/1209/05/F

Development and Conservation Control Committee Report of 2nd November 2005, agenda item 5

Contact Officer: Emily Ip – Planning Assistant
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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/1209/05/F - Little Shelford
Erection of Dwelling & Reorganisation of Restaurant Car Park at 1 Church Street, for
Mr & Mrs Sharpe

Recommendation: Approval
Date for Determination: 12th August 2005

Members will visit the site on 31st October 2005.

Conservation Area

Site and Proposal

1. The application site lies within the Little Shelford village framework and the Conservation Area. No 1 Church Street is a 2 storey building. The ground floor is used as a restaurant whilst part of the ground floor and the whole first floor form an accommodation unit. The existing restaurant car park entrance is off Hauxton Road. To the northwest of the site is an access leading to The Ropewalk and beyond that access is No 2 Hauxton Road, a 2 storey semi-detached house with a single storey lean-to at the side and a roof lights facing the boundary hedges. To the northeast of the site is No 3 Church Street, a 2 storey cottage with a part 2 storey and part single storey rear projection. The common boundary of Nos 1 and 3 Church Street has high conifers, 1.5-1.8m high fencing and brick wall.
2. There are four Listed Buildings in the locality: to the southwest is No 1 Hauxton Road, to the northeast is No 7 Church Street and to the southeast are Nos 4 and 6 Church Street.
3. The full application, registered on 17th June 2005 proposes to subdivide the plot at No 1 Church Street, to erect a 2 storey 'L-shape' dwelling with an integral garage, and to reorganise the restaurant car park with 11 parking spaces. The car park entrance would be off Church Street.
4. Amended plans have been submitted to adjust the boundary between No 3 Church Street and The Ropewalk. The siting of the proposed dwelling, the ground floor openings and the associated outside terrace have also been altered.

Planning History

5. **S/0398/92/O** – Application for a house adjoining the Prince Regent Public House was refused for the following reasons (summarised):
 - a. The occupiers of the new dwelling would suffer disturbance from users of the public house and its car park.
 - b. The subdivision of the site would result in the loss of the public house's garden which performs an important role as a buffer zone, both minimising the visual impact of the car park on this corner site within the Conservation Area and helping to limit general disturbance to nearby residents.

- c. The proposal requires the severance of the Hauxton Road access from the public house, leaving it a single point of access onto Church Street that would have inadequate visibility to the Church Street, High Street and Hauxton Road junction.
 - d. The proposal with a smaller car park will lead to the parking of vehicles along Church Street and Hauxton Road which would interfere with visibility at the junction and cause obstruction to the free flow of traffic.
- 6. **S/1241/92/O** – Application for a dwelling adjoining the Public House was refused for the following reasons:
 - a. The erection of a house in a such close proximity to a car park associated with the public house would cause the occupiers of the new house severe disturbance, particularly in the back garden and during the evenings, by reason of noise emanating from vehicles manoeuvring in and out of the car park; such disturbance will be exacerbated by the substandard layout, in terms of bay length and aisle width, of the car park.
 - b. The sole use of the Church Street access to the public house car park will necessitate the provision of a pedestrian/ vehicle visibility splay to the north east; the position of parking spaces no. 14 and 15 are likely to result in vehicles reversing out onto Church Street; and it has not been demonstrated that delivery vehicles will be able to turn within the site. The proposal will have an adverse effect on the highway safety.
- 7. A Planning Inspector upheld this decision and dismissed the appeal, finding that:
 - a. Although the boundary wall would mitigate the problem to some extent, he considered that the use of the car park would seriously disturb the enjoyment of the rear garden by the occupiers of the proposed dwelling. The acoustic measures considered by the Council's Chief Environmental Health Officer did not lead the inspector to a different view.
 - b. Examples of dwelling houses close to public houses in the district did not justify permitting the exposure of a new dwelling to a consolidated existing noise source that would result in unacceptable living conditions to the occupiers of the new dwelling.
 - c. New residential development had been permitted adjacent to public house in the Cambridge area but these cases were not comparable because the sites were not in a village setting with on-site parking facilities.
 - d. The site neither contributed significantly to, nor detracted from the setting of the public house. Highway safety would not be compromised.

Planning Policy

- 8. **Policy P7/6** of the **Cambridgeshire and Peterborough Structure Plan 2003** requires development to protect and enhance the quality and distinctiveness of the historic built environment.
- 9. **Policy SE5** of the **South Cambridgeshire Local Plan 2004** identifies Little Shelford as an Infill-only village. Residential developments within the village framework of these villages are restricted to not more than two dwellings comprising:
 - a. A gap in an otherwise built-up frontage to an existing road; or
 - b. The redevelopment or sub-division of an existing residential curtilage.

“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.”

10. **Policy SE8** of the Local Plan states in part, there will be a general presumption in favour of residential development within village frameworks.
11. **Policy HG10** of the Local Plan states that the design and layout of residential development should be informed by the wider character and context of the local townscape and landscape.
12. **Policy EN5** of the Local Plan requires trees to be retained wherever possible in proposals for new development.
13. **Policy EN30** of the Local Plan sets out the requirements for development within Conservation Areas.
14. **Policy EN28** of the Local Plan aims to protect the setting, well-being and attractiveness of Listed Buildings.
15. **Policy TP1** of the Local Plan partly states that the Council will seek, to ensure that every opportunity is taken to increase accessibility to non-car modes by any appropriate measures such as restricting car parking to the maximum levels set out in appendix 7/1. The maximum car parking standard for restaurants is 1 car space per 5 sq. metres, and an average of 1.5 space per dwelling.

Consultation

16. **Little Shelford Parish Council** recommends refusal and states that ‘inadequate parking to restaurant. Design not of a high enough standard to respond to the local character of the buildings of this Conservation Area.’
17. **Conservation Manager** has no objection.
18. **Landscape Design Officer** has no objection subject to landscaping scheme.
19. **Trees and Landscape Officer** has no objection to the revised scheme as shown on the drawing numbers 064/11.0 Rev C 064/11.1 Rev B, 065/11.2 Rev A date stamped 3rd October 2005.
20. **The Chief Environmental Health Officer** - raises no objections in principle although does express concerns about potential noise disturbance to residents during the construction period. As such, it is recommended that conditions and informatives are attached to any permission including a permission restricting hours of use of power operated machinery.
21. He comments that there have been no complaints received by the Council in respect of alleged statutory nuisances and the business operates 4 days a week. The catering capacity of 20 meals per day would suggest that there is not a significant amount of vehicle movement on the premises.

22. He does not consider that an acoustic scheme would be necessary in this instance. He recommends the erection of a 2m high brick wall along the common boundary of the new dwelling and the restaurant car park and to maintain the surface of the restaurant car park similar as existing. His comments remain the same if the restaurant would open 7 days a week.
23. **Local Highway Authority** has no objection if this Council is satisfied with the number of car parking spaces.

Representations

24. The occupiers of 5 Hauxton Road object:
 - a. The scale and building materials of the new dwelling would detract from to the character of the Conservation Area;
 - b. Restaurant car parking arrangement insufficient;
 - c. Highway safety: to reopen the vehicle entrance off Church Street particularly for trade vehicles would be dangerous;
 - d. Concerns about the actual capacity of the restaurant, the permitted use within the same use classes order, opening hours and parking problem;
25. The occupiers of The Ropewalk object
 - a. The application site is at a prominent corner of the Conservation Area and forms an attractive feature. A similar application was refused over 10 years ago and nothing has changed to justify an approval
 - b. The restaurant has 26 covers. 11 car parking spaces and manoeuvring would be inadequate. This would result in parking in Church Street
 - c. Discrepancy on the site north western boundary. A tree shown for removal I not within the site.
26. Representations submitted by the applicants' agent:
 - a. A letter dated 18th July 2005 and the accompanying plans show the floor area of the restaurant.
 - b. A letter dated 22nd July 2005 clarifies that the maximum number of covers in the restaurant is 24; 2 kitchen assistants would be present during weekends and there are some occasions that no additional staff are used.

Planning Comments – Key Issues

27. The key issues in relation to this application are:
 - a. The number of car parking spaces to the restaurant at 1 Church Street and highway safety
 - b. The affect on the amenity of the occupiers of the new dwelling in relation to the use of the restaurant car park, and
 - c. Visual impact upon the street scene, and character and appearance of the Conservation area and the wider setting of nearby Listed Buildings.

Car parking provision to the restaurant and highway safety

28. The rearrangement of the car parking to the restaurant would result in 11 on site parking spaces. The floor area of the restaurant is approximately 54.5 square metres. 10 parking spaces for the restaurant and 1 park space for the existing dwelling at No 1 Church street would meet the standard for car parking provision listed in the Local Plan. It is my view that the proposal would have no adverse impact on traffic and parking conditions.

29. The existing access off Church Street has good visibility and the Local Highway Authority does not raise objection to the use of it. I do not consider that the use of this access to the restaurant car park would materially harm highway safety.

Impact on amenity of occupiers of the new dwelling resulting from the use of the car park at 1 Church Street

30. Given that the use of 1 Church Street is now a restaurant rather than a public house as at the appeal decision in 1993, it is my view that the circumstances have changed since the refused application under reference S/1241/92/O. Discussions with the applicants' agent during the course of the application have led to an alteration to the siting of the proposed dwelling and revision of the ground floor openings and the outside terrace. In order to avoid affecting the Robinia on the site frontage, the footprint of the dwelling has been shifted to the northeast side by 3m. The repositioning of the proposed terrace in the garden area from the south-eastern to the north-eastern side and a reversal of the dining room door and window positions will lessen the impact on the amenity of occupiers of the new dwelling from the use of the restaurant car park. It is considered that these modifications have rendered the development acceptable with regards to the impact from the use of the car park on the amenities of the new dwelling.
31. The Chief Environmental Health Officer (EHO) does not consider that an acoustic scheme is necessary based on the fact that no complaints have been received in relation to the existing restaurant. It is his view that the proposal is acceptable subject to maintaining the existing hard surfaced materials of the car park without introducing a gravel surface and the erection on the common boundary of a 2 metres high brick wall. Based on the fact that EHO's comments assume the use of the restaurant for 7 days in a week, I consider that the proposal is acceptable in terms of the living conditions of the occupiers of the new dwelling subject to the imposition of conditions on the boundary wall and the hard surface for the car park.

Impact on street scene, the character and appearance of the Conservation area and the wider setting of nearby Listed Buildings.

32. The existing properties in this part of the village are mixed with cottages, modern two storey dwellings and listed buildings. The new dwelling will be in a 'L-shape' set back from Hauxton Road with a gable facing the driveway leading to The Ropewalk. I consider the scale of the new dwelling is acceptable. The height of the proposed new dwelling varies from 7.7 m to 8.1m. I consider that the proposed development is in keeping with the local character and will not have an adverse impact on the street scene. I am mindful of the Conservation Manager's comments and I do not therefore consider that the Conservation Area or setting of the Listed Buildings in the locality will be adversely affected.

Recommendation

33. Approval as amended by letters dated 18th July 2005, 22nd July 2005 and 26th September 2005 and drawing numbers 064/1.10 Rev C 064/1.11 Rev B, 065/1.11 Rev A date stamped 3rd October 2005;
1. Standard Condition A – Time limited permission (Reason A) - 5 years;
 2. Sc 5a – Details of materials of external walls and roofs (Rc5a);
 3. Sc 51 – Landscaping (Rc 51);
 4. Sc 52 – Implementation of landscaping (Rc 52);

5. Sc 60 – Details of boundary treatment (Rc 60);
6. No power operated machinery shall be operated on the premises during the period of construction, before 0800 hours on weekdays and 0800 hours on Saturdays nor after 1800 hours on weekdays and 1300 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions. (Reason – To minimise noise disturbance to adjoining residents);
7. Sc 5 – boundary walls and hard surfaces for the restaurant car park (Reason – To minimise noise disturbance to the occupiers of the new dwelling);
8. No further windows, doors or openings of any kind shall be inserted in the south-east/side elevation of the dwelling, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf. (Reason – To minimise noise disturbance to the occupiers of the new dwelling);
9. No windows, doors or openings of any kind shall be inserted in the first floor of the northwest/ side elevation of the dwelling, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf. (Reason – To safeguard the privacy of occupiers of No 2 Hauxton Road);
10. The first floor bedroom window shown on the drawing numbers 064/1.11 Rev B and 064/1.12 Rev A in the southeast/side elevation of the dwelling hereby permitted shall be fixed and non-opening. (Reason – To minimise noise disturbance to the occupiers of the new dwelling.)
11. The permanent spaces to be reserved on the site of the restaurant at No 1 Church Street for turning and parking as shown on drawing number 064/1.10 Rev C shall be provided before commencement of the development of the dwelling, hereby permitted, and thereafter maintained. (Reason – to minimise interference with the free flow and safety of traffic on the adjoining public highways).

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - a. **Cambridgeshire and Peterborough Structure Plan 2003:**
Policy P7/6 (Historic Built Environment)
 - b. **South Cambridgeshire Local Plan 2004:**
Policy SE5 (Development in Infill Villages);
Policy SE8 (Residential Development within the Village Frameworks);
Policy HG10 (Housing Design);
Policy EN5 (The Landscaping of New Development)
Policy EN30 (Development in Conservation Areas)
Policy EN28 (Development within the Curtilage or Setting of a Listed Building)
Policy TP1 (Planning more Sustainable Travel)
2. The development is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise: car parking provision, highway safety, impact upon the character of the Conservation Area, and residential amenity interests.

General

1. Should driven pile foundations be proposed, before development commences, a statement of the method for construction of these foundations shall be submitted to and approved in writing by the District Council's Environmental Health Officer so that noise and vibrations can be controlled.
2. The applicants' attention is drawn to a comment from this Authority's Chief Environmental Health Officer that the boundary between the new dwelling and the car park should comprise a 2m high brick wall, details of such should be submitted to comply with condition No. 7.

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

Cambridgeshire and Peterborough Structure Plan 2003
South Cambridgeshire Local Plan 2004
File references: S/0398/92/O, S/1241/92/O and S/1209/05/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 1st February 2006
AUTHOR/S: Director of Development Services

**S/2394/05/F – Great Shelford
 Extensions (Amended Scheme) at 7 Mingle Lane for R Mill**

**Recommendation: Approval
 Date for Determination: 9th February 2006**

Site and Proposal

1. The application site is occupied by a detached render and tile hipped roof bungalow set back from the road. It sits within a row of detached dwellings comprising a mixture of bungalows, and 1¹/₂ and two storey properties. The property on the north-west side of the site is a 1¹/₂ storey dwelling whilst to the south-east is a bungalow.
2. The full application, submitted on 15th December 2005, seeks to extend the existing bungalow at first floor level in order to create a two storey dwelling with accommodation in the roofspace. In addition, a 4.5 metre deep x 9.9 metre wide single storey flat roof extension would be erected to the rear of the property and a double garage extension and porch added to the front.

Planning History

3. **S/0541/04/F** – Application to extend the property in order to create a two storey dwelling was approved.
4. **S/2547/03/F** – Application for extensions to create two storey dwelling and garage was refused due to the adverse impact of the development, in terms of loss of light and outlook, upon No.5 Mingle Lane.
5. **S/1058/05/F** – Application to extend No.5 Mingle Lane to create a two storey dwelling with forward projecting single garage was approved after consideration at the Chairman's Delegation meeting in July 2005. There is also an extant permission for a single storey side extension including garage (Ref: **S/2417/03/F**). Neither of these has been implemented.

Planning Policy

6. **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 that corresponds to the local character of the built environment.
7. **Policy HG12** of the Local Plan states that permission for the extension and alteration of dwellings will not be permitted where:
 - a. The design and use of materials would not be in keeping with local characteristics;

- b. The proposal would harm seriously the amenities of neighbours through undue loss of light or privacy, being unduly overbearing in terms of its mass, or would adversely affect surrounding properties by virtue of its design, layout, location or materials;
- c. There would be an unacceptable loss of off-street parking or garden space;
- d. There would be an unacceptable visual impact upon the street scene;
- e. Boundary treatment would provide an unacceptable standard of privacy and visual amenity.

Consultations

8. **Great Shelford Parish Council** objects to the proposal stating:

“The increase in size of the rear extension and first floor, the addition of a garage to the front and the increase in roof pitch and consequent increase in the mass of the roof will create a building out of character with its neighbours and one which will be oppressive to adjoining properties in terms of loss of light and overshadowing.”

Representations

9. None received to date. Any comments received will be reported verbally at the Committee meeting.

Planning Comments – Key Issues

10. The key issues to consider in the determination of this application relate to:
- a. The visual impact of the proposed development in the street scene and the consequent effect upon the character of the area; and
 - b. The impact upon the amenities of adjoining residents.
11. Mingle Lane has a mixture of dwelling types and sizes. Beyond the dwellings immediately adjoining this site, there are predominantly two storey properties in each direction. Consent has previously been granted on this site, as well as on the adjoining site to the north-west, for extensions to the existing properties to create two storey dwellings. In light of these factors, it is considered that the proposal, in terms of its scale and design, would not unduly harm the character of the street scene. The visual impact of the forward projecting garage is also considered to be acceptable. Although projecting in excess of 6 metres forward of the dwelling, the garage would be sited some 12.5 metres back from the frontage of the site and would sit in line with the forward projecting garage recently approved at No.5 Mingle Lane. Even if No.5 does not build its garage, however, I still consider the garage element of the proposal to be acceptable as, a few properties to the east of the site, the building line is much closer to the road and, to the west, there are two dwellings with integral forward projecting garages (Nos. 1a and 1b Mingle Lane).
12. There have been two previous applications to create a two storey dwelling on this site, one of which was refused and the other approved. The refused scheme proposed a hipped roof dwelling incorporating 50 degree roof pitches, a 4.6 metre high single garage projecting forward of the dwelling and a 2.5 metre deep pitched roof single storey extension to the rear, extending along the entire length of the dwelling and as far as the boundary with No.5 Mingle Lane.

The impact of the resultant two storey dwelling upon the street scene was considered to be acceptable, and the application was refused solely on the basis of its impact upon No.5 Mingle Lane. This neighbouring property has windows in its side elevation serving a lounge (although the lounge is also fully glazed along the rear/north-east elevation) and a kitchen, and a small patio/sitting out area between the side of the dwelling and the boundary with No.7. The combined impact of the mass and orientation of the extension and its proximity to the boundary was considered to have an overbearing impact upon the outlook from, and to cut out light to, No.5's south-east facing windows and patio.

13. In the subsequent application, the garage was removed, the rear single storey extension pulled away from No.5's boundary and the roof pitch of the first floor element reduced from 50 to 40 degrees. These reduced the overall mass of the dwelling and lessened the impact upon the neighbour, particularly by setting the rear single storey element away from the boundary and hence improving the outlook from and light to these windows and the patio area.
14. The current application differs to that previously approved in that it proposes a 45 degree roof pitch to the main roof, a double garage projecting forward of the house adjacent to the boundary with No.5 and an increase in the depth of the rear extension from 2.5 metres to 4.5 metres, this extension now being of flat roof rather than lean-to design. Since this permission (as well as the previous refusal on the site), consent has been granted for an extension to No.5 Mingle Lane in order to create a two storey hipped roof dwelling. As part of this approval, a small extension would be added to the kitchen, thereby filling in some of the gap between No.5 and the boundary, and two new windows inserted, one in the side and one in the north end elevation. The current proposal would have a greater impact upon No.5 than the approved scheme. However, the extra loss of light/outlook caused by the 5 degree increase in the roof pitch would be marginal and not sufficiently harmful to refuse the application on this basis. The 2 metre increase in the depth of the rear extension would not unduly harm the outlook from No.5's windows given that this extension has a flat roof and is set some 3 metres away from the boundary and around 6.5 metres from the neighbour's lounge window. In addition, the proposed double garage incorporates a pyramid roof design and has a lesser impact upon No.5 than the previously proposed single garage that formed part of the refused scheme.
15. The proposal would not result in undue harm to the amenities of occupiers of No.9 Mingle Lane, which has a blank gable facing towards the site.
16. In order to ensure that the development would not overlook either neighbouring property, the first floor windows in both side elevations should be fixed and obscure glazed, and permitted development rights for the insertion of further first floor windows in these elevations should be removed as part of any consent.

Recommendation

17. Approval:
 1. Standard Condition A (Reason A);
 2. Sc5a – Details of materials to be used for external walls and roof (Rc5a(ii));
 3. The first floor windows in the south-east and north-west side elevations of the development, hereby permitted, shall be fixed and fitted and permanently maintained with obscured glass (Rc23);

4. Save for the windows shown on the approved plans, no further windows, doors or openings shall be inserted at first floor level in the south-east and north-west side elevations of the development, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf (Rc22)

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - Cambridgeshire and Peterborough Structure Plan 2003: P1/3 (Sustainable design in built development);
 - South Cambridgeshire Local Plan 2004: HG12 (Extensions and alterations to dwellings within village frameworks)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity;
 - Visual impact on the locality.

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

Cambridgeshire and Peterborough Structure Plan 2003

South Cambridgeshire Local Plan 2004

Planning application references S.2394/05/F, S/0541/04/F, S/2547/03/F, S/1058/05/F and S/2417/03/F

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st February 2006
AUTHOR/S:	Director of Development Services	

**S/2295/05/F – Thriplow
2 Houses – Land Adjacent to 72 Kingsway, Duxford for K Dyer**

**Recommendation: Approval
Date for Determination: 13th February 2006**

Site and Proposal

1. The application site is located within the Heathfield estate and comprises a 0.07 hectare area of land that forms part of the garden to No.72 Kingsway, a semi-detached brick and tile house located to the south-west. A low chain link fence runs along the north-western boundary of the plot, beyond which are fields and a recreation ground sited on land that lies within the countryside and Green Belt. A row of approximately 5 metre high leylandii defines the south eastern boundary adjacent to which is a grass track leading to an electricity sub station. Beyond this track to the south-east is a two storey semi-detached house, No.71 Kingsway.
2. The full application, submitted on 30th November 2005, seeks to erect a pair of semi-detached two-storey houses on the site. Both dwellings would be 3-bedroom brick and tile properties that would be oriented in a south-west/north-east direction. Four parking spaces and turning would be provided to the front/south-west whilst a new access would be provided adjacent to No.72 Kingsway. The plans show that a beech hedge would be planted along the north-western boundary of the site, with the remaining boundaries comprising 1.8 metre high close boarded fences. The existing row of leylandii along the south-eastern boundary would be removed. The density of the proposal is 28.6dph.

Planning History

3. **S/0124/00/O** – Outline consent granted for erection of house.
4. **S/1617/03/O** – Outline consent granted for erection of house (Renewal of planning consent S/0124/00/O).
5. **S/0918/04/F** – An application for two dwellings was refused due to: (a) the lack of provision for affordable housing and (b) the proximity of the proposed development to the north-western boundary, the lack of room for landscaping and the subsequent visual impact upon the surrounding countryside/Green Belt. The application was subsequently dismissed at appeal for reason (b), with the Inspector commenting that the visual impact of the development would be compounded by the backdrop of the high conifer hedge against which the dwellings would be seen. The Inspector did not accept, however, the lack of provision of affordable housing as a reason for refusal due to the low level of services and facilities in Heathfield.

6. **S/1759/04/F** – Application for dwelling and garage approved subject to a number of conditions including landscaping, use of obscured glass for a first floor window in the south-east elevation of the dwelling and the prevention of any further first floor windows in this elevation without planning permission in order to prevent overlooking of No.71 Kingsway.
7. **S/1308/05/F** – Application for two houses refused due to overlooking of No.71 Kingsway.

Planning Policy

8. **Policy P1/3** of the County Structure Plan 2003 stresses the need for a high standard of design and a sense of place that corresponds to the local character of the built environment.
9. Heathfield is identified within **Policy SE5** of the South Cambridgeshire Local Plan 2004 as an infill only village. In such locations, Policy SE5 states that residential development will be restricted to no more than two dwellings comprising (amongst others) the redevelopment of an existing residential curtilage providing the site does not form an essential part of village character, and providing development is sympathetic to the historic interests, character, and amenities of the locality.
10. **Policy SE9** of the South Cambridgeshire Local Plan 2004 states that development on the edge of villages should be sympathetically designed in order to minimise the impact on the surrounding countryside.

Consultations

11. **Thriplow Parish Council** objects to the application stating:

“Thriplow Parish Councillors are unanimous in their objection to this application and feel that all of the comments made on the previous application number S/1308/05/F still apply. This is overdevelopment of a site which is only suitable for one small dwelling. This is the third application for two houses on this site. The first application (S/0918/04/F) was refused on appeal and this Parish Council feel that the comments of the planning inspector in his refusal are still relevant and do not see how this application, or the previous one, answers the inspectors objections. The roads, sewers and street lighting on this part of Heathfield are all privately owned by the Heathfield Residents Association and members are obliged to pay an annual fee towards the upkeep of the services. Any future owners of a home on this site should become members of the Association and a legal agreement requiring this membership should be linked to any permission for development.”

The comments made by Thriplow Parish Council in respect of application reference S/1308/05/F were:

“The increase of the gap between the west boundary and flank wall of the proposed house allows more room for the planting of a hedge but still does not reduce the impact of the house enough when viewed from the public open space. Also increasing the space on the western side reduces the space to the eastern side, preventing rear access to the rear garden of the eastern house. The proposal for two houses is overdevelopment of this site.

Thriplow Parish Council feel that the comments of the planning inspector in his refusal of the appeal on the previous application for two houses on this site are still relevant and do not see how this new application answers the inspectors objections.”

12. **The Chief Environmental Health Officer** raises no objections in principle although does express concerns about potential noise disturbance to residents during the construction period. As such, it is recommended that a condition restricting hours of use of power operated machinery be applied to any planning consent.

Representations

13. Two letters of objection have been received from the occupiers of Nos. 71 and 79 Kingsway. The main points raised are:
- a) The first floor rear/north-east windows would overlook No.71 Kingsway's garden area, particularly if the conifers are to be removed;
 - b) The driveway is not wide enough to serve two dwellings and there is insufficient space for four cars to park on the site;
 - c) The access would be unsafe as it is too close to the access serving No.71 Kingsway and it also crosses a footpath, thereby causing a hazard to pedestrians;
 - d) If the dwellings are built, the conifers should just be trimmed back and not cut down;
 - e) The site is not large enough to accommodate two houses;
 - f) There is a covenant on Kingsway preventing dwellings being built within garden areas;
 - g) The development would be an extra burden on the old sewerage system on the estate.

Planning Comments – Key Issues

14. The key issues to consider in the determination of this application are:
- a) Impact upon amenities of neighbours;
 - b) Visual impact upon the countryside/Green Belt;
 - c) Highway/pedestrian safety;
 - d) Parking/turning provision.
15. The site lies inside the village framework. Heathfield is designated as an infill-only village where residential development is acceptable in principle providing development is sensitive to the character of the area and the amenities of local residents. Planning permission has previously been granted for the erection of one dwelling on the site and this has therefore established the principle of developing the plot. It is therefore necessary to consider whether the current application overcomes the reasons for the first application for two houses being dismissed at appeal (Ref: S/0918/04/F) and for the most recent application for two houses on the site being refused (Ref: S/1308/05/F).
16. In the first application (S/0918/04/F), the development was sited just 1 metre away from the north-western boundary at its nearest point, thereby leaving insufficient space along this countryside boundary for planting to screen the development. In addition the pair of dwellings was pulled away from the south-eastern boundary in order to ensure the retention of a high conifer hedge. As stated in the history section above, the application was refused and subsequently dismissed at appeal due to its proximity to the countryside boundary, lack of space for

planting and retention of the conifer hedge which the Inspector stated compounded the visual impact of the dwellings.

17. The subsequent application for two houses (S/1308/05/F) was considered by Officers to overcome these issues by setting the development very close to the south-eastern boundary of the site (and removing the conifer hedge) and by allowing sufficient space between the dwellings and the north-western boundary (approximately 3-4 metres) for landscaping to ensure the development would be screened from the open space to the north-west. In particular, the development was no closer to the north-western/countryside boundary and only comprised a marginally larger footprint than the single dwelling approved under planning reference: S/1759/04/F. This scheme did, however, introduce an overlooking problem of No.71 Kingsway as it proposed a first floor bedroom window in the south-east side elevation of the easternmost dwelling resulting in overlooking of No.71 Kingsway's rear private garden and patio areas. The application was subsequently refused solely on the grounds of its harmful impact upon the occupiers of No.71 Kingsway.
18. The current proposal differs from the previous application in that the first floor bedroom window has now been removed from the south-east side elevation and a replacement bedroom window has been inserted in the front/south-western elevation of the easternmost dwelling. Providing a condition is added to any consent removing permitted development rights for the insertion of first floor windows in the south-east elevation of the development, I am satisfied that the proposal would not result in undue harm to the amenities of the occupiers of No.71 Kingsway. Removing the conifers is considered to be necessary to avoid accentuating the visual appearance of the development and, indeed, has already been approved as part of the single dwelling scheme.
19. The access width and parking and turning dimensions are all acceptable and comply with the relevant standards. In addition, I am satisfied that the position of the access would not compromise highway or pedestrian safety. It should be noted that, in his consideration of the appeal relating to the first application for two houses, the Inspector raised no highway safety objections to the proposal.
20. The concerns expressed by the Parish Council and resident at No.79 Kingsway, in respect of the covenant restricting development in Kingsway and in respect of the private road and services, are not material planning considerations, although the applicant's attention should be drawn to these matters through informatives of any planning consent.

Recommendation

21. Approval
 1. Standard Condition A – Time limited permission (Reason A);
 2. Sc5a – Details of materials for external walls and roofs (Rc5a.ii);
 3. No windows, doors or openings of any kind shall be inserted at first floor level in the south-eastern side elevation of the development, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf (Reason – To safeguard the privacy of occupiers of the adjoining property, No.71 Kingsway);
 4. Sc51 – Landscaping (Rc51);

5. Sc52 – Implementation of landscaping (Rc52);
6. During the period of construction no power operated machinery shall be operated on the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions (Rc26);

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:** P1/3 (Sustainable design in built development).
 - **South Cambridgeshire Local Plan 2004:** SE5 (Development in infill villages) and SE9 (Village Edges).
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity;
 - Visual impact on the locality;
 - Highway safety.

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.
3. The Heathfield Estate is a private estate with unadopted roads, sewers and street lighting. The relevant consents to access and service the site will need to be obtained from the Heathfield Residents Association.
4. The applicant will need to establish whether there are any restrictive covenants preventing the erection of a dwelling on the site. The grant of planning permission does not convey the right to develop contrary to restrictions under any other legislation.

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

South Cambridgeshire Local Plan 2004

Cambridgeshire and Peterborough Structure Plan 2003

Planning Application References: S/0124/00/O, S/1617/03/O, S/0918/04/F, S/1759/04/F, S/1308/05/F and S/2295/05/F.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 1st February 2006
AUTHOR/S: Director of Development Services

S/2278/05/F - Horseheath

Change of Use from Agricultural to Garden Land at Land Off Haverhill Road for C.A. Weller-Hornby, W.R. Cornish, Y.M. Milburn, R.A. Wenham, N.F.R. Cornish, D.C. Cornish & O.G.S. Cornish

Recommendation: Refusal
Date for Determination: 23rd January 2006

Site and Proposal

1. The site covers an area of open agricultural land to the rear (north) of dwellings fronting Haverhill Road, outside the village framework and in the countryside and the South Suffolk and North Essex Clayland Landscape Character Area. It measures approximately 0.3 of a hectare in area.
2. The application, received on the 28th November 2005, proposes the change of use of the land to garden for six properties. The site projects approximately 37 metres to the rear of Conifers, The Gables and Whinwillow; 30 metres to the rear of Tudor Lodge; 22 metres to the rear of Mallards; and 10 metres to the rear of East End Cottage.

Planning History

3. None.

Planning Policy

4. Policy **P1/2** of the **Cambridgeshire and Peterborough Structure Plan 2003** restricts development in the countryside unless proposals can be demonstrated to be essential in that particular rural location.
5. Policy **EN1** of the **South Cambridgeshire Local Plan 2004** states that planning permission will not be granted for development that would have an adverse affect upon the character and distinctiveness of Landscape Character Areas.
6. Policy **SE9** of the **South Cambridgeshire Local Plan 2004** states that development on the edges of village should be sympathetically designed and landscaped to minimise their impact upon the surrounding countryside.

Consultation

7. **Horseheath Parish Council** recommends approval.

Representations

8. The occupier of **Mallards** requires some clarification on whether the application relates to individual extensions to specific gardens in contrast to the whole area of land; the measurements of each garden and the definition of garden land.

Planning Comments – Key Issues

9. The main issues to consider in the determination of this application relate to the impact of the proposed change of use upon the character and appearance of the countryside and the impact upon neighbour amenity.

Impact upon the Countryside

10. There is no objection in principle to the change of use of agricultural land to garden land outside village frameworks and I would be willing to support an application for small garden extensions to the existing dwellings fronting Haverhill Road. However, the proposed change of use of such a large site from agricultural land to garden land is not considered to be essential and would seriously encroach into the surrounding countryside. The introduction of garden land with domestic paraphernalia such as children's play equipment would change the appearance of the land to the detriment of its rural landscape character.

Neighbour Amenity

11. The proposed change of use from agricultural land to garden land is not considered to harm the amenities of neighbours through a loss of privacy or noise and disturbance.

Other Matters

12. I have clarified to the neighbour at Mallards that the application relates to the site as a whole rather than to individual extensions of particular gardens. I have also advised that the definition of a garden would include the erection of sheds, albeit if consent were granted there is likely to be a condition removing permitted development rights for such buildings.

Recommendation

13. Refusal.

The proposed change of use of such a large area of agricultural land to garden land outside the village framework is not considered to be essential and would lead to a significant encroachment into the open countryside. This together with the domestic appearance of the land would harm the rural character of the area. The proposal would therefore be contrary to Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 that restricts development in the countryside unless it can be demonstrated to be essential in a particular rural location, and Policy EN1 of the South Cambridgeshire Local Plan 2004 that states that planning permission will not be granted for development that would have an adverse affect upon the character and distinctiveness of Landscape Character Areas.

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
- S/2278/05/F

Contact Officer: Karen Bonnett – Planning Assistant
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 1st February 2006
AUTHOR/S: Director of Development Services

S/2330/05/F- Shudy Camps
Change of Use of Land from Agricultural to the Storage of Wood and Wood Products
other than Forestry Products (Retrospective Application) at Land Adjacent The Old
Stack Yard, Mill Green for Mr P. Haylock

Recommendation: Refusal
Date for Determination: 31st January 2006

Site and Proposal

1. The site is a triangular shaped piece of land that is situated to the east of Mill Green and immediately to the south of the Old Stack Yard, outside the village framework of Shudy Camps and in the countryside and South Suffolk and North Essex Clayland Landscape Character Area. It measures approximately 0.05 hectares in area and is currently used for the storage of wood products and old machinery without consent. A high leylandii hedge screens the site from The Old Stack Yard. The boundaries to the open fields to the rear and the road frontage comprise young leylandii trees. There is a gated access on to Mill Green.
2. This retrospective application, received on the 6th December 2005, proposes the use of the site for the storage of wood and wood products unrelated to forestry.

Planning History

3. Retrospective planning permission was granted in 1991 (ref. **S/0653/91/F**) for a change of use of redundant agricultural buildings forming part of The Old Stack Yard site to timber recycling, storage and sale. Retrospective planning permission was granted in 1998 (ref. **S/1710/97/F**) for change of use of buildings and yard as an extension to The Old Stack Yard to timber recycling, storage and sale.

Planning Policy

4. Policy **P1/2** of the **Cambridgeshire and Peterborough Structure Plan 2003** restricts development in the countryside unless it is demonstrated to be essential in a particular rural location.
5. Policy **EN1** of the **South Cambridgeshire Local Plan 2004** states that planning permission will not be granted for development that would have an adverse affect upon the character and distinctiveness of Landscape Character Areas.
6. Policy **EM7** of the **South Cambridgeshire Local Plan 2004** supports the expansion of existing firms but only within village frameworks or on suitable brownfield sites next to or very close to village frameworks.

Consultation

7. **Shudy Camps Parish Council** approves the application. Please find the comments from each councillor reported below: -

Councillor 1- "Recommend approval subject to conditions. The area for which the planning approval is being sought has been fenced off and used for storage for a considerable period of time. We have not raised any objection in the past and it would be difficult to object now, if the land was being used for the purpose for which approval is being applied for i.e. storage of wood and wood products. However, although this was initially the case, the land in question has now become a dumping ground for old pieces of farm and other machinery and this created an eyesore to the detriment of its rural location. In addition, much of the wood left on the site has rotted, adding to the general untidiness. Furthermore, I understand that action is currently being taken by SCDC regarding non-compliance with one condition of the original planning approval for the main stack yard, in that space is not being provided on site for parking and turning for at least two customer vehicles. This is clearly a road safety issue. My view is that approval should only be granted when the old machinery now cluttering the site has been removed and the conditions on the original approval have been complied with."

Councillor 2- "Approve subject to compliance with strict planning conditions now and in the future."

Councillor 3- "No objection as long as site is cleared up."

Councillor 4- "Approve subject to conditions."

Councillor 5- "No objection in principle, but if granting planning permission allows the growth of what is already an eyesore then it should be refused."

8. The **Environment Agency** has no objections providing no part of the site would be used for formulation, storage or use of chlorinated organic solvents or timber treatment. It also recommends the inclusion of various informatives should consent be granted.

Representations

9. The occupier of Mill Green House, which is situated opposite The Old Stack Yard, comments that the site is an eyesore and whilst it was initially being used for the storage of wood, it is now a dumping ground for old machinery such as rusty tractors, containers, trailers, train carriages, fork lifts, and metal. He also refers to non-compliance with the condition regarding parking and turning on the original planning consent and highway safety issues and only recommends approval once the old machinery cluttering the site has been removed and the conditions of the original approval complied with.

Planning Comments – Key Issues

10. The main issue to consider in the determination of this application relate to whether there is a demonstrable need for the proposed use in this particular rural location and the impact of the use upon the character and appearance of the countryside.

11. Whilst it is acknowledged that the adjacent site at The Old Stack Yard was granted planning permission for timber recycling, storage and sale in 1998, the site comprised a number of redundant agricultural buildings and the development plan at the time supported re- use of such buildings for commercial purposes.
12. The site subject to this application was originally open agricultural land prior to its current use for the storage of timber products and old machinery. Whilst the expansion of existing firms is supported within village frameworks and on brownfield sites next to or very close to village frameworks, this application relates to a greenfield site that is located approximately 1 km from the Shudy Camps village framework. The retention of the use of the site for the storage of wood and wood products not related to forestry is not considered appropriate in this rural location and would result in a visually intrusive development that would adversely affect the openness and rural character of the area.
13. The applicant has not demonstrated that the use is essential in this particular rural location, although I have written and requested this information. Any response will be reported verbally at the meeting.

Recommendation

A Refusal of the application for the following reason:

The change of use of land from agriculture to the storage of wood and wood products unrelated to forestry would result in an inappropriate and visually intrusive development that would harm the rural character and openness of the countryside. The applicant has not demonstrated an essential need for the use in this particular rural location. The proposal is therefore contrary to Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 that restricts development in the countryside unless it can be demonstrated to be essential in a particular rural location, and Policy EN1 of the South Cambridgeshire Local Plan 2004 that states that planning permission will not be granted for development that would have an adverse effect upon the character and distinctiveness of Landscape Character Areas.

AND

- B. In addition that authorisation to given to instigate formal enforcement action to secure the removal of wood products and machinery and to secure the cessation of the unauthorised use of the land within 3 months of the notice coming into effect. If the Notice is not complied with within the specified period, that prosecutions be authorised subject to a reconsideration of material circumstances at the time.

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

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- Planning File References S/2330/05/F, S/1710/97/F & S/0653/91/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st February 2006
AUTHOR/S:	Director of Development Services	

S/2309/05/F – West Wickham
Erection of Farm Manager's Dwelling Following Demolition of Existing Dwelling at
Skippers Hall Farm, Withersfield Road for B B Ratford

Recommendation: Refusal
Date for Determination: 27th January 2006

Site and Proposal

1. The application site is part of Skippers Hall Farm which lies in open countryside between the villages of West Wickham to the north-west and Withersfield to the south. The site, which is occupied by a vacant single storey timber structure previously used as a dwelling, lies adjacent to and on the west side of the main road and on the north side of the access serving the farm. The farm complex comprises a farmhouse and range of barns and stables. Public footpath No. 17, West Wickham runs along the farm roadway of skipper's Hall Farm.
2. The full application, submitted on 2nd December 2005, seeks to demolish the existing timber building and to erect a farm manger's dwelling on the site. The proposed dwelling would be a two storey (7.5 metre high) 4-bedroomed timber and pantile property that would utilise energy efficient methods of construction.
3. A covering letter explains that the dwelling is needed in order to provide accommodation for a full time farm manager and his family. The present owner, who lives in the main farmhouse, has recently retired and there has been no housing provision on site for the farm manager. This has caused serious difficulties with running the farm in terms of security and management of animals. In addition to managing the farm itself, the farm manager also supervises the nearby warehouses and is responsible for the farm's horses that are stabled near the proposed house. The letter states that the existing dwelling on site is dilapidated and unsuitable for human habitation and that there are no suitable existing buildings that are capable of conversion to provide a dwelling.

Planning History

4. There is no planning history specifically relating to the application site. On Skippers Hall Farm itself, an application was submitted in 2004 seeking to change the use of a large agricultural building to an indoor riding arena. This application was withdrawn. (Reference: **S/1427/04/F**).

Planning Policy

5. **Planning Policy Statement (PPS) 7 ('Sustainable Development in Rural Areas')** states that new permanent dwellings should only be allowed to support existing agricultural activities on well-established agricultural units, providing:
 - a. There is a clearly established existing functional need;

- b. The need relates to a full time worker, or one who is primarily employed in agriculture;
 - c. The unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound and have a clear prospect of remaining so;
 - d. The functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
 - e. Other planning requirements, eg in relation to access or impact on the countryside, are satisfied.
6. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 states that development will be restricted in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.
7. **Policy P1/3** of the Structure Plan stresses the need for a high standard of design for all new development.
8. **Policy HG15** of the South Cambridgeshire Local Plan 2004 states that proposals for the replacement of a dwelling in the countryside will be permitted where:
- a. The proposed replacement is in scale and character with the dwelling it is intended to replace; and
 - b. The proposed replacement would not materially increase the impact of the site on the surrounding countryside.
9. **Policy HG16** of the Local Plan states that, in the countryside, new dwellings will only be permitted on well-established agricultural units where it can be demonstrated that there is a clear, existing functional need relating to a full-time worker, and that suitable existing buildings in the area are not available or the conversion of appropriate nearby buildings would not provide suitable accommodation. Any new dwelling permitted would be subject to an agricultural occupancy condition.
10. **Policy HG20** of the Local Plan states that permission will not be granted for dwellings in the countryside for the on-site security of horses, stabling and ancillary uses unless the applicant has proven an essential functional need for and financial justification of the dwelling in the location proposed having regard to other policy considerations concerning design and site layout.
11. **Policy HG22** of the Local Plan states the Council will look favourably upon residential schemes that include measures to conserve energy subject to other policies in the plan.
12. **Policy EN1** of the 2004 Local Plan states that permission will not be granted for development which would have an adverse effect on the character and local distinctiveness of Landscape Character Areas.
13. **Policy EN3** of the 2004 Local Plan requires the scale, design, layout and landscaping of new development in the countryside to be appropriate to the Landscape Character Area.

Consultations

14. **West Wickham Parish Council** recommends approval.
15. **Acorus** the Council's agricultural consultants, objects to the application, stating that it does not comply with either the functional or financial tests. The application has been considered as a second agricultural dwelling on the basis that the existing farmhouse is owned and occupied by the owner of the business. As a background for its assessment, Acorus states that the farm holding extends to around 121 hectares consisting of arable, grass and woodland production. In addition, the farm runs a firewood business, there is a small equestrian unit currently being developed into a separate enterprise, and storage/distribution space is rented out in a redundant aircraft hangar owned by the farm. The owner of the farm, who runs the business as a sole trader but is effectively retired, lives in the farmhouse. He has handed the management and day to day labour to his son who runs the arable, firewood and business units and to his daughter who intends to develop the equestrian enterprise. The applicants state that the new dwelling is required for security reasons, to monitor the grain dryer and out of hours collection of grain and to supervise and monitor the horses on site.

With regards to the functional need for the dwelling, Acorus states that the supervision requirements of the enterprise principally concern the welfare and security of the animals on site. There could be a functional requirement for on site supervision for aspects of the proposed equestrian development. However, this enterprise has not been established and there are no financial records or business plan available. An element of supervision for security of the whole business should be considered. However, there is no established equestrian business and all other on site requirements for out of hours work could be serviced by the existing dwelling, although Acorus states that this would need to be reviewed if the owner was no longer part of the business and the house was unavailable to the business.

If there was a functional requirement for a second dwelling, Acorus accepts that it should be on the farm given its isolated location.

With regards to the financial test, Acorus notes that the business is well established and therefore likely to be profitable, although no accounts or business plans have been available for assessment.

16. **The Trees and Landscape Officer** raises no objections stating that any trees that would be lost are of an insignificant nature.
17. **The Chief Environmental Health Officer** raises no objections.
18. **The Ramblers Association** raises no objections providing the footpath is not obstructed during building works.
19. **The County Footpaths Officer** raises no objections providing informatives are attached to any planning consent to draw the applicant's attention to the need to avoid any obstruction of the footpath and to gain consent to use the footpath for vehicular access to the site.

Representations

20. None

Planning Comments – Key Issues

21. The key issues to consider in the determination of this application relate to:
 - a. The justification for the dwelling;
 - b. The impact of the dwelling upon the countryside.
22. Although the proposed dwelling would replace an existing property, it has been vacant for some years and is also in a poor state of repair. Without further information, it is unclear whether the use of the building has been abandoned and whether it can be brought into habitable use without works requiring planning permission. As such, the application contains insufficient information to demonstrate whether a replacement dwelling on this site would be acceptable in principle. Given this factor, together with the presence of another dwelling on the holding, the application needs to be considered as a proposal for a second agricultural dwelling. Based on Acorus' comments, the proposed dwelling fails to meet the functional and financial tests set out in PPS7 and the erection of a second dwelling to serve the needs of the holding would therefore be contrary to Policies P1/2 of the Structure Plan and HG16 and HG20 of the Local Plan. It appears that a need for a dwelling may arise in the future but the application needs to be, and has been, assessed on the basis of the existing situation.
23. The applicant's agent has argued that the scheme should be supported as the dwelling incorporates energy-efficient methods of construction. However, Policy HG22 makes it clear that this only applies if a proposal would not conflict with other planning policies which is clearly not the case in this instance.
24. The proposal seeks to replace a single storey structure with a two storey dwelling. Due to the open nature of the surrounding landscape and the lack of substantial screening around the site, the proposed dwelling would have a significantly greater visual impact upon the surrounding landscape than the existing structure. In addition, a close boarded fence is proposed around the curtilage of the proposed dwelling and this would be an inappropriate feature in this countryside location. In the absence of any accepted justification for the dwelling based on agricultural need, the increase in the impact of the site upon its surroundings would not be acceptable.
25. The proposal cannot be considered under Policy HG15 of the Local Plan as an unrestricted replacement dwelling in the countryside given that it has not been accompanied by the information referred to in the above paragraph. Even if such justification had been submitted, however, the development would, in any case, be contrary to this policy due to the size and visual impact of the dwelling compared to the existing property.

Recommendation

26. Refusal:

In the absence of any supporting information, it is unclear whether the use of the existing dwelling on the site has been abandoned and whether the building is capable of being occupied as a dwelling without works requiring planning permission. The proposal has therefore been considered as an application for a new (rather than replacement) second agricultural dwelling:

 1. The erection of a second agricultural dwelling to serve the needs of Skippers Hall Farm would not meet the functional and financial tests set out in Planning Policy

Statement 7. Consequently, the development would be contrary to Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 which restricts development, including new housing, in the countryside to that which requires a rural location, Policy HG16 of the South Cambridgeshire Local Plan 2004 which states that agricultural dwellings will only be permitted on well-established agricultural units where it can be demonstrated that there is a clear, existing functional need relating to a full-time worker and Policy HG20 of the 2004 Local Plan which requires a proven essential functional need for and financial justification of new dwellings in the countryside proposed for the on-site security of horses, stabling and ancillary uses.

2. The proposed development would, by virtue of the height and scale of the dwelling together with the erection of a close boarded fence around the curtilage of the property, be a more prominent feature in the landscape than the existing structure. In the absence of any agricultural justification for the dwelling, there is insufficient reason to set aside the harm to the character of the countryside. Consequently, the development would be contrary to Policies EN1 and EN3 of the South Cambridgeshire Local Plan 2004 which state that permission will not be granted for development which, by virtue of its scale, design, layout and landscaping, harms the character of the area.

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

Planning Policy Statement 7 – Sustainable Development in Rural Areas

Cambridgeshire and Peterborough Structure Plan 2003

South Cambridgeshire Local Plan 2004

Planning application references S/2309/05/F and S/1427/04/F

Contact Officer: Lorraine Casey – Senior Planning Assistant
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 1st February 2006
AUTHOR/S: Director of Development Services

S/2317/05/F – Castle Camps
Replacement Dwelling and Garage (Revised Design) (Retrospective Application) at
The Bays, Haverhill Road for C O'Malley

Recommendation: Approval
Date for determination: 30th January 2006

Site and Proposal

1. The application relates to a 0.06 hectare/0.14 acres approximately site on which a new dwelling to replace a dwelling that previously stood on the site has been erected. A new (replacement) 1½ storey dwelling stands to the north. Beyond a track leading to what was a builder's yard to the east, there is a two-storey house to the south.
2. This full application, received on the 5th December 2005, proposes the erection of a 4.7m high to eaves/7.6m high to ridge 6-bedroom dwelling with accommodation provided over three floors, including two bedrooms in the roof space.
3. The proposal is the same as the one approved under reference S/1616/04/F except that it is now proposed to utilise the roof space and, consequently, a second floor dormer window is proposed in the rear roof slope, a small second floor window is proposed in each of the two rear gables and high level windows are proposed in the side roof slopes; and a single storey link is proposed between the double garage and the house.

Planning History

4. Planning permission was granted under reference **S/1616/04/F** for a two-storey 5-bedroom detached dwelling with a detached double garage to the front.
5. A previous application for a two-storey dwelling with linked double garage was withdrawn (**S/0999/04/F**).

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 SE4** states that residential development and redevelopment up to a maximum scheme size of 8 dwellings (and, exceptionally, up to 15 dwellings if this would make the best use of a brownfield site) will be permitted within the village framework of Castle Camps provided that (a) the retention of the site in its present form is not essential to the character of the village; (b) the development would be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours; (c) the village has the necessary infrastructure capacity; and

(d) residential development would not conflict with another policy of the Plan, particularly policy EM8 which relates to the loss of employment sites. It also states that all developments should provide an appropriate mix of dwelling size, type and affordability.

8. Local Plan 2004 **Policy HG10** states that the design and layout of residential schemes should be informed by the wider character and context of the local townscape and landscape.

Consultations

9. **Castle Camps Parish Council** recommends refusal stating “This applicant always builds differently to the approved plans and subsequently gets away with it. It is too late once the building is up. What are the planning department going to do about it? The Council's planning group should look at retrospective planning applications. If permission is 100% granted there is little point in initially presenting a planning application as a retrospective one would be guaranteed not to raise objections and be accepted. I object as I feel this is overshadowing the house next door. In my opinion this applicant gets his way every time and is spoiling our village. An application by this applicant for a house of this size, on this plot, was rejected some months ago. He has now built a house of similar size to that which was rejected and expects to “get away with it”. In my opinion flouting the planning laws with a retrospective application should not be allowed as it makes a mockery of the planning function and control, and is also a “slap in the face” for all those who abide by the rules.”
10. **Environment Agency** raises no objections but makes an advisory comment.

Representations

11. The occupier of Broadways, the property to the south, states that the applicant has gone to some lengths to ensure that the development has no adverse implications for him. He believes that the house that has been built is a fine quality addition to the village and therefore has no objections. He states that it is a pity that the Parish Council has opposed the application without consulting him, the only parishioner directly affected.

Planning Comments – Key Issues

12. The main issue in relation to this application is the impact of the changes compared to the development approved under reference S/1661/04/F on the character and appearance of the area and the amenity of neighbours.
13. I, and Members, can appreciate the Parish Council's concerns about retrospective applications but any application, retrospective or otherwise, must be considered on its merits. In this instance, I do not consider that the addition of the rear dormer, gable windows, rooflights or link between the house and garage would result in serious overlooking or any other harm to the amenity of neighbours or harm the character of the area.
14. The dwelling that has been erected on site does not accord with the plans approved under reference S/1616/04/F. Whilst this application has been described as retrospective, the submitted plans still do not reflect exactly what has been built. For example, whilst the existing dwelling is render over a brick plinth, the plans indicate brick, render and boarding; some windows shown on the plans do not exist, others

are different shapes and there are some existing windows not shown on the plans. Whilst what is shown on the application drawings is considered to be acceptable and there is therefore no reason not to approve the application, the case officer has conveyed these discrepancies to the applicant and suggested that a further application be submitted showing the dwelling as built.

Recommendation

15. Approval

1. Standard Condition A – Time limited permission (Reason A);
2. Sc5a – Details of materials for external walls and roofs (RC 5a(ii));
3. The first floor window in the south/side elevation of the house, hereby permitted, shall be fitted and permanently maintained with obscured glass (RC To safeguard the privacy of the occupiers of the adjacent property, Broadways);
4. No further windows shall be inserted at first or second floor level in the south or north elevations of the house, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf (RC To safeguard the privacy of the occupiers of the adjacent properties, Broadways and Manor House).

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) 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: impact on neighbours and appearance 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/2317/05/F, S/1616/04/F and S/0999/04/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st February 2006
AUTHOR/S:	Director of Development Services	

S/2358/05/F – Bourn
**Erection of Bungalow and Garage following Demolition of Dwelling at Easting Down,
Fox Road for P. Smith**

Recommendation: Approval
Date for Determination: 3rd February 2006

Departure Application

Site and Proposal

1. The application relates to a 0.23 hectare (0.57 acres) approximately site which is currently occupied by a 90 square metre approximately, 4.5m high approximately render and asbestos tile detached bungalow with a part flat roof/part sloping felt roof addition to the side. There is a row of trees adjacent the site's frontage with Fox Road. Currently there is no direct vehicular access to the site.
2. The site is situated amongst a small linear cluster of buildings near the intersection of Fox Road (B1046) with Ermine Street (A1198), outside of the village framework of Bourn. Adjacent the site are modest bungalows to the east, a metal-clad industrial building with a detached outbuildings to the west and fields to the north and south (on the opposite side of Fox Road). The site contains several trees, with a row of conifers situated on the adjacent site, along the property boundary with the existing workshop. The application plan indicates that conifers on the adjacent site, are to be removed.
3. The full application received on 9th December 2005, proposes the erection of a bungalow with front, rear and side gables, measuring 2.5 to the eaves and 5.9m to the ridge above ground level, and 5.65m above floor level. The dwelling would have a footprint of approximately 220 square metres and an internal floor area of 189 square metres. The proposed bungalow is setback 23m from the road frontage. A detached double garage measuring 6.0m x 6.5m x 4.6m high with hipped roof is also proposed. This garage will be setback 11m from the front property boundary.
4. Proposed materials are facing bricks and plain clay pantiles, details of which are to be agreed. A new access direct onto Fox Road is also proposed. The existing dwelling is to be demolished.

Planning History

5. Planning application **S/0311/02/F** for the erection of a replacement dwelling was withdrawn prior to determination.
6. Planning application **S/0315/03/F** for a replacement dwelling and garage/workshop/store was refused on 12th May 2003 on the grounds of being "seriously detrimental to the visual amenities of the countryside...".

7. Planning application **S/1581/03/F** for a replacement dwelling was approved on 11th September 2003. The replacement dwelling was of chalet-style with an eaves and ridge height of 2.5m and 7.2m respectively. The replacement dwelling had a footprint of approximately 132m², and an external floorarea of 196m² spread over two levels of accommodation. The approved application was subsequently amended to reduce the size of the plot and exclude existing outbuildings. This planning application has not been implemented to date.
8. Planning application **S/1928/05/F** for the erection of a bungalow and garage following demolition of the existing dwelling was received on 10th October 2005 and withdrawn on 18th November 2005. The current application differs from this earlier application in relation to the setback of the bungalow and garage from the road frontage and a reduction in the height of the double garage.

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 **5/5** of the Country 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.
12. Policy **SE8** of the South Cambridgeshire Local Plan ("The Local Plan") states that residential development outside village frameworks will not be permitted.
13. Policy **HG15** of the Local Plan outlines that proposals for the replacement of dwellings in the countryside will be permitted where:

 “(1) the proposed replacement dwelling is in scale and character with the dwelling it is intended to replace; and
 (2) the proposed replacement dwelling would not materially increase the impact of the site on the surrounding countryside”.
14. Policy **EN5** of the Local Plan requires trees, hedges and woodland and other natural features to be retained wherever possible in proposals for new development.

Draft Local Development Framework

15. Development Control Policy **HG/7** (2006) largely repeats the contents of Policy **HG15** in the current plan. However it explicitly states in the policy itself (as opposed to the supporting text) that “The District Council will permit one-for-one replacement of dwellings in the countryside subject to the requirements of the General Permitted Development Order (i.e. a maximum enlargement of **15%** of volume) and the need to provide satisfactory internal layout of amenities...”

Consultation

16. **Bourn Parish Council** – No response received at time of writing agenda report. Response to be verbally reported. It is noted that the Parish Council recommended the approval of the previous planning application.
17. **Environment Agency** – No response received at time of writing agenda report. Response to be verbally reported. It is noted that the Environment Agency raised no objection to the previous planning application, but did recommend comments by way of informatives.
18. **Trees and Landscape Officer** – No response received at time of writing agenda report. Response to be verbally reported. It is noted that this officer recommended the approval of the previous planning application, subject to conditions of consent.
19. **Chief Environmental Health Officer** – No objection, but recommends the use of informatives in the event that the application is approved.

Representations

20. None received

Planning Comments – Key Issues

21. The key issue for consideration is whether the proposed bungalow and garage would result in harm to the visual amenities of the surrounding countryside, taking into account the previous planning permission on the site. Other important considerations are whether the proposal would adversely affect the residential amenities of the adjacent dwelling or harm the visual amenities of the streetscene.

Visual Impact on Countryside and Streetscene

22. As referred to above, planning permission was given on 11 September 2003 for the erection of a replacement dwelling in this countryside location, which was significantly larger than the existing bungalow. As such, the principle of a larger dwelling on this site than that which accords with current planning policies, has been previously established. This proposal resulted in an approximately 117% increase in the external floorarea of the existing bungalow (from 90 to 196sqm²), 91% increase in volume (323 to 624 cm³) and 2.7m increase in height (from 4.5m to 7.2m).
23. Whilst the current proposal further increases the external floorspace of the replacement dwelling to approximately 144% (from 90 to 220sqm²) and volume to approximately 183% (from 325 to 922 cm³) over the original dwelling, the proposal involves a significant reduction in the height of the dwelling (from 7.2m to 5.9m) and is more compatible in design and appearance with adjacent bungalows than the previous approval. On balance, the proposed replacement dwelling is considered to create no additional harm on the visual amenities of the countryside.
24. The implementation of the current application would inhibit the implementation of the previous planning consent, as the footprint of both dwellings partially overlap.
25. The proposed front garage is setback 11m from the front property boundary and will be partially screened by existing trees along the road frontage. This garage is considered to be of acceptable design and appearance for this rural location, and will not harm the visual amenities of the adjacent countryside or streetscene.

Impact on Amenities of Adjacent Landowners

26. I am of the view that the proposal will not seriously harm the amenities of occupants of the adjacent dwelling or commercial premise.
27. Having regard to the planning history on the site and the reduction in height of the proposed bungalow compared with the approved and extant scheme, it is considered that the application need not be referred to the Secretary of State.

Recommendation

28. Approve

Recommended Conditions of Consent

1. SCA – 3 years.
2. Sc5a – Details of materials for external walls and roofs (Rc5aii).
3. Details of boundary treatment. (Reason: to ensure that boundary features are appropriate to the rural setting of the site.).
4. SC21 – Withdrawal of Permitted Development Rights – a) Part 1 (Development within the curtilage of a Dwellinghouse – Parts A, B, C and D).
(Reason: The dwelling hereby permitted is in the countryside and in accordance with policy HG15 of the South Cambridgeshire Local Plan 2004, the Local Planning Authority would wish to ensure that any future external additions are in scale and character with the existing dwelling.)
5. The existing bungalow shall be demolished no later than within three months of the dwelling hereby approved, being occupied.
(Reason: to maintain one dwelling on the site in accordance with countryside Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003.)
6. Sc51 – Landscaping (Rc51).
7. Sc52 – Implementation of landscaping (Rc52).
8. SC56 – protection of frontage trees during construction. (Rc56).

Informatives

1. Reasons for Approval

Although the proposed bungalow is not in scale and character with the dwelling it is intended to replace contrary to Policy HG15 of the South Cambridgeshire Local Plan 2004, it is considered that there are material considerations which warrant the granting of consent. These material considerations include the previous planning permission for a chalet style dwelling on the site providing two levels of accommodation, the reduction in the height of proposed bungalow compared to the dwelling previously approved and improved compatibility in design and appearance of the proposed bungalow to existing bungalows within the vicinity, compared to the dwelling previously approved.

2. Environment Agency Informatives

Regarding the use of soakaways and details of surface water drainage.

3. Environmental Health Informatives

- (a) During demolition and 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.
- (b) 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:

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Local Development Framework, Development Control Policies, Development Plan Document, Submission Draft 2006
- Planning File Refs: S/2538/05/F, S/1928/05/F, S/1581/03/F, S/0315/03/F and S/0311/02/F

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

REPORT TO:	Development and Conservation Control Committee	1 st February 2006
AUTHOR/S:	Director of Development Services	

**S/2327/05/F- Highfields Caldecote
New Dwelling on Land to the Rear of 53 Highfields Road for S. Chalmers**

**Recommendation: Approval
Date for Determination: 31st January 2006**

Members of Committee will visit this site on Monday 30th January 2006.

Site and Proposal

1. This application, received on 6th December 2005, proposes the erection of a one and a half storey dwelling, with some accommodation in the roof, on 0.028 hectares of land to the rear of 53 Highfields Road, Caldecote. A supporting statement accompanies the application.
2. The application site is backland in nature, and currently comprises an area of overgrown vegetation together with a 1.5 metre high fence that runs alongside the site. The site includes an access route to the rear of the existing dwelling at 53 Highfields Road, some 61 metres in length and 5.3 to 5.8 metres in width.
3. The current proposals are a re-submission of a previous application refused under delegated powers in October 2005 under LPA reference S/1565/05/F.
4. A number of changes have been incorporated into the current scheme, which are considered later in this report.

Planning History

5. **S/1565/05/F** - Erection of one dwelling on land to rear of 53 Highfields Road, Caldecote. This application was refused under delegated powers for the following reasons:
 1. The proposed site for a new detached two-storey dwelling is unacceptable as it would overcrowd the plot and would result in a dwelling being positioned very close to site boundaries, resulting in overlooking a number of neighbouring properties and being very overbearing in nature. The proposal would be a cramped form of development, out of character with the adjoining residential plots and, therefore, contrary to Policy HG11 of the South Cambridgeshire Local Plan 2004 relating to backland development and Policy SE4 of the Local Plan relating to village character and the amenity of neighbours.
 2. The proposed access arrangements and turning facilities would be likely to create noise and other disturbance to immediate neighbours, which is contrary to Policy HG11 of the South Cambridgeshire Local Plan 2004.
6. A Tree Preservation Order was served on 14th October 2005 under reference 14/05/SC in relation to the horse chestnut located on the application site north west boundary.

Planning Policy

National Policy

7. **Planning Policy Guidance Note 3**, “Housing”, advocates making more efficient use of land, whilst at the same time ensuring that the quality of the environment is protected. Considerations of design and layout should be informed by the wider context and development should be designed sympathetically and laid out in keeping with the character of the village.

Cambridgeshire and Peterborough Structure Plan 2003:

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

South Cambridgeshire Local Plan 2004:

9. **Policy SE4** of the South Cambridgeshire Local Plan identifies Caldecote as a Group Village in which residential development and redevelopment up to a maximum scheme size of 8 dwellings will be permitted provided that:
 - a) The retention of the site in its present form is not essential to the character of the village.
 - b) The development would be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours.
 - c) The village has the necessary infrastructure capacity.
 - d) Residential development would not conflict with any other policy of the Plan, particularly **Policy EM8** (loss of employment sites).
10. **Policy SE8** of the Local Plan states that there will be a presumption in favour of residential development within village frameworks where this is in accordance with policies SE2, SE3, SE4 and SE5. Residential development outside these frameworks will not be permitted.
11. **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.

Consultations

12. **Caldecote Parish Council** recommends refusal of the proposals on the grounds of overdevelopment of the site and concerns over drainage and surface water run off.

The Parish Council considers that this form of backland development is undesirable and out of keeping with the linear pattern of development and therefore contrary to Policy P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4 (b) and HG11 (4) of the South Cambridgeshire Local Plan 2004.

The proposals would be detrimental to existing and future occupiers of the adjoining properties by vehicular access along the proposed narrow access driveway. The proposal is therefore contrary to Policy SE4(b) and HG11 of the South Cambridgeshire Local Plan 2004. Access should not be allowed to increase risks. Should the development gain approval, conditions should be applied on the following during construction:

- a) "No work should be carried out before 8am and should finish by 6pm. (1pm Saturdays).
 - b) No work on Sundays or Bank holidays.
 - c) Any spoil removed should not be used to raise ground levels and create neighbouring flood problems.
 - d) Site traffic should be diverted away from existing roads if possible, roads if used should be kept free of mud and if necessary regularly swept. Wheel washing facilities should be used.
 - e) Parking and site compounds should be provided to ensure that disturbance to nearby properties is kept to a minimum.
 - f) Planting plans should be agreed before any construction is started to ensure existing planting is preserved if possible.
 - g) Drainage tributary should be reinstated.
 - h) Wildlife, all development should make due consideration of problems associated with wildlife disturbance.
 - i) Observation of the Crime and Disorder Act Section 17.
 - j) Any construction should specify good quality materials."
13. **Landscape Officer** - In order to achieve the construction the verge should be extended and the area left undisturbed. The horse chestnut (now the subject of a Tree Preservation Order) is a good quality tree and should be protected by means of a "no dig" condition in relation to the adjacent driveway and turning area.
14. **Environment Agency** states that the Council should respond on behalf of the Agency in relation to flood risk and surface water drainage issues. In view of the local geology (boulder clay), soakaways may not prove satisfactory in this location. A number of local developments have installed 'surface water harvesting systems' to overcome this difficulty.
15. **Building Control** - Inspector does not object.

Representations

16. The owners of number 81 West Drive object to the proposals. They state that although efforts have been made to address the objections raised against the previous proposal, the current proposal would still result in an unacceptable loss of privacy from the upper storey of the proposed dwelling, and that a single-storey dwelling would be more appropriate. In addition, they would like to see the weeping willow preserved, as it is a valuable element in the local environment.
17. The owners of 81 A West Drive object to the proposals, and comment that, whilst the contents of the previous letter in relation to the refused application still stand, there are a number of new issues that the current application raises. The current proposal is further detrimental to the privacy of number 81A, with the increased number and

size of windows and doors having close and direct views into their garden, rear bedrooms, kitchen and living room. In relation to the access, it is suggested that the developer be asked to create an access route directly onto Highfields Road, through property he already owns. In addition, a number of elements in the supporting statement are refuted.

18. The owners of number 79 West Drive object to the proposals and comment that the north west facing upper floor windows overlook this property (garden and bedroom windows), resulting in a loss of privacy. The proposed access drive of around 60 metres runs adjacent and parallel to the entire length of the south west boundary of number 79. All of the windows on this property face the south west, and there are concerns that there will be noise and other disturbance caused by movement of vehicles along this driveway, especially to the two bedroom windows that face the proposed driveway. The location of the proposed dwelling is not in keeping with the prevailing development in this part of West Drive that is characterised by houses built in a more-or-less linear arrangement, separated by substantial plots. In addition, the site plan incorrectly shows the south east boundary of the proposed dwelling with number 79, giving the impression that the position of the proposed dwelling is further from the boundaries of surrounding properties than would be the case.
19. The owners of number 59 Highfields Road object to the proposal, and state that the new number 53 Highfields Road has not been completed to the original planning permission conditions e.g. Boundary changes and drainage facilities. Since the building of number 53, numbers 59 and others in the vicinity have been subjected to a flooding problem. The main ditch linking to the front drain has been filled in and no other provision for the removal of surface water has been made. It is requested that no further building work be carried out until this has been resolved. The application site has been cleared of all trees and hedges and is being used as a rubbish tip, resulting in vermin problems. The proposed house is two-storey and will clearly be obtrusive and overbearing to neighbouring properties. A single storey proposal would be more sympathetic and in keeping with neighbouring properties. Adequate screening will be necessary to minimise noise, intrusion and loss of quality of life to neighbouring properties. The applicant has shown a continual failure in his duty of care to neighbouring properties.
20. The owners of number 57 Highfields Road object to the proposed development on the following grounds:
 - a) Loss of sunlight.
 - b) Drainage problems (the applicant has already filled in a natural ditch alongside number 53 by erecting a fence in it).
 - c) Density of development, boundaries and size (the boundaries of number 53 have been changed without permission); the proposal represents overdevelopment of the site; the plans are not drawn to scale and exaggerate the distance from the boundary of number 57 to the application site.
 - d) Traffic noise/driveway access (the access driveway will result in traffic noise/movement and disruption alongside the existing garden of number 57). In addition the narrow driveway may provide insufficient access for emergency services.
 - e) Unsold properties in Caldecote (there are a number of unsold properties in the village, including number 53. It is believed that there is no need in the village for housing).
 - f) An independent report from Withers Thomas was drawn up in relation to the previous application. Whilst the current application removes the windows

overlooking number 57, the footprint of the house remains the same and the proposals do not eliminate the concerns of overdevelopment and the density of development on the site.

21. The comments of the Agent on the concerns of residents have been received and are attached at Appendix 1.

Planning Comments – Key Issues

Amendments from the previous scheme

22. The applicant's supporting statement states that a number of amendments have been made to the previous proposals which include:
- a) Elimination of the possibility of overlooking towards Highfields Road by using velux style windows in the roof or obscure glazing.
 - b) Minimisation of the massing of the proposed dwelling through orientating the ridge to run parallel with Highfields Road, and hipping the gables.
 - c) Reducing the footprint of the proposed dwelling.
 - d) Reflection of the predominant local vernacular, by proposing brick facing rather than render.

Impact on adjoining residential amenity

23. A number of objection letters have been received in relation to these application proposals, which have dealt with a range of issues (see above).
24. At the present time, number 53 Highfields Road is a recently completed new dwelling. Numbers 51 Highfields Road and 79 West Drive are bungalows, whilst 81A West Drive is a two-storey dwelling. There is a large willow tree which provides partial screening between the application site and number 81A West Drive.
25. In relation to the overlooking of existing residential properties close to the application site, the current proposals have taken account of previous concerns and the windows of the proposed dwelling have been moved. This revised proposal does not result in overlooking to the same extent as the previous application, thus reducing the overlooking and overbearing impact that the previous proposal created.
26. It is considered that the current proposals represent a material improvement in terms of design and orientation.

Visual impact

27. The previous application was refused on the grounds that it would result in the overcrowding of the plot and would be sited very close to adjacent boundaries.
28. The current application has been reduced in terms of its footprint on the site in comparison with the previous application. The earlier scheme proposed a footprint of approximately 114 square metres, whilst the current application proposes approximately 105 square metres. The design and orientation of the proposed dwelling has been improved in comparison with the previous proposal.
29. The existing willow tree and horse chestnut are to be retained on the application site.

Access arrangements

30. There have been some concerns over the access arrangements to the proposed new dwelling, especially in relation to the impact upon number 79 West Drive. This bungalow has bedroom windows and a conservatory facing the proposed access to the new dwelling.
31. I am of the opinion that the access route to the site would not have a detrimental effect upon this existing property provided that a suitable surface material can be agreed for this access. In addition, acoustic fencing should be erected between the proposed access drive and 79 West Drive.
32. As only one new dwelling is proposed on the application site, traffic generation is likely to be in the region of around eight vehicle movements per day. I do not believe that this will lead to significant material noise or disturbance to adjacent occupiers provided that appropriate surfaces and fencing are provided.

Conclusions

33. In conclusion, I consider that this revised application should be approved as it is sited and designed so as to minimise the impact on neighbouring properties.

Recommendation

34. Approve, subject to conditions
 1. Standard Condition A – Time limited permission (Reason A);
 2. Sc5a – Details of materials for external walls and roofs (Rc5aii);
 3. Sc51 – Landscaping (Rc51);
 4. Sc52 – Implementation of landscaping (Rc52);
 5. Sc60 – Details of boundary treatment (Rc60);
 6. Sc5f – Details of materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas (Reason – To minimise disturbance to adjoining residents);
 7. Surface water drainage details. (RC5(b));
 8. Foul water drainage details. (RC5(c));
 9. Restriction of hours of use of power operated machinery during the period of construction. (Reason - To minimise noise to adjoining residents during the construction period);
 10. Acoustic fencing to be used along sensitive boundaries (Reason - To minimise disturbance to adjoining residents);
 11. Protection of horse chestnut tree by no-dig construction. (Reason - To ensure retention of the horse chestnut tree).

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 (List of Group Villages),
SE8 (Village Frameworks),
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:
 - Residential amenity including noise disturbance and overlooking issues
 - Visual impact of the proposal on the locality

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Files reference S/1565/05/F and S/2327/05/F

Contact Officer: Area Team 3

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st February 2006
AUTHOR/S:	Director of Development Services	

S/2377/05/F – Kingston
Extension to Bungalow to Form 2 Storey Dwelling at Orchard End, Church Lane
for M Steele

Recommendation: Refusal
Date for Determination: 7th February 2006

Members of Committee will visit this site on Monday 30th January 2006.

Conservation Area

Site and Proposal

1. The site, located on a raised site within the Kingston Conservation Area and immediately adjacent to the village framework boundary, consists of an existing single storey dwelling and linked flat roof garage. The ridge of the existing dwelling, measuring approximately 4.9m high, runs parallel with the front boundary with the property. The neighbouring dwelling to the south-east of the application site is the Grade II listed Dovecote. Located slightly further away, to the west, is the Grade II listed Moat House Farm. The land immediately adjacent to Church Lane, to the south of the application site, is identified as being an important countryside frontage in the South Cambridgeshire Local Plan 2004. To the rear of the site, to the north, is located an area of orchard/paddock/fields and part of the rear garden serving the dwelling at Walkers Field.
2. This full application, registered on 13th December 2005, seeks permission to erect extensions to the existing bungalow to form a two storey dwelling, measuring 8 metres to the ridge, and featuring a gable facing onto Church Lane. The application also seeks to erect a single pitched roof garage, located along the shared boundary with the listed Dovecote.

Planning History

3. No relevant history.

Planning Policy

4. The existing dwelling at Orchard End is located within the village framework for Kingston, which partially cuts through the rear garden that serves the dwelling. It is also located within the Kingston Conservation Area and immediately adjacent to two listed buildings and an important countryside frontage.
5. Policy **P7/6** of the Cambridgeshire and Peterborough Structure Plan 2003 states that Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.

6. Policy **SE9** of the South Cambridgeshire Local Plan 2004 states that Development on the edges of villages should be sympathetically designed and landscaped to minimise the impact of development on the countryside.
7. Policy **SE11** of the South Cambridgeshire Local Plan 2004 states that Important Countryside Frontages (ICFs) are defined within village framework boundaries in order to identify frontages to land with a strong countryside character which either (a) penetrates or sweeps into the built-up area of a settlement so as to provide a significant connection between the village street scene and the surrounding rural area or (b) provides an important rural break between two nearby but detached parts of a village framework. Proposals for development along or behind such ICFs will be strongly resisted if they would compromise either of these purposes.
8. Policy **HG12** of the South Cambridgeshire Local Plan 2004 states that planning permission for the extension and alteration of dwellings will not be permitted where: (1) the design and use of materials would not be in keeping with local characteristics; (2) the proposal would harm seriously the amenities of neighbours through undue loss of light or privacy, being unduly overbearing in terms of its mass, or would adversely affect surrounding properties by virtue of its design, layout, location or materials; (3) there would be an unacceptable loss of off-street parking or garden space within the curtilage; (4) there would be an unacceptable visual impact upon the street scene; (5) boundary treatment would provide an unacceptable standard of privacy and visual amenity.
9. Policy **EN28** of the South Cambridgeshire Local Plan 2004 states that the District Council will resist and refuse applications which: (1) would dominate the Listed Building or its curtilage buildings in scale, form, massing or appearance; (2) would damage the setting, well-being or attractiveness of a Listed Building; (3) would harm the visual relationship between the building and its formal or natural landscape surroundings; (4) would damage archaeological remains of importance unless some exceptional, overriding need can be demonstrated, in which case conditions may be applied to protect particular features or aspects of the building and its setting.
10. Policy **EN30** of the South Cambridgeshire Local Plan 2004 states that proposals will be expected to preserve or enhance the special character and appearance of Conservation Areas especially in terms of their scale, massing, roof materials and wall materials. The District Council will refuse permission for schemes which do not specify traditional local materials and details and which do not fit comfortably into their context.

Consultation

11. **Kingston Parish Council** recommends that the application is approved (no comments).
12. **SCDC Conservation Officer** recommends refusal of the current proposals and states "Orchard End is a modest bungalow of no particular architectural merit that occupies an important site in Kingston, being located between two listed buildings (the Dovecote immediately to the east and Moat House Farm slightly further away to the west). The site is visually prominent, being visible across the fields in front of the property.
13. Last year I was asked to comment on proposals to demolish the bungalow and replace it with a new dwelling. Although those proposals were different to the current proposals, the end result is much the same and the comments I made last year are

therefore equally relevant to the current proposals. It is apparent that the current proposal is contrary to the advice given last year, in that it will significantly increase the visual impact of the existing building, with a very prominent gable facing the lane which would vie for attention with the two adjacent listed buildings. The style of architectural treatment adopted is also not relevant to the Kingston Conservation area.”

Representations

14. The following comments have been received from the owner/occupiers of **South Sea House, Bourne Road; Dovecot, Walkers Field and Moat House, Church Lane; Meadowland, Rectory Lane; and 1 Field Row, Kingston:**
- a. A sympathetic design approach.
 - b. Largely used the existing footprint – environmentally friendly and will cause minimum disturbance.
 - c. Will create valuable interest and character – current bungalow detracts from area, poor design.
 - d. Alternative approach to adjacent sites – would not wish to see extension with rows of rooflights.
 - e. Modern design – sits comfortably between the Manor House and Dovecote.
 - f. Improves appearance of property.
 - g. Would prefer status quo – however appreciate need to improve and enlarge existing bungalow. Do not consider plans an adverse impact.
15. The **agent** for the scheme has submitted further representations, dated 3rd January 2006, in response to the Conservation Officer’s comments by stating that “I assure you that I do understand your concerns but am not totally convinced that our proposals are without merit in their own right.”

Planning Comments – Key Issues

16. The key issues to consider in the determination of this application relate to:
- a. The impact of the development upon the amenity of nearby dwellings;
 - b. The impact on the setting of the two adjacent listed buildings; and
 - c. The visual impact of the development upon the character and setting of the Conservation Area.

The impact of the development upon the amenity of nearby dwellings

17. The proposed extensions, by virtue of their design, would not unduly impact on the amenities of the adjacent dwellings either by loss of light, privacy or overbearing impact. The proposal has been designed so that, although the dwelling increases by approximately 3.1m at ridge height, the bulk of the overall dwelling is kept away from any shared boundaries. Furthermore the development appears to have been careful to avoid any windows at first floor in either side elevation or rear elevation that would facilitate direct overlooking into the private amenity areas serving the dwellings at Dovecote and Manor House Farm.

The impact on the setting of the two adjacent listed buildings and the visual impact upon the character and setting of the Conservation Area

18. As described by the Authority's Conservation Officer, the application site is located on prominent, marginally raised land that is viewed within the village across the adjacent fields to the south of the site. The proposed development features a tall, wide span gable facing onto Church Lane. By contrast the existing dwelling is a modest property, whose ridge runs parallel to the lane. By virtue of the proportions of the proposed front elevation, and particularly the bulk of the gable feature, the development would significantly increase the impact of the site in the Conservation Area and would therefore also draw attention from the adjacent listed buildings, harming the visual relationship between the listed buildings and their surroundings
19. Furthermore, although it is accepted that a number of dwellings in the vicinity have been the subject of roof conversions which have been facilitated by the use of rooflights, none has increased the impact of the site to the extent that the current proposals would. The design proposed is not a feature that would be traditionally seen in a South Cambridgeshire village and although the materials proposed are of a good quality they would not serve to significantly lessen the overall impact of the proposal in the street scene.

Recommendation

20. Refusal

Reasons for Recommendation

The proposed extension to the bungalow to form a two storey dwelling, by virtue of its design, location, scale and form, would damage the setting of the Grade II listed Dovecote and Manor House Farm buildings located adjacent to the site. Furthermore it would neither preserve nor enhance the setting of the Conservation Area. The proposed extension is therefore considered contrary to Policy P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies HG12, EN28 and EN30 of the South Cambridgeshire Local Plan 2004.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Ref: S/2377/05/F

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st February 2006
AUTHOR/S:	Director of Development Services	

**S/2322/05/F- Comberton
Replacement Dwelling at 14 Green End
for Warmwell Homes Ltd**

**Recommendation: Approval
Date for Determination: 31st January 2006**

Site and Proposal

1. This application, received on 6th December 2005, proposes the erection of a two-storey dwelling as a replacement for the existing bungalow on a 0.3 hectare plot with a frontage of 38 metres and a depth of approximately 170 metres.
2. 14 Green End is one of five bungalows built immediately to the north of the village hall. The existing bungalow is of pre-fabricated construction and clearly in need of significant repair, being fenced off with the windows boarded up.
3. The existing bungalow is sited approximately 22 metres from the site frontage and has a length of approximately 11.8 metres. The footprint of the existing bungalow is 78.515 square metres. The proposed new dwelling is to be sited 17.8 metres from the frontage, has a length of 12.2 metres and a footprint of approximately 160 square metres.
4. The current proposals are a re-submission of a previous application refused in October 2005 under reference S/1520/05/F. A number of minor changes have been incorporated into the current proposals, which are considered later in this report. The density remains 3 dwellings per hectare.

Planning History

5. **S/1515/05/O-** Two dwellings and garages following demolition of existing dwelling. This was refused under officer delegated powers in September 2005. An appeal is pending.
6. **S/1520/05/F-** One dwelling and garage following demolition of existing dwelling. This was refused at Committee by notice dated 6th October 2005, following a site visit. There were two reasons for refusal, as follows:
 1. The proposed house would be contrary to Policy SE4 of the South Cambridgeshire Local Plan 2004 in that the size, height, bulk and extent across the width of the site would not be in character with the spacious setting of adjoining houses to the north of the site; consequently the proposal would not be sensitive to the character of this part of the village.
 2. The height, bulk and siting of the proposed house close to the north boundary of the site would appear dominant in the outlook from the south facing windows of number 16 Green End and would cause overshadowing and a reduction in light to

that property, contrary to Policy SE4 of the Local Plan 2004, which aims to ensure that development is sensitive to the amenities of neighbours.

An appeal is pending.

7. A tree preservation order covers the existing walnut, horse chestnut and hornbeam on the site (**reference 12/05/SC**).

Planning Policy

Cambridgeshire and Peterborough Structure Plan:

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

South Cambridgeshire Local Plan:

9. Policy **SE4** of the South Cambridgeshire Local Plan identifies Comberton as a Group Village in which residential development and redevelopment up to a maximum scheme size of 8 dwellings will be permitted provided that:
 - a) The retention of the site in its present form is not essential to the character of the village
 - b) The development would be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours
 - c) The village has the necessary infrastructure capacity
 - d) Residential development would not conflict with any other policy of the Plan, particularly Policy **EM8** (loss of employment sites)
10. 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.
11. Policy **HG10** of the Local Plan states that the design and layout of residential development should be informed by the wider context of the local townscape and landscape.
12. Policy **EN6** of the Local Plan explains that the District Council will make orders and notices to protect trees and hedges where it considers that they contribute to local amenity or have visual or historical significance.
13. **Planning Policy Guidance (PPG) 3**, "Housing", advocates making more efficient use of land, while at the same time ensuring that the quality of the environment is protected. Considerations of design and layout should be informed by the wider context and development should be designed sympathetically and laid out in keeping with the character of the village.

Consultations

14. **Comberton Parish Council** recommends refusal on the following grounds:
- a) The proposed dwelling is too big to be in keeping with the plot compared to other houses on Green End and their plots.
 - b) The proposed dwelling is too big compared to the bungalow it replaces.
 - c) Disapprove of the suggestion of laurel for the hedge (fast growing and non-compostable and similar hedges have encroached on pathways elsewhere along Green End).
 - d) The proposed dwelling is two storeys high, thus overshadowing neighbouring properties (would prefer 1.5 storeys at the most). Notes that the sun direction shown on the plan is incorrect.
 - e) The proposed dwelling is very wide for the plot it is to be built on

The Parish Council does agree that the land must be developed, however they feel that the current application makes inconsequential changes compared to the previous application.

15. **Chief Environmental Health Officer** recommended two informatives to be added to any approval regarding the demolition of the existing property.

Representations

16. The occupiers of No.12 Green End object on the following grounds:
- a) The proposed dwelling is extremely large, which is not in keeping with the other houses on Green End.
 - b) There would be a loss of privacy to No12 as the upper windows would overlook the garden.
 - c) Unable to see any major changes compared with the previous proposals.
17. The occupiers of No.16 Green End object on the following grounds:
- a) A building of this scale and style is inappropriate for this site. The proposed building would significantly overshadow, overlook and dominate the outlook of adjacent houses. The style is inappropriate for the area.
 - b) The new plan appears to have reduced the ridge height by less than 0.3 metre (approximately 3.5%). The style, floorplan and positioning on the site are similar to the earlier application. The new application indicates that the proposed house would not significantly reduce sunlight to the house immediately to its south - this is incorrect.
 - c) The proposed house would cause severe outlook problems and a massive barrier to light.
 - d) A reduction of 200-300mm from the original proposal has a very small benefit compared with the original submission.
 - e) The increased width of the eastern (rear) 'wing' would make things even worse than the previous application.
 - f) The reduction in height is a virtually insignificant improvement.

- g) The applicant assumes that the 'bay window is not the primary window to the lounge' - but it is on the south side, so his assumption is incorrect.
 - h) The proposed application would significantly overlook and overshadow many of the other existing windows of number 16 Green End that have a southern and eastern outlook, as well as the garden area. This is not the case at the present.
 - i) The revised plans have not taken into consideration any of the previous reasons for refusal. The new submission does not address the deficiencies identified with the previous submission.
18. The occupiers of No.18 Green End object on the following grounds:
- a) The overall size of the dwelling appears to have not been reduced, but is still extremely large for the site. It will still overpower numbers 12 and 16 Green End.
 - b) The height of the proposed dwelling has only been reduced very slightly. The front gable on the western elevation has not been reduced in height and the roof ridge has only been lowered by 200 mm. the eaves on the southern elevation have only been reduced very slightly.
 - c) The 'neo-classical' design style remains aesthetically inappropriate.
 - d) The applicant still proposes to use laurel for hedging and plant two ash trees in the front garden. The wisdom and suitability of these plantings are questioned.
 - e) The floor area of the proposed dwelling has increased in size.
 - f) Believe that the proposed dwelling is still too large for the site and the size, height and bulk are out of character with the adjoining and nearby properties. The scale and design of the proposed house is not sensitive to the character of this part of the village.
19. The occupiers of No. 29 Green End object on the following grounds:
- a) The revised plans contain no substantive revisions, and do not meet the issues raised in the rejection of the original plans.
 - b) The height and bulk of the proposed house are still too large for this site. The revised plans show a reduction in roof height of 20cm, a trivial change given the overall mass of the house. The northern elevation is particularly severe.
 - c) The proposed building is too broad and too deep for the plot, currently occupied by a single storey building matching number 12 Green End. The increased footprint is too great.
 - d) It is regrettable that the architect has not sought to reflect the listed building opposite (number 19 Green End). The proposed dwelling is non-descript and fails to respect the built character of Comberton, particularly the adjacent Conservation Area.
 - e) The architect appears to have made little effort to address the problems with the original proposals.
20. The occupiers of No. 29 Hines Lane object on the following grounds:
- a) The application is virtually indistinguishable from its predecessor, and thus the grounds for the previous refusal hold true for the new application.
 - b) The proposals are dull, unoriginal and eco-unfriendly in design.

- c) The plot could contain an imaginative, low-rooflined, architecturally inspired and environmentally friendly dwelling.
- d) The back garden could be used for the installation of a ground-source heat pump, the south aspect could include solar PV panels and glass for passive solar heating, following a model of carbon neutrality.

Planning Comments – Key Issues

- 21. The site is located within the village framework where there is a presumption in favour of residential development. It is worth noting that the site is located on an edge of the village and is adjacent to the Green Belt.
- 22. The proposal therefore needs to be assessed against criteria in Policy P1/3 of the Structure Plan, and Policies SE4, SE9 and HG10 of the Local Plan.

Amendments to the previous application

- 23. Under reference S/1520/05/F planning permission was refused for the erection of one dwelling on the application site in a decision notice dated 6th October 2005.
- 24. Following this refusal the applicants met with an officer on site to discuss potential amendments to the scheme.
- 25. The modifications to the current scheme are predominantly the lowering of the eaves, which in turn lowers the ridge (approximately 30 cm). The footprint of the building and its position on the site remain similar to the previous proposal. The revised proposals for the dwelling on the site include the repositioning of the en-suite in the master bedroom on the first floor, together with a decrease of the width of the family room on the ground floor (approximately 45 cm). However, there is an increase in the length of both the proposed family room and master bedroom by approximately 78.8 cm.

Impact on adjoining properties

- 26. Adjacent properties are modest in size and design, nearly all with long back gardens resulting in a lower density of development than seen in other villages in South Cambridgeshire.
- 27. In terms of existing boundaries to the site, there is a fence to the north, whilst to the south there is an existing hedge together with overgrown vegetation (approximately 1.5 metres high). To the rear of the property, which fronts onto the Recreation Ground, there is no formal boundary but overgrown vegetation and a mature tree (approximately 6 metres high). There are at least four large trees located to the rear of the site.
- 28. Adjacent dwellings have some views into the application site. Number 12 Green End (which lies approximately 1 metre from the application site's boundary fence) has a partial view into the existing rear garden. Number 16 Green End (which lies approximately 2 metres from the application site's boundary) can view the current site through breaks in the existing vegetation.
- 29. In terms of the proposed new dwelling, provided that a landscaping scheme is agreed, which can revise the species shown on the site plan, there would not be significant amenity issues arising from this proposal regarding the immediate neighbours. There are no overlooking first floor windows on either side elevation.

Two rooflights on the north elevation would serve a bathroom and en-suite and would have a sill height of at least 1.7 metres above floor level.

30. A street elevation drawing has been submitted with the application plotting the line of daylight and sunlight, in accordance with the Building Research Establishment Guide to Good Practice. The applicants state that they have plotted the line of daylight/sunlight as the lounge of the adjoining property has windows directly into the rear garden from the lounge, and that it is not considered that the bay window is the primary window to the lounge. The supporting letter notes that in any case, the proposed new dwelling is not interfering with the line of daylight/sunlight, and that the previous proposals that were refused did not interfere with daylight/sunlight either.
31. It is considered that the proposed dwelling would not cause overlooking or overshadowing sufficient to warrant a refusal of the application.

Character and appearance of the area

32. The site is not within the Conservation Area. The Listed Building at No. 19 Green End opposite is set back from the street. The immediate locality is not noted for any particular streetscape value and no other restraint policies apply.
33. The character of the immediate area is of fairly large plots along Green End, with a mix of bungalow and two-storey dwellings in terms of size, design and materials. In this part of Comberton plots remain with undeveloped back gardens, backing onto the Green Belt.
34. It is not considered that the proposed dwelling would be too large or out of character with the immediate surroundings. There are a mix of dwellings on either side of the appeal site, for example number 12 Green End is a bungalow and number 16 a two-storey dwelling.
35. In conclusion it is considered that the proposed dwelling can be accommodated on the site without being overbearing, without overlooking or overshadowing of existing adjacent properties and reflecting the character and mixed appearance of the area.

Other Issues

36. Comments have been made regarding the landscaping to the site. The Parish Council and neighbours at 18 Green End object to the use of laurel for the hedge.
37. This issue can be addressed via the submission and consideration of a detailed landscape scheme required by a condition of any approval in the normal way.

Recommendation

38. Approve, subject to the following conditions:
 1. Standard Condition A – Time limited permission (Reason A);
 2. Sc5a – Details of materials for external walls and roofs (Rc5a);
 3. Sc51 – Landscaping (Rc51);
 4. Sc52 – Implementation of landscaping (Rc52);
 5. Sc60 – Details of boundary treatment (Rc60);

6. Sc5f – Details of materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas (Reason – To minimise disturbance to adjoining residents);
7. Surface water drainage details. (RC5(b));
8. Foul water drainage details. (RC5(c));
9. Restriction of hours of use of power operated machinery during construction. (RC26);
10. Protection of trees during construction. (RC - To ensure that no damage is done to trees which are to be retained);
11. SC22 - No windows at first floor level in the north elevation of the development. (RC22).

Informatives

1. During demolition and 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.
2. 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 (to ensure the protection of the residential environment of the 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)
 - **South Cambridgeshire Local Plan 2004:**
SE4 (Group Villages), **SE9** (Village Edges), 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:
 - Impact on adjoining properties
 - Character and appearance of the area

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

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- Planning files reference S/1520/05/F, S/1515/05/O and S/2322/05/F

Contact Officer: Area Team 3

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 1st February 2006
AUTHOR/S: Director of Development Services

**S/2228/05/F - Comberton
Extensions to Dwelling; New Access Drive; Fence and Gates
12 Barton Road for Mr V Patel**

**Recommendation: Approval
Date for determination: 16th January 2006**

Conservation Area

Members of Committee will visit the site on Monday 30th January 2006.

Site and Proposal

1. The application relates to a two-storey house attached to the village post office and stores. There is a low brick wall on the frontage. To the east, the site is adjoined by Hawks Farmhouse, 16 Barton Road, a grade 2 listed building.
2. Access to the site is across the forecourt of the post office, using its access onto Barton Road.
3. The application, dated 6th October 2005, proposes the erection of a two-storey side extension on the eastern elevation. The extension is shown to match the ridge height of the existing dwelling and to be set back 300mm on the front elevation. The extension is designed to match the appearance of the existing dwelling, to have similar external materials. A single-storey flat-roofed extension is proposed at the rear of the house, across the entire width and to a depth of 4.8m. This is shown to have balustrade railing on the roof area.
4. A new vehicular access to Barton Road is proposed, to be located on the eastern end of the frontage adjacent to Hawks Farmhouse. This is to be 3.0m wide, with gates. Railing is proposed to surmount the existing wall, but this proposal is to be withdrawn in favour of hedgerow planting.

Planning History

5. An application for similar development was withdrawn by the applicant prior to determination following concerns expressed by the Local Highway Authority (**S/1775/04/F**). The extension in this application was not shown with any set back on the front elevation.

Planning Policy

6. The site lies within Comberton Conservation Area and a Protected Village Amenity Area.

7. Cambridgeshire and Peterborough Structure Plan 2003:

Policy P1/3 (Sustainable Design in Built Development) A high standard of design and sustainability for all new development will be required which provides a sense of place and which responds to the local character of the built environment and is integrated with adjoining landscapes.

Policy P7/6 (Historic Built Environment), Local Planning Authorities (LPAs) will protect and enhance the quality and distinctiveness of the historic built environment.

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

8. South Cambridgeshire Local Plan 2004:

HG12 – (Extensions and Alterations to Dwellings within Frameworks): Planning permission will not be permitted where:

1. The design and use of materials would not be in keeping with local characteristics;
2. The proposals would seriously harm the amenities of neighbours;
3. There would be an unacceptable loss of off-street parking or garden space within the curtilage;
4. There would be an unacceptable visual impact upon the street scene;
5. Boundary treatment would provide an unacceptable standard of privacy and visual amenity.

EN28 (Development within the Curtilage or Setting of a Listed Building) – where development would damage the setting, well-being or attractiveness of a listed building, planning permission will be refused.

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.

SE10 (Protected Village Amenity Areas) seeks to protect undeveloped land, the retention of which is of importance to the character and amenity of the village.

Consultations

9. **Comberton Parish Council** – Comments that the plot is large and well able to support an extension. The views of Hawkes Farm would be severely impaired and it would be better for the extension to be placed at the rear, or if retained at the side, to be given a lower roof height and set back further from the front elevation. The Council vehemently opposes the design of the fencing and gates, which would be overbearing in this sensitive part of the village. The additional vehicular entrance should be prevented to be for business use to reduce the impact on neighbouring properties. The Council recommends a condition to prevent further development at the rear of the site in the future.

10. **Conservation Manager** - No objection, as the extension does not affect the character or appearance of the Conservation Area or the setting of the adjacent Listed Building. Details of the design of the railings and the surfacing of the driveway to be agreed, as well as the type of brick bond proposed.
11. **Trees and Landscape Officer** – The driveway should be constructed to a ‘no dig’ specification to accommodate the beech hedge on the boundary.
12. **Chief Environmental Health Officer** – no objection.

Representations

13. One letter of objection has been received from the occupier of Cross Farm, Barton Road, the adjoining dwelling to the west. He considers the extension to be inappropriate for the property and the out of keeping with the general outlook of the Conservation Area.

Planning Comments

14. The extension is designed to match the appearance of the existing dwelling. Members will see on site that the house occupies a substantial plot, and as a result there will not be any undue loss in the openness of this part of the protected village amenity area. The Conservation Manager does not object to the proposal on grounds of the impact on the setting of the adjacent listed building or the character/appearance of the Conservation Area.
15. The formation of the access onto Barton Road will not lead to highway dangers, as visibility is adequate in both directions. The planting of hedgerow is acceptable as extra enclosure.
16. I have taken into account the concerns of the Parish Council and objector, and notwithstanding I consider the proposal to be acceptable and to conform to the policies indicated above. The Parish Council’s concerns about future residential development at the rear of the site would be subject of a future planning application, which would then be assessed against all material considerations applying at that time.

Recommendation

17. Approve, subject to the following conditions:
 - 1) Standard Condition A – Time limited permission (Reason A);
 - 2) Sc5a – Samples of materials for external walls and roofs; details of brick bonding (Rc5a(ii));
 - 3) Sc51 – Landscaping (Rc51);
 - 4) Sc52 – Implementation of landscaping (Rc52);
 - 5) Sc60 – Details of boundary treatment (Rc60);
 - 6) Sc5f – Details of materials to be used for hard surfaced areas within the site driveways and car parking areas (Reason – To minimise disturbance to adjoining residents and to protect the character and appearance of the Conservation Area);
 - 7) Driveway to be constructed using a ‘no dig’ method. (Reason - To avoid damage to trees which contribute to the character and appearance of the Conservation Area);
 - 8) Restriction of hours of use of power operated machinery during construction. (RC26);
 - 9) Gates to be set back a minimum of 5 metres from highway. (Reason - In the interests of highway safety).

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)
P7/6 (Historic Built Environment)
P8/1 (Sustainable Transport – Links between Land Use and Transport)
 - **South Cambridgeshire Local Plan 2004:**
HG12 (Extensions and Alterations to Dwellings within Frameworks)
EN28 (Development within the Curtilage or Setting of a Listed Building)
EN30 (Development in/adjacent to Conservation Areas)
SE10 (Protected Village Amenity Areas)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity including noise disturbance
 - Appearance of the dwelling following extension
 - Impact upon setting of adjacent Conservation Area and Protected Village Amenity Area, and setting of the adjacent listed building.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Ref. S/2228/05/F

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 1st February 2006
AUTHOR/S: Director of Development Services

**S/2229/05/F - Comberton
Extension and Modification to Parking Area and Erection of Gates
Comberton Post Office, for Mr V Patel**

**Recommendation: Approval
Date for determination: 16th January 2006**

Conservation Area

Members of Committee will visit the site on Monday 30th January 2006

Site and Proposal

1. The Post Office and stores is situated centrally within the village, fronting Barton Road. The single storey building links to the adjoining dwelling, No. 12, which is within the applicant's ownership. A single access serves a parking area to the front of the shop. The frontage of the site is marked with a low brick wall.
2. The building extends back to the rear of the site, close to the boundary with the adjoining dwelling at Cross Farm, 8 Barton Road, a grade 2 listed building. To the rear of the shop is sited a timber outbuilding which is in a dilapidated condition.
3. The application, dated 5th October 2005, proposes the formation of a disabled car parking space protected with kerbing, and the formation of a pedestrian access through the frontage boundary wall. A small brick planter is to be constructed against the western boundary wall. Gates are to be erected across the existing vehicular access, and, as originally submitted, round-topped railings are to be added to the existing wall to bring it to a height of 1.2m, the gates to be the same as the railing.
4. On the rear elevation, the shop is to be extended by its full width, 15.2m, to provide a sorting office. This will entail the demolition of a small block side addition on the western side of the shop, and the removal of the timber outbuilding at the rear. The extension is to be single-storey, in a design and in materials to match the existing. Pedestrian access will be extended along the western side of the shop to the new sorting office. Gates are to be added to the existing covered delivery area.

Planning History

5. An application for similar development was withdrawn by the applicant prior to determination following concerns expressed by the Local Highway Authority (S/1775/04/F).

Planning Policy

6. The site lies within Comberton Conservation Area and a Protected Village Amenity Area.

Cambridgeshire and Peterborough Structure Plan 2003:

7. **Policy P1/3** (Sustainable Design in Built Development) A high standard of design and sustainability for all new development will be required which provides a sense of place and which responds to the local character of the built environment and is integrated with adjoining landscapes.
8. **Policy P3/4** (Rural Services and Facilities) – 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.
9. **Policy P7/6** (Historic Built Environment) LPA's will protect and enhance the quality and distinctiveness of the historic built environment.
10. **P8/1** (Sustainable Transport – Links between Land Use and Transport) – LPA's should ensure that new development provides appropriate access from the highway network that does not compromise safety.

South Cambridgeshire Local Plan 2004:

11. **SH5** (Retailing in Villages) - Proposals for the extension of existing shops within a village framework will be permitted provided:
 - (1) The size and attraction of shopping development is of a scale appropriate to the size of village or other centre;
 - (2) Development would not have an adverse impact on the amenity of nearby residential or other development; and
 - (3) The site in its present form does not form an essential part of village character.
12. **EN28** (Development within the Curtilage or Setting of a Listed Building) – where development would damage the setting, well-being or attractiveness of a listed building, planning permission will be refused.
13. **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.
14. **SE10** (Protected Village Amenity Areas) seeks to protect undeveloped land, the retention of which is of importance to the character and amenity of the village.

Consultations

15. **Comberton Parish Council** – Recommends refusal of the application. The Council recognises the valuable asset the shop and the Post Office is to the village community, and approves of the modest extension to the rear of the shop. It also supports the intention to tidy up the car parking area and to provide a separate pedestrian access. However the proposed railings are inappropriate in a conservation area and PVAA, as is the removal of the wall to make new accesses. The Council would support the planning of hedgerow on this boundary instead, and the use of wooden gates rather than metal. It would like to see the car park surfaced with tarmac with rolled gravel.

16. **Conservation Manager** – No objection to the principle of railings on the boundary, subject to discussions about a different design, such as ball-headed, and to agreement of coping details. He recommends a condition to control the surface treatment of the driveway.
17. **Local Highway Authority (LHA)** – The proposed parking arrangement is acceptable. The gates should be set back 5.0m from the highway. An amended plan showing this arrangement has been requested.

Representations

18. One letter of objection has been received, from the occupier of the adjacent dwelling at Cross Farm. His concerns are that:
 - The disabled parking space and its raised kerbs will cause difficulties for the manoeuvring of delivery vehicles, which may then have to unload from the road.
 - Metal fencing inappropriate in the Conservation Area.
 - Additional access will add to the access problems near the crossroads.
 - The removal of trees that help to screen the shop from his viewpoint.
 - To noise disturbance from the use of the path adjoining his boundary to access the new sorting office, and to the positioning of the door in the extension that will lead to overlooking of his rear garden area.
 - Objection to the removal of the timber outbuilding.
 - Inaccuracies in the site survey and scales.

Planning Comments

Extension and car parking

19. The principle of extending the post office at the rear is acceptable in compliance with Policy SH5. The concerns raised by the neighbouring occupier are noted. However any overlooking could be prevented by appropriate screen fencing and noise disturbance to the dwelling is unlikely to be serious given the distance between the properties, as Members will see on site when they visit.
20. The car parking arrangement has been assessed as acceptable by the LHA, notwithstanding the concerns expressed by the objector.

Conservation

21. The appearance of the proposed railings has been criticised by the Conservation Manager, the Parish Council and the local objector. The agent has indicated that this proposal is to be replaced with hedgerow planting, and the gates to be of timber as requested, however at the time of compiling this report the amended drawings had not been received. The further views of the Parish Council to the amended plans will be reported verbally to Members at the meeting, if received. The Conservation Manager has no objection to removal of the timber outbuilding, as proposed.

Recommendation

22. Subject to amended plans showing the replacement of railings with hedging and proposal for timber gates, and to no objection being received from the Parish Council or the Highway Authority, approval subject to the following conditions:
1. Standard Condition A – Time limited permission (Reason A);
 2. Sc5a – Details of materials for external walls and roofs (Rc5a(ii));
 3. Sc51 – Landscaping (Rc51);
 4. Sc52 – Implementation of landscaping (Rc52);
 5. Sc60 – Details of boundary treatment (Rc60);
 6. Sc5f – Details of materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas (Reason – To minimise disturbance to adjoining residents);
 7. Gates to be set back 5.0m from the highway.

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)
P3/4 (Rural Services and Facilities)
P7/6 (Historic Built Environment)
P8/1 (Sustainable Transport)
 - **South Cambridgeshire Local Plan 2004:**
SH5 (Retailing in Villages)
EN28 (Development within the Curtilage or Setting of a Listed Building)
EN30 (Development in/adjacent to Conservation Areas)
SE10 (Protected Village Amenity Areas)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity including noise disturbance and overlooking issues
 - Highway safety
 - Impact upon the Conservation Area and Protected Village Amenity Area

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Ref. S/2229/05/F

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 1st February 2006
AUTHOR/S: Director of Development Services

S/2234/05/F - Cottenham

Erection of bungalow at land to rear of 151 High Street, (Accessed from Rooks Street) for Mr A Turner

Recommendation: Approval
Date for Determination: 17th January 2006

Conservation Area**Site and Proposal**

1. Formerly garden to 151 High Street. The plot, an L-shaped area of land accessed off Rooks Street, is in separate ownership to No. 151 and is enclosed on all sides by walls and fences of adjacent properties. It has an area of .028ha.
2. This full application, received on 22nd November 2005, proposes the erection of a 2-bed bungalow with garden and off-street parking. The density would be 35.7 dph.

Planning History

3.
 - a. S/1187/98/O - Bungalow refused - cramped development and inadequate garden space.
 - b. S/1977/98/O - Bungalow - approved following Committee visit to the site.
 - c. S/1620/00/RM - Bungalow - approved with small garden, parking and turning space.
 - d. S/1515/04/F - Bungalow - approved with small garden, parking and turning space.
 - e. S/1325/05/F - Bungalow - refused as no turning space or pedestrian visibility splays provided, plus loss of amenity to neighbours because of the buildings close proximity.

Planning Policy

4.
 - i) Cambridgeshire Peterborough Structure Plan 2003:-
P1/3 (Sustainable Design in Built Development)
P5/2 (Re-using previously developed Land and Building)
P5/3 (Density)
 - ii) South Cambridgeshire Local Plan 2004:
EN30 (Development in Conservation Areas)
SE2 (Dwellings in Rural Growth Settlements)
HG11 (Backland Development)

Consultation

5. **Cottenham Parish Council:** "recommends refusal due to lack of turning space for vehicles, no real difference to the visibility leading to highway concerns".

6. **Conservation Officer:** The design of the bungalow is architecturally superior to that previously approved. Materials to be agreed; timber windows and doors.
7. **Local Highways Authority:** Comments will be reported to Members verbally at the meeting.
8. **Old West Internal Drainage Board:** No comment from a drainage point of view.

Representations

9. **Cottenham Village Design Group:** "We are pleased to see that slates and buff facing bricks are specified and would hope that equally appropriate joinery materials would be selected for use in this Conservation Area location".
10. Two letters of objection have been received from adjacent properties noting the following material points.
 - a. Concern regarding the relationship of the proposed building with the shared boundary at No. 153 High Street.
 - b. Concern regarding the proximity of the proposed building to the shared boundary with No. 8 Rooks Street.

Planning Comments

11. The Key Issues to consider in respect of this application are the impact on the conservation area, the impact on highway safety and the impact on neighbouring amenity.
 - i) **Conservation Area** - As members will see, the Conservation Officer is of the opinion that the design is better than approved previously. Stock bricks and slates are to be used which are both acceptable. Timber joinery can be conditioned.
 - ii) **Highway Safety** - In respect of that matter, there are two issues, - turning space and pedestrian splays. The original approved in 2000, and also in 2004, both showed a "vehicle manoeuvring space" on the block plan although no pedestrian visibility was achievable.

In order to achieve more garden space, the 2005 scheme omitted the above manoeuvring space. In subsequent correspondence the Local Highway Authority has stated that turning space is not essential for the site, - but pedestrian visibility is, such splays will also provide some element of inter visibility between traffic within Rooks Street and exiting vehicles.

Discussions have taken place with the Agent and the plans are to be amended to include pedestrian visibility splays, one within the application site, the other across a section of the driveway of No. 6 Rooks Street. Such a splay would work in favour of both No. 6 and the new property.

- iii) **Neighbour amenity** - The bungalow has been moved away from the boundary with No. 8 to the south-east, it will be between 2.0m and 2.5m off the boundary. The shallow, hipped roof would have a ridge height of only 4.6m, this point being 5.5m away from the boundary. It has also been pulled a further 1.1m away from the boundary to No. 6 to the north-east, the distance is now 2.0m. The hipped ridge will

be 5.3m from the boundary, defined by a 2.2m - 2.4m high wall. Such distances are now considered to be acceptable.

Recommendation

12. Subject to the receipt of satisfactory revised plans incorporating pedestrian visibility splays as outlined above, approval subject to:-
1. Standard Condition A – Time limited permission (Reason A);
 2. Sc5a – Details of materials for external walls and roofs (Rc 5)ii);
Sc5f – Hard-landscaping (Rc 5f);
 3. Para D5b) Visibility “2.0m x 1.5m” (Rc10 Safety);
 4. Such pedestrian visibility splays shall be provided prior to the commencement of any building operations and shall thereafter be kept free of obstruction at all times. (Rc10 Safety).
 5. 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 ensure that during the period of construction there is no undue loss of amenity to neighbouring properties in terms of noise.)

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - a) **Cambridgeshire and Peterborough Structure Plan 2003:**
P1/3 (Sustainable Design in Built Development).
P5/2 (Re-using Previously Developed Land and Building).
P5/3 (Density)
 - b) **South Cambridgeshire Local Plan 2004:**
EN30 (Development in Conservation Areas)
SE2 (Dwellings in Rural Growth Settlements) and
HG11 (Backland Development)
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: **Neighbouring Residential Amenities, Highway Safety and Impact on the Conservation Area.**

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

- South Cambridgeshire Structure Plan 2003
- Cambridge and Peterborough Structure Plan 2004
- Planning File Ref: S/1187/98/O, S/1977/98/O, S/1620/00/RM, S/1515/04/F, S/1325/05/F and S/2234/05/F

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

REPORT TO: Development and Conservation Control Committee 1st February 2006
AUTHOR/S: Director of Development Services

S/2289/05/F - Oakington
Erection of Meeting Rooms Building at Church of St. Andrew, High Street
for Rev. James Alexander

Recommendation: Refusal
Date for Determination: 24th January 2006

Listed Building & Conservation Area**Site and Proposal**

1. St. Andrews Church is Grade II* Listed. The church dates from the 13th, 15th and 19th centuries. The exterior walls are covered with a mix of pebblestone, pudding stone, limestone rubble and limestone dressings. It has a clay tiled roof. The building is set within a churchyard measuring 0.4ha. To the east of the churchyard is the Vicarage and associated gardens. Directly to the south of the churchyard is a treed area, beyond which are paddocks. Clear views are provided from Water Lane across these open areas of land to the church itself. The churchyard is adjacent to several residential properties. In particular, the northern wall of no. 68 High Street forms the boundary with the churchyard, having several windows facing the church and a rear first floor window facing south-east.
2. This application proposes the erection of a building in the south-eastern corner of the churchyard. This building will be built on an L-plan, with gabled roofs. The north-western gable is to have glazing to its full height. The building proposed has a floor area of 130.9 square metres and measures 14.7m x 7.0m with a 5.0m x 5.6m projection on the south-eastern side, alongside the Vicarage garden. The overall height of the building is 6.3m. Rooflights are proposed in the south west and north east roofslopes. The building will be accessed by a new footpath across the graveyard. The siting of the building has been chosen to be as unobtrusive from the road frontage and west tower entrance, to be recessive in nature and secondary to the church. It will require two gravestones to be moved and the removal of a sycamore which is growing out of the brick wall that separates the churchyard from the Vicarage's garden.

Planning History

3. **S/0208/00/A** gave advertisement consent to display a Notice Board at the church.

Planning Policy

4. Cambridgeshire and Peterborough Structure Plan (adopted October 2003) policies:
 - **P1/2** Protection of sites of archaeological, historical or architectural value.
 - **P1/3** Requires a high standard of design and sustainability for all new development.

- **P6/3** Requires new development to minimise the risk of flooding by including flood defence measures and design features.
 - **P7/6** Local authorities will protect and enhance the distinctiveness of the historic built environment.
5. South Cambridgeshire Local Plan (adopted February 2004) policies:
- **CS5** Restricts development in areas liable to flooding unless it has been demonstrated that the effects of development can be overcome.
 - **EN5** Retention of trees and hedges in new developments.
 - **EN28** Requirement to submit illustrative and technical material to allow the impact of proposals affecting a Listed Building, its curtilage and wider setting.
 - **EN30** Requirement for applications for planning permission in Conservation Areas to be accompanied by sufficient details to allow their impact to be assessed.
 - **EN31** High quality of design, planting and materials connected with landscaping of developments in Conservation Areas.
6. South Cambridgeshire District Council Supplementary Planning Guidance:
- The **Policy for Church Extensions in South Cambridgeshire** sets out the approach to be taken when the Council receives applications for extensions to churches. Extensions will not be permitted where there is an alternative site within the churchyard.

Consultations

7. **Oakington Parish Council** has no objection to the proposals, but the footpath leading to the new building and the adjoining footpath needs to be lit in the interests of safety. It recommends approval.
8. The **Conservation Manager** comments:
9. "The proposals follow many years of discussion with SCDC and English Heritage (EH)
10. The SCDC Policy for Church Extensions proposes a sequential approach to such works. The proposal to reorder within the church has been explored together with a 'porch' style extension on the main building. Neither of these options was felt to be appropriate – both resulting in the harming the character or appearance of the building and not offering the required floor space. The preferred option has therefore been for a site within the church yard.

Proposed location

11. The graveyard is on rising land and to High Street has an open frontage. The position on the site is one which is generally screened from the High Street by the church itself. The corner location is considered to have the least impact on the setting of the church and its relationship to the vicarage to the east.

Trees

12. The potential impact on the trees, boundary wall and graves have all been considered. This location enables the main graveyard trees to be retained. It will result in the loss of a large sycamore – the Trees and Landscape Officer in pre application discussions indicated agreement to this. This will still have an impact on the long views to the site from Water Lane. New planting is offered to mitigate this.

Impact on church

13. The structure will also have a direct relationship with the main porch entrance to the church – linked via a new pathway. The scale and form of the new hall is considered to be subservient to the church. The pre-application discussions suggested an L-shaped form to the structure and the layout has now been revised to have regard to the views of the Conservation section and English Heritage. The scale and layout of the building is therefore supported.

Materials

14. The main reservation in pre-application discussions put forward by English Heritage was that the structure was too domestic and needed to relate more to the church in the palette of materials selected. It was suggested that stone/flint could be used rather than brick. The submitted design retains the use of a gault brick. This choice of material will harmonise with the graveyard wall/vicarage but does not address EH concerns. It is considered that a justification for the use of brick rather than the suggested stone/flint needs to be sought from the applicant. The roof covering, windows and rainwater goods materials are considered to be appropriate and need to be conditioned to ensure this quality of detailing is secured.

Roof

15. The clay tiled roof includes a number of roof lights on the south and eastern sides – concerns have been raised at pre-application stage at the potential impact of these given the prominence of the site – the light from these opening will be very visible. It was suggested that these should be deleted or either high level windows proposed under the eaves or the roof lights moved to the graveyard roof faces. This issue remains unresolved.

Lighting

16. It was requested that the means of external lighting be an integral part of the design of the building to ensure this is both sensitively located and considered from the outset. This has been addressed and the uplighter format of lighting is considered to be appropriate.

Conclusion

17. The proposals have been subject of lengthy discussions to reach this stage and generally the principal is fully supported and the form, scale and location accords with past discussions. The only points of issue relate to the choice of external walling materials and use of roof lights on the most prominent roof elevations. It is suggested that amendments or a written justification for the scheme as submitted are secured given the concerns raised to these matters.
18. The **Trees and Landscape Officer** comments that the sycamore tree to be removed does contribute to the landscape character of the area, however it is growing out of the base of the church wall and if not causing sever structural damage at the moment, will in the near future. As a consequence, he has no objection to its removal.
19. The **Building Control Manager** notes that fire engine access is unsuitable. Additional roadways are required to gain access to within 45m of all points of the building or compensatory measures may be considered i.e. sprinkler system.
20. The **Environment Agency** has identified the site as falling within zone 1 (low to medium) flood risk area. The Council is required to respond on its behalf in respect

of flood risk and surface water drainage related issues.

21. **English Heritage** does not wish to comment in detail on these proposals, but offer the following general observations:

“We have accepted the principle of the development at a pre-application stage but have raised concerns over the detailing and particularly materials used. It is still the case that if the walling materials, particularly, made more of a direct visual link between the new build and the church the two would harmonise more. We are content for your Conservation Officers to conclude the debate on this or make it the subject of conditions placed upon any consent granted.

Recommendation

We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again.”

Representations

22. One letter in support has been received from the occupier of 95 Water Lane. It does not include any particular comments.
23. One letter of objection has been received from the occupier of 69 High Street. It raises parking and noise as particular issues:
- a) The only place that users of the proposed meeting rooms could park is along High Street, Oakington, which is a very narrow rural street with no pathways in the vicinity of the church.
 - b) Traffic has steadily increased over recent years and it is particularly hazardous when cars are parked solidly down one side of the street. St. Andrew's is a popular church and it is not unusual to have solid parking several times per week preventing the bus service from getting through.
 - c) On at least two occasions recently vehicles have driven into the low wall outside no. 69. This is not directly attributable to the parked cars but simply indicates the general and increasing traffic problem along the High Street.
 - d) Potential increase in noise; particularly later in the evening. High Street is very narrow and no. 69 effectively faces directly onto the road so that traffic and parked cars are within 5 to 10 metres of its study and bedroom.
 - e) The use of the proposed Meeting Rooms will give rise to a substantial increase in noise resulting from conversations outside its windows, car doors slamming and the very annoying habit that people have of *peeping* their car horns when they depart.

Planning Comments – Key Issues

24. The key issues in considering these proposals are the impact upon the Grade II* Listed church, Oakington Conservation Area, flood risk, highways, neighbouring amenities and access for fire vehicles.

Listed Building and Conservation Area

25. The key issue in relation to this application is the impact on the Listed Building and Conservation Area. The agent has indicated that the church would be willing to construct the hall using stone, fieldstone and flint to all three main elevations except the long rear wall, in order to keep costs down. This wall would be a good quality

buff brick with stone quoins at each end. The Conservation Manager has indicated that this is likely to be acceptable.

26. The issue remains of the Rooflights in the south west roofslope. The building will be visible from Water Lane and when lit it will become prominent within the wider area due to light spillage from the rooflights. The agent has stated informally that the church would accept relocation of rooflights but not the total abolition of them, as both toilet areas has natural light via the rooflight, they provide ventilation and free up the walls for all of the equipment needed to be fixed to the walls. In addition, they are also of the opinion that the main meeting room will not obtain sufficient daylight from the low windows and one partly glazed gable. Conservation has stated informally that moving the rooflights to the north east roof slope would not be significantly detrimental to the use of the building, as it is likely that the lights would be on inside when occupied anyway.

Flood Risk

27. The site falls within an area of low flood risk and is an area of less than 1ha. The Environment Agency's guidance requires a basic flood risk assessment (FRA) from the applicant. This should focus on the management of surface water run-off. Development that increases the amount of impermeable surfaces can result in an increase in surface water run-off, which in turn results in increased flood risk both on site and elsewhere within the catchment.

Highways

28. The proposals do not include any off-street car parking provision. The proposals are to provide accommodation for meetings and activities already held at the church or Vicarage and as such are unlikely to result in a significant increase in on-street car parking, although it may result in an overall increase at different times of the day and week. It is noted from the representations received that on-street car parking may contribute to problems on the highway, with some vehicles having difficulty passing the site. In the Officer's opinion on-street car parking is likely to slow vehicles down as they pass the site and decrease the likelihood of such traffic incidents.
29. One possible solution however, given the site's features, would be to provide a lay-by off the street. This would require part of the churchyard to be excavated to street level and would result in the loss of trees in this part of the churchyard. This would result in significant harm to the setting of the Listed Building and to the character and appearance of the Conservation Area. On balance, the community gain from providing additional facilities at the church, and avoidance of works that would harm the historic fabric and character of the church in order to meet modern access standards, is such that the inconvenience of having cars parked on the street is outweighed.

Neighbouring Amenities

30. The impact of noise disturbance from people leaving the building could be reasonably controlled, given the close proximity to several residences, through the imposition of a condition restricting the hours of use.

Access for Fire Vehicles

31. The agent has been in contact with Building Control, who has advised informally, having liaised with the Fire Officer, that the lack of access for fire vehicles could be mitigated through the introduction of a suitable sprinkler system.

Recommendation

Refuse

32. While there is no objection in principle to the proposals, the issue of the building's impact upon the Conservation Area is unresolved and the application fails to adequately address flood risk. The application is recommended for refusal, for the following reasons:
1. The exterior walls of the Church of St. Andrew are covered with a mix of pebblestone, pudding stone, limestone rubble and limestone dressings. The proposed design includes the use of gault brick for the walls. While this choice of materials will harmonise with the graveyard wall and Vicarage, it is important that the building makes a direct visual link between the new build and the Grade II* Listed church building, therefore the proposed materials are inappropriate and will damage the setting of the Listed Building contrary to policies P7/6 of the Cambridgeshire and Peterborough Structure Plan (adopted October 2003), EN28 of the South Cambridgeshire Local Plan (adopted February 2004), and Supplementary Planning Guidance 'Policy for Church extensions in South Cambridgeshire'.
 2. The proposed rooflights will by way of their siting and orientation, result in the building being unduly prominent within the wider area, which is designated as a Conservation Area, particularly when viewed from Water Lane. The proposals are therefore contrary to policies P7/6 of the Cambridgeshire and Peterborough Structure Plan (adopted October 2003) and EN30 and EN31 of the South Cambridgeshire Local Plan (adopted February 2004) as they will result in harm to the character and appearance of the Conservation Area.
 3. The site is in an area identified as being at risk of flooding and the proposed development is likely to increase the risk of flooding. The application fails to fully address flood risk and does not detail measures that will be taken to manage of surface water run-off and as such are contrary to policies P6/3 of the Cambridgeshire and Peterborough Structure Plan (adopted October 2003) and CS5 of the South Cambridgeshire Local Plan (adopted February 2004).

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Ref. S/2289/05/F

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st February 2006
AUTHOR/S:	Director of Development Services	

S/2167/05/F – Duxford
Replacement Security Perimeter Fence (Retrospective Application) – Hexcel
Composites Ltd, Hinxton Road for Hexcel Composites Ltd

Recommendation: Refusal
Date for determination: 6th January 2006

Site and Proposal

1. The application site lies immediately beyond the southern edge of the Duxford village framework and is occupied by two manufacturing companies, Hexcel Composites Ltd and Huntsman Advanced Materials. The complex is bounded to the north by housing, to the east and west by Hinxton Road and Ickleton Road respectively and to the south by fields.
2. The full application, submitted on 11th November 2005, seeks retrospective consent for the erection of a replacement security perimeter fence along the part of the boundary owned by Hexcel. This extends along the majority of the eastern boundary of the complex (where it bounds the western and southern edges of the recreation ground and then runs directly alongside Hinxton Road) and just over half of the southern boundary. It connects to an identical fence forming the remainder of the boundary of the complex. This fence is owned by Huntsman and a separate application seeking consent for its retention has been submitted (Planning reference S/2168/05/F).
3. The fence that has been erected is a 2.4 metre high galvanised steel palisade style fence. A covering letter submitted with the application states that it has replaced a 2.2 metre high chain link fence supported by reinforced concrete posts and topped with three strands of barbed wire that previously stood on the site for approximately 30 years. Due to its physical condition, this fence was considered to be inadequate to meet the safety and security needs on the site.

Planning History

4. There is no planning history of particular relevance to this application.

Planning Policy

5. **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.
6. **Policy P1/3** of the County Structure Plan 2003 stresses the need for a high standard of design and a sense of place that corresponds to the local character of the built environment.

7. **Policy Duxford 1** of the South Cambridgeshire Local Plan 2004 states that infilling or redevelopment within the Huntsman/Hexcel complex may be permitted providing it would not have a greater impact upon the surrounding countryside and Landscape Character Area.

Consultations

8. **Duxford Parish Council** recommends approval of the application.
9. **The Environment Agency** raises no objections. Although part of the proposal is shown as being within an area of high-medium flood risk, the fence is a replacement and of an open design and is therefore acceptable in flood risk terms.

Representations

10. None

Planning Comments – Key Issues

11. The key issues to consider in the determination of this application relate to:
- a. The need for the fence and, in particular, whether it is essential; and
 - b. The visual impact of the fence.
12. The entire section of fence along the eastern boundary of the premises is extremely prominent when viewed from the recreation ground and from Hinxton Road. In particular, there is an approximately 150 metre long stretch of fencing that runs directly alongside Hinxton Road and is sited between a row of high conifers and the roadway. The fence style is solid and unsightly in appearance and is much more dominant in the landscape than the previous chain link structure that surrounded the site. Due to the height, style, colour and prominent location of the fence, it is considered to be an inappropriate feature in the countryside that would result in clear harm to the character and appearance of the area.
13. The only justification put forward for the need for the fence refers to the poor condition of the previous chain link fencing and the need to replace it for safety and security reasons. Whilst I accept that some form of fencing/enclosure of the site is required, no evidence has been put forward to justify why the style of fence erected is absolutely necessary and why the safety/security needs of the company cannot be satisfied by erecting a less intrusive style and colour of fence (eg – dark green chain link or wire mesh fencing).

Recommendation

14. Refusal:
- 1. The fence, by virtue of its height, design, colour and siting, is a dominant and intrusive feature in the street scene that has a harmful visual impact upon the character and appearance of the area and therefore increases the impact of the site upon its surroundings. Consequently, the development is contrary to Policy P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003 which stresses the need for a high standard of design in all development and Policy Duxford 1 of the South Cambridgeshire Local Plan 2004 which resists development that would have a greater impact upon the surrounding countryside.

2. Notwithstanding the above, in the absence of any justification to demonstrate that the fence, in terms of its height, design and colour, is necessary, the development is contrary to Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 which resists development in the countryside unless proposals can be demonstrated to be essential in a particular rural location.

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

Cambridgeshire and Peterborough Structure Plan 2003

South Cambridgeshire Local Plan 2004

Planning application references S/2167/05/F and S/2168/05/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st February 2006
AUTHOR/S:	Director of Development Services	

S/2168/05/F – Duxford
Replacement Security Perimeter Fence (Retrospective Application) – Huntsman
Advanced Materials, Ickleton Road for Huntsman Advanced Materials

Recommendation: Refusal
Date for determination: 6th January 2006

Site and Proposal

1. The application site lies immediately beyond the southern edge of the Duxford village framework and is occupied by two manufacturing companies, Hexcel Composites Ltd and Huntsman Advanced Materials. The complex is bounded to the north by housing, to the east and west by Hinxton Road and Ickleton Road respectively and to the south by fields. A public footpath runs adjacent to the western boundary of the site.
2. The full application, submitted on 11th November 2005, seeks retrospective consent for the erection of a replacement security perimeter fence along the part of the boundary owned by Huntsman. This extends along the entire northern and western boundaries of the complex as well as along part of the southern boundary. It connects to an identical fence forming the remainder of the perimeter of the complex. This fence is owned by Hexcel and a separate application seeking consent for its retention has been submitted (Planning reference S/2167/05/F).
3. The fence that has been erected is a 2.4 metre high galvanised steel palisade style fence. A covering letter submitted with the application states that it has replaced a 2.2 metre high chain link fence supported by reinforced concrete posts and topped with three strands of barbed wire that previously stood on the site for approximately 30 years. Due to its physical condition, this fence was considered to be inadequate to meet the safety and security needs on the site.

Planning History

4. There is no planning history of particular relevance to this application.

Planning Policy

5. **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.
6. **Policy P1/3** of the County Structure Plan 2003 stresses the need for a high standard of design and a sense of place that corresponds to the local character of the built environment.
7. **Policy Duxford 1** of the South Cambridgeshire Local Plan 2004 states that infilling or redevelopment within the Huntsman/Hexcel complex may be permitted providing it

would not have a greater impact upon the surrounding countryside and Landscape Character Area.

Consultations

8. **Duxford Parish Council** recommends approval of the application.
9. **The Environment Agency** raises no objections.
10. **The County Footpaths Officer** raises no objections stating that the fence does not encroach onto the public footpath, although it is pointed out that there is a hedge adjoining the footpath and that this should be maintained so as not to encroach onto the footpath.
11. **The Ramblers Association** has not commented on the application and the time for receipt of comments has expired.

Representations

12. A letter of objection has been received from the occupier of No.14 Hinxton Road. The style of the replacement fence, being some 0.6 metre higher than the original fence and substantially larger, has a harmful visual effect on the area and upon the outlook from neighbouring properties.

Planning Comments – Key Issues

13. The key issues to consider in the determination of this application relate to:
 - a. The need for the fence and, in particular, whether it is essential; and
 - b. The visual impact of the fence.
14. The sections of fence that form the part of the northern boundary of the site adjacent to Hinxton Road and the north side of the main entrance into the premises from Ickleton Road are very prominent in public views of the site. The remainder of the fence along the western side of the site can be viewed in places but, on the whole, is reasonably well screened by a hedge whilst the fence is also concealed from the view of residential properties to the north by a hedge. There is no screening immediately adjacent to the fence that runs along part of the southern boundary but this section is not prominent in public views of the site.
15. The fence style is solid and unsightly in appearance and, along the prominently sited sections referred to above, is much more dominant in the landscape than the previous chain link structure that surrounded the site. Due to the height, style, colour and location of the fence, it is considered to be an inappropriate feature in the countryside that would result in clear harm to the character and appearance of the area.
16. The only justification put forward for the need for the fence refers to the poor condition of the previous chain link fencing and the need to replace it for safety and security reasons. Whilst I accept that some form of fencing/enclosure of the site is required, no evidence has been put forward to justify why the style of fence erected is absolutely necessary and why the safety/security needs of the company cannot be satisfied by erecting a less intrusive style and colour of fence (eg – dark green chain link or wire mesh fencing).

Recommendation

17. Refusal:

1. The fence, by virtue of its height, design, colour and siting, is a dominant and intrusive feature in the street scene that has a harmful visual impact upon the character and appearance of the area and therefore increases the impact of the site upon its surroundings. Consequently, the development is contrary to Policy P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003 which stresses the need for a high standard of design in all development and Policy Duxford 1 of the South Cambridgeshire Local Plan 2004 which resists development that would have a greater impact upon the surrounding countryside.
2. Notwithstanding the above, in the absence of any justification to demonstrate that the fence, in terms of its height, design and colour, is necessary, the development is contrary to Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 which resists development in the countryside unless proposals can be demonstrated to be essential in a particular rural location.

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

Cambridgeshire and Peterborough Structure Plan 2003

South Cambridgeshire Local Plan 2004

Planning application references S/2167/05/F and S/2168/05/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 1st February 2006
AUTHOR/S: Director of Development Services

S/2236/05/F – Ickleton

Erection of Cereal Breeding Building, Greenhouses and Polytunnels on Land at Rectory Farm, Grange Road for Messrs P R Wombwell, L G Duke and R G R Smith and RAGT Seeds Ltd

Recommendation: Delegated approval
Date for determination: 21st February 2006 (Major Application)

Members will visit the site on Monday 30th January 2006.

Site and Proposal

1. The site, which is irregular in shape and measures 350m x 130m approximately, is part of a field and is located within a valley in undulating countryside. Surrounding land rises to the north, west and south. The Imperial War Museum Film Archive is to the east. Rectory Farm lies to the north. A ditch, culvated in places, runs northeast to southwest along the southern boundary of the site. There are trees and planting on the southern side of the ditch. Grange Road runs northeast to southwest to the south of the site. There is a roadside hedge along the northern side of Grange Road to the east of the site, but no hedge along the section fronting the site or to the west. Grange Road is not wide enough to allow two vehicles to pass. The nearest public right of way runs northeast to southwest approximately 1km to the north of the site.
2. This full application, received on the 22nd November 2005 and amended by plans, information and Flood Risk Assessment date stamped the 13th January 2006, proposes a cereal breeding complex comprising a 90m x 36m x 6.5m to eaves/8.1m to ridge olive green profiled steel sheet building; 10no. 13.8m x 9.8m x 3.3m to eaves/5.6m to ridge and 1no. 53m x 9.8m x 3.3m to eaves/5.6m to ridge aluminium frame over buff brick plinth greenhouses; and a 50m x 34m x 3m high polytunnels building. All but one of the greenhouses are to be artificially lit to provide extended day length and light intensity during the late Autumn and Winter periods. Black-out blinds are proposed for those greenhouses that would be lit. The polytunnels would not be artificially lit. The plans indicate that woodland belts and blocks would be planted along the northern and western boundaries with individual blocks and trees planted along the eastern and southern boundaries. A new pond is also proposed within the site. A total of 43 people would be employed at the site.
3. The amended plans show the roof pitch of the main building reduced and, as a result, the ridge height reduced from 9.9m to 8.1m and the rooflights in the building relocated from the south facing roofslope to the north facing roofslope (i.e. to the opposite side of the roofslope to Grange Road).
4. The application is supported by a letter, highway statement (including a survey of existing traffic flows on Grange Road and Elmdon Road and predicted traffic flows), landscape statement, biodiversity assessment, details of measures to control light pollution from the greenhouses, a Green Travel Plan (including the appointment of a travel plan co-ordinator and principally through the encouragement of car sharing and

cycling) and Employee Travel Distance Information (which shows that the average travel distance from home to work would increase from 10.4 miles to 14.6 miles as a result of the move from Trumpington to Ickleton).

5. The letter from the agent submitted as part of the application states that: the cereal breeding activity within RAGT's Seeds has been providing innovative new cereal varieties to the UK farmer since the beginning of the c.20; the cereal breeding activity was bought by RAGT in 2004 without the current Trumpington site which, due to urban encroachment, is no longer suitable, or available for plant breeding; RAGT has been actively searching for a new site since the beginning of autumn 2004, during which time 28 potential sites were shortlisted; the Rectory Farm site is the only site which adequately fulfils RAGT's requirements for soil type, access to irrigation, rotational entry and land area availability, whilst being sufficiently close to the current site to allow retention of current staff; the seed supply part of the activity has already relocated from Trumpington to Stretham; cereal breeding is essentially a field based agricultural activity; new varieties of wheat and barley will be developed at the Rectory Farm site as well as field trials of oil seed rape; selected material will be threshed and processed and then profiled using analytical and molecular markers; staff are involved with field, barn and glass house work and this close proximity between selection fields, barn, threshing rooms and glasshouses is essential; the land required for breeding must be uniform, of good quality, suitable for small-scale agricultural equipment and have access to irrigation; farmer partners need to be flexible and committed to RAGT's work; and, in essence, the land requirement and landowner commitment are key drivers in identifying Rectory Farm as the new site for RAGT's plant breeding activities.
6. A letter received from RAGT prior to the submission of the application states that: the first consideration in locating a new site is the need for 150 to 200 hectares of land of sufficiently good, workable quality, with potential for irrigation and with the correct crop rotation; the plant breeding building must be located centrally to the land being used for the plant breeding work because the core field breeding activity, using 40 to 50 hectares annually, is very labour intensive, requiring technicians to carry out detailed field notation, selection and harvest (largely by hand) amongst over 10,000 segregated breeding lines; the same technical staff are involved in the processing of harvested material (threshing and glasshouse work) and the running of out of season (November to April) tests on over 50,000 selected lines for quality and disease resistance; the staff also provide an out of season testing service for field programmes based in France, Germany and the Czech Republic; and the inability to base the breeding related activities on one site, including a minimal number of support staff (HR, admin and financial control represent around 7% of the headcount) would require increased daily traffic and staff movement between sites and would also lead to important losses in work efficiency.

Planning History

7. The District Council confirmed that prior approval was not required for the erection of an agricultural crop/grain store on the site in March 2005 under permitted development legislation (reference **S/0401/05/PNA**).

Planning Policy

Countryside Policies

8. 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.

9. Local Plan 2004 **Policy EN1** states that relevant parts of the Landscape Character Areas of England are defined on the Proposals Map. It states that, in all its planning decisions, the District Council will seek to ensure that the local character and distinctiveness of these areas is respected, retained and wherever possible enhanced. It states that, while recognising that landscape is a dynamic concept, planning permission will not be granted for development which would have an adverse effect on the character and local distinctiveness of these areas (the East Anglian Chalk Landscape Character Area in this instance).
10. 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', and reinforce local distinctiveness wherever possible.
11. Local Plan 2004 **Policy EN5** states that landscaping schemes will be required to accompany applications for development where it is appropriate to the character of the development, its landscape setting and the biodiversity of the locality.

Flood Risk

12. The southern part of the site is within the Environment Agency's medium to high or low to medium risk flood zones.
13. Structure Plan 2003 **Policy P1/2** states that no new development will be permitted within or which is likely to adversely affect functional floods plains or other areas where adequate flood protection cannot be given and/or there is significant risk of increasing flood risk elsewhere. Structure Plan 2003 **Policy P6/3** states that, if development is permitted in areas where flood protection is required, flood defence measures and design features must give sufficient protection to ensure that an unacceptable risk is not incurred, both locally and elsewhere.
14. Local Plan 2004 **Policy CS5** states that planning permission will not be granted for development where the site is liable to flooding, or where development is likely to: increase the risk of flooding elsewhere by materially impeding the flow or storage of flood water; increase flood risk in areas downstream due to additional surface water runoff; or increase the number of people or properties at risk, unless it is demonstrated that the above effects can be overcome by appropriate alleviation and mitigation measures and secured by planning conditions or planning obligation providing the necessary improvements would not damage interests of nature conservation.

Nature Conservation

15. 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.
It states that 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.

Consultations

16. **Ickleton Parish Council** recommends refusal of the original proposal stating:

- a. "This was a big additional development in visual terms in that particular 'valley' especially the barn (which is exceptionally large)/greenhouses and polytunnels.
 - b. Grange Road is a single-track road – this causes concern. An extra passing bay should be added near the Lilac hedge on the road coming from Ickleton Grange.
 - c. Traffic movements at the fork junction of Grange Road/Elmdon Road. Suggestion to amend the priority from Elmdon Road to Grange Road.
 - d. Traffic movements coming from Duxford, who would wish to turn right at the crossroads into Grange Road could be a danger.
 - e. Trees that are planted should be managed correctly to enhance their growth and to shield the view.
 - f. The Green Travel Plan should be re-worked. No mention of re-use of water/solar panels.
 - g. When the Imperial War Museum film bunkers were built, it was then stated that they presented a fire threat to any nearby buildings. This does not appear to have been taken into account."
17. Any additional comments received in relation to the amended plans will be reported verbally.
18. **Chief Environmental Health Officer** states that there are no significant impacts from an Environmental Health standpoint.
19. **Ecology Officer** strongly supports the application for the following reasons: An adequate level of biodiversity assessment has been undertaken in order to support the application; The application can demonstrate a net gain for biodiversity such as 3,500 square metres of chalk and meadow grassland, 10,000 square metres of deciduous woodland and hedgerows, a new pond, 80 hectares of less intensively managed farmland and habitat for farmland BAP species of skylark, grey partridge and brown hare.
20. He recommends that a S.106 Agreement should include measures to ensure the correct management of the chalk and meadow grasslands, which take up to 10 years to fully develop, and the submission of a 5 and 10 year monitoring report. He asks whether a barn owl box could be erected on the side of the main building and recommends a condition requiring the final location of the passing bays to ensure that they avoid species rich areas.
21. **Local Highway Authority** states that, given the scope of development and traffic likely to be generated, it has no objections in principle to the scheme and confirms that the use of off-site passing bays to mitigate the affect of the increase in vehicular traffic on the narrow carriageway of Grange Road is acceptable in principle. It makes detailed comments with regard to the precise position of the passing bays and the site access specification which it states should be addressed by the submission of amended plans. It states that a Green Travel Plan should be secured. Amended plans have been requested but had not been received at the time this report was compiled.
22. **Environment Agency** originally stated that no Flood Risk Assessment (FRA) has been submitted and recommended that the application be deferred until such time as the FRA has been submitted and considered. Its comments in relation to the subsequently submitted FRA were awaited at the time this report was compiled.
23. **County Archaeology** states that, on the basis of an evaluation conducted in 2000 to the east of the application site, which found no evidence of archaeology, it recommends that an archaeological condition is not necessary.

24. **Cambs Fire & Rescue Service** raises no objections and confirms that additional water supplies for fire fighting are not required.

Representations

25. The following comments relate to the original plans. Any additional comments received in relation to the amended plans will be reported verbally.
26. The occupiers of Rectory Farmhouse, Grange Road express the following serious concerns: Significant impact on important rural setting contrary to Local Plan Policies EN1 and EN3; The development is not 'essential' in this particular rural location and the proposal is therefore contrary to Structure Plan Policy P1/2; Given the offices, meeting rooms and laboratories included in the main barn, the proposal cannot be considered as anything other than an industrial business and, as such, fails to accord with Local Plan Policy EM6 in that it is not within a village framework or on a brownfield site next to one and does not meet the criteria for small-scale development, defined as being firms who employ 25 people or less; This location was chosen for the Imperial War Museum's nitrate film store in part as it was a remote location, distant from housing and people. It must surely be irresponsible to allow a work place for 40 people to be located adjacent to such a potentially dangerous storage facility; As there is no attempt to locate the development close to existing farm buildings, the proposal does not accord with Local Plan Section 10.18 vi; Significant impact on long distance views; and The increase in traffic along Grange Road, a single track highway, and additional congestion felt by Ickleton residents, particularly along Abbey Street.
27. Occupier of Shepherds Cottage, Grange Road objects on the following grounds: considerable visual impact; increase in traffic will alter the nature of Grange Road forever; the junction of Grange Road and Elmdon Road is already dangerous; erosion of Grange Road's protected verges; proximity to explosive/fire hazard at Imperial War Museum nitrate film store; and need to look at alternative sites.
28. Occupiers of 33 Abbey Street support the proposed cereal breeding activity and the retention of land in agricultural use but have the following comments to make on the project: the large 'barn' would have a significant negative visual impact; proximity to Imperial War Museum nitrate film store; loss of protected verges as a result of construction of passing bays but also by cars driving over them rather than stopping or reversing and using passing bays; poor visibility at the junction of Grange Road and Elmdon Road; and, as most traffic to the site would approach Ickleton from Duxford, traffic calming is needed at or before Abbey Street bends sharply into Duxford Road.
29. Occupiers of 8 Brookhampton Street support the proposal stating that: over the years we have seen the loss of farms in the village to housing and this is a good opportunity to redress the balance; the area would be landscaped and passing bays could be provided in Grange Road although we cannot see than the development would generate much additional traffic; and farmers are being encouraged to diversify and we believe the development would enable a local team to do so.
30. The Ickleton Society supports the activity but has a number of concerns about the particular site chosen: the significant visual impact, particularly at night from light pollution; proximity to Imperial War Museum nitrate film store; most employees would travel to the site in their own cars; loss of protected verges as a result of construction of passing bays but also by cars driving over them rather than stopping or reversing and using passing bays; poor visibility at the junction of Grange Road and Elmdon Road; and as most traffic to the site would approach Ickleton from Duxford, traffic calming is needed at or before Abbey Street bends sharply into Duxford Road.

31. Occupier of Crossways, Grange Road states that: the development would lead to a substantial further increase in traffic; appropriate measures should be introduced to bring Grange Road up to a standard to support recent and the proposed increase in traffic levels if the development is approved; and a new access to serve Crossways, 50 yards to the west of the existing exit, is requested as the existing access requires drivers to look in three directions at once which has become difficult and would become more difficult if this development went ahead.
32. Occupiers of Crossways Lodge, Grange Road ask that thought be given as to whether Grange Road, and the Grange Road/Elmdon Road junction in particular, can adequately provide for traffic associated with the proposed development.
33. Occupiers of Stulps Cottage, Grange Road strongly object for the following reasons: insufficient consideration has been given to siting, design and landscaping; the negative impact on the environmental qualities of the local area; the site is open, unprotected and exposed and the proposed landscaping is therefore unlikely to succeed; increase in traffic on Grange Road; damage to verges; noise from vehicles passing their house; risk to children's safety due to speed of traffic using Grange Road; it is an inappropriate site for a largely industrial development; proximity to Imperial War Museum nitrate film store; and no analysis of the other 27 sites considered has been provided.
34. Occupier of Ickleton Grange makes the following comments: the site is very close to the Imperial War Museum nitrate film store; the development would result in a large undesirable increase in traffic volume along Grange Road and potential damage to verges; the site would require water in large quantities putting additional strain on an already scant local resource; the barn is unnecessarily high; light pollution is inevitable; the use of a more level site could avoid the proposed great deal of earthworks; and the site could have an undesirable and potentially detrimental effect on the local wildlife population.
35. Occupier of Larkhill House, Grange Road objects on the following grounds: the development is totally inappropriate in a rural location, particularly such an open site unrelated to other buildings or topographical features; local soil conditions are inhospitable for the level and type of planting required; the development is primarily industrial and, whilst the field plot trials require a rural location, the polytunnels, greenhouses and commercial processing and analysis do not; no analysis of the other 27 sites considered has been provided; the location is entirely unsustainable in transport terms; the Green Travel Plan is something of a flight of fancy; a single days traffic census cannot be a sound basis to make a judgement on the impact of additional traffic; overrunning of verges; the development would add to the already congested traffic at the junction with Duxford Road in the village during rush hour; there are blind turnings at both ends of Grange Road; and proximity to Imperial War Museum nitrate film store.
36. The Director of the Imperial War Museum has been consulted. No comments have been made.

Planning Comments – Key Issues

37. The main issues in relation to this application are:
 - a. Whether this countryside site is an appropriate location for the proposed development:

- b. Impact of the development, including light pollution, on the visual amenities of the landscape;
- c. Highway matters; and
- d. Proximity to Imperial War Museum Nitrate Film Archive.

38. *Whether this countryside site is an appropriate location for the proposed development*
Whilst some of the activities that would be undertaken at the site are laboratory based or service facilities, I am satisfied that the use is essentially a field based enterprise which requires a location close to the land on which the trials take place. The proposed site is centrally located within the land on which the trials are to take place and I am therefore satisfied that the proposal has been demonstrated to be essential in this particular rural location in terms of Structure Plan Policy P1/2. The seed supply part of the activity, which I consider does not necessarily need a countryside location, has already relocated from Trumpington to Stretham.

Impact of the development on the visual amenities of the landscape, including light pollution
39. Due to its scale, the development will have an impact in the landscape. However, by being set in a valley and provided significant new planting as proposed is carried out, I consider that the visual impact of the development as amended would be acceptable.

40. Subject to safeguarding conditions, I consider that light pollution from the site can be kept to an acceptable level.

Highway matters
41. The Local Highway Authority has raised no objections in principle to the proposal although it has requested amended plans in relation to the precise position of the passing bays and the site access specification.
If Members are minded to support the application, I would recommend that any resolution is subject to the receipt of an amended plan that addresses these comments.

Proximity to Imperial War Museum Nitrate Film Archive.
42. The Fire Service was consulted on this application in terms of the proximity of the site to the nitrate film archive and has raised no objections. At the time permission was granted for the film archive in 2000 (S/1104/00/F), the Fire Service stated that "it is apparent that the risk of an incident occurring at the site is extremely remote. If a fire was to occur then it would be restricted to one cell and would self extinguish in all probability before the arrival of the Fire and Rescue Service". I therefore consider that there is no reason to refuse the application in terms of the proximity of the development to the adjacent film archive storage facility.

Nature Conservation
43. The Ecology Officer strongly supports the application stating that an adequate level of biodiversity assessment has been undertaken and the application demonstrates a net gain for biodiversity.

Recommendation

44. Provided the Environment Agency raises no objections to the proposal in response to the submitted Flood Risk Assessment and subject to the receipt of further amended plans to address the comments of the Local Highway Authority:

Delegated approval (as amended by drawing nos. 0511/10 rev A and 0511/12 rev A, Employee Travel Distance Information and Flood Risk Assessment date stamped 13.1.06) subject to safeguarding conditions to include:

1. Standard Time Condition
2. Green Travel Plan
3. Details of Greenhouse black-out screens
4. No artificial lighting of polytunnels or glasshouse L
5. Details of any external lighting
6. Provision of passing bays
7. Landscaping
8. The need for a S.106 Agreement covering ecological matters
9. Number of employees

and delegated refusal if the Environment Agency does raise objections to the proposal in response to the submitted Flood Risk Assessment and/or further amended plans to address the comments of the Local Highway Authority are not received.

Reasons for Approval if the Application is Approved

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) and P6/3 (Flood Defence)
 - South Cambridgeshire Local Plan 2004: CS5 (Flood Protection), EN1 (Landscape Character Areas), EN3 (Landscaping and Design Standards for New Development in the Countryside), EN5 (Landscaping of New Development) and EN12 (Nature Conservation)
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 of development; additional congestion and highway safety; proximity to Imperial War Museum nitrate film storage facility; a countryside location is not essential for this industrial development; impact on protected verges; farm diversification; most employees would travel to the site in their own cars; renewable energy; management of proposed landscaping; archaeology; and 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 file Refs: S/2236/05/F, S/0401/05/PNA and S/1104/00/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 1st February 2006
AUTHOR/S: Director of Development Services

S/2263/05/F - Foxton

**Part Demolition and Conversion of Press Building into 4 Terraced Houses and
1 Detached House, and the Erection of 3 Houses and 4 Affordable Flats
Burlington Press, Station Road/High Street for Mr P Ridgeon**

Recommendation: Delegated Approval
Date for Determination: 23rd February 2006 (Major Application)

Adjacent Conservation Area

Members will visit the site on 30th January 2006.

Site and Proposal

1. The 0.34 hectare site forms part of the extensive Burlington Press site and encompasses the frontages to Station Road and High Street. The Station Road frontage features a range of "Arts and Crafts" factory buildings dating from 1908 and the High Street frontage is open with a substantial 1.8m high brick wall enclosing the site with a substantial yew tree at the mid point. The corner of Station Road/High Street is marked by the Village War Memorial and within the site to its rear is an electricity sub-station.
2. Vehicular access to the site and the modern factory to the rear is off Station Road to the north of the site, alongside a 2 storey office building which is sublet to another company.
3. The full application received on 24th November 2005 and amended on 13th January 2006, proposes the demolition of the Station Road factory buildings apart from most of the façade which is to be retained along with the 2 storey office building at the northern end of the site which does not form part of the current proposal. Five houses are proposed incorporating the façade, the roof being extended and the ridge raised 1.3m compared to the existing, giving an overall ridge height of 7.9m. Vehicular access is to the rear via the existing factory access which will be slightly widened and have improved kerb radii. Each property being provided with a garage and a parking space, the accommodation comprising 1 two bedroom, 2 three bedroom and 2 four bedroom houses.
4. Also serviced from the rear via the existing factory access are a block of 4 affordable dwellings and 3 detached houses fronting High Street.
5. The affordable houses are sited immediately to the south of the modern factory building and comprise 2 one bedroom and 2 two bedroom flats, arranged on three floors. The ridge height of the block is 8.3m, and 4 parking spaces are provided.
6. The three 4 bedroom houses are set gable on to High Street and have ridge heights of 7.2m. Like the affordable houses they are proposed to be rendered. Two garages

and three parking spaces are allocated to them. Only pedestrian access is proposed to High Street. The density of the scheme equates to 35 dwellings per ha.

7. Accompanying the application is a design report. It states Burlington Press is currently having economic difficulties retaining a large outdated building. Parts of the site provide a valuable historic and visual contribution to the village. The war memorial adjoining the site has an electricity sub-station as a backdrop and the opportunity arises to relocate this and have a more appropriate backdrop of foliage and houses. The factory site does not have a street frontage to High Street and does not make a positive contribution to the village street scene.
8. The northern block of the Press will remain with a bay to the rear demolished to accommodate daylight requirements and to create a clear break between the remaining Press building and the proposed houses.
9. The 3 detached houses proposed on High Street are designed to fit in with the existing street layout of detached houses, but are higher density than most of the surrounding village. They are all 2 storeys and set back from the road to retain the "soft" edge to the street. The character of the proposed buildings is designed to compliment the existing housing within the village, using features such as clay tiled pitched roofs, chimneys, render and timber window frames. They also respect the historic context by having small proportioned windows to the street alterations.
10. Vehicle access and parking are accommodated via a new rear access road, with "pedestrian only" access from main roads.
11. 3 large trees on the site are to be retained.
12. All properties are provided with private gardens. Subsequently, a bat survey has been carried out and the results forwarded.

Planning History

13. A full application for conversion of Press buildings into 8 dwellings and the erection of 6 houses together with 20 affordable houses was withdrawn in July 2005.
14. In 1998 a full application to erect 8 houses, a play area and garages north of the Press was refused.

Planning Policy

15. The site is within the village framework and adjacent the Conservation Area. The following policies are relevant:

Cambridge and Peterborough Structure Plan 2003:

Policy **P1/2** - Environmental Restrictions on Development
Policy **P1/3** - Sustainable Design in Built Development
Policy **P5/2** - Re-using Previously Development Land and Buildings
Policy **P5/3** - Density
Policy **P5/5** - Homes in Rural Areas
Policy **P7/6** - Historic Built Environment

South Cambridgeshire Local Plan 2004:

Policy **SE4** - Group Villages

Policy **SE8** - Village Frameworks

Policy **HG7** - Affordable Housing on Sites within Village Frameworks

Policy **HG10** - Housing Mix and Design

Policy **HG11** - Backland Development

Policy **EM8** - Loss of Employment Sites in Villages

Policy **EN12** - Nature Conservation: Unidentified Sites

Policy **EN30** - Development affecting setting of Conservation Areas

Policy **ES6** - Noise and Pollution

Consultation (pre amendment)

16. **Foxton Parish Council** objects to the application: The comments are quoted in full.

“The application is for a redevelopment at the heart of the village and if granted, would have a major impact on the structure and nature of the village. It would also have a deleterious effect on traffic and the use of village facilities.

The Parish Council has revisited the response to the canvass of the village carried out last year and received a number of new comments from parishioners. The amended plans were on display and there was an extended discussion at a well-attended Parish Council meeting on 9th January. The Parish Council has had regard to the 28 written submissions received in respect of the previous application and has received, and is aware of, further letters in response to this amended proposal. Notwithstanding the short time available for local consultation (that included the Christmas and New Year holidays) the parish council considers that it has received sufficient feedback from parishioners and has come to an informed judgment. Parishioners again raised a number of strong objections to the application and were overwhelmingly against the proposal.

The Parish Council is aware that this is probably the most important planning application concerning the heart of the village. Whatever ends up on this site will be with us day in and day out for the rest of our and our children's lives. It is in a pivotal part of the village and is a main focal point with the village sign, war memorial and nearby thatched cottages. It perhaps ought to be included in the village's conservation area and we question why this is not so. It is at a junction not only important for its visual impact but also for traffic flow through the village, where serious problems are already being experienced.

From its own deliberations, and taking residents' views into account, the Parish Council recommends that the planning application be **refused**

Considering the size of the village, the application proposes a large number (12) of new dwellings. Foxton is designated a “small” village in planning terms and as a designated Group Village where “housing estates will not be permitted and further development will be limited...” (Policy SE4). Whilst the Parish Council appreciates that any vibrant community requires change and development, it is conscious of the need to ensure that this does not conflict with the heritage of the village. It is evident to us that the Planning Authority views this as a large and sensitive development because it has been dealt with outside the team headed by Paul Sexton.

There has been a substantial development (relative to Foxton's size) of the village in recent years and a number of further planning applications are being considered. Apart from a number of recently developed sites for one or two dwellings, the following developments have either already been, or are likely to be, approved:

- a) The development in the last few years of an estate of 31 dwellings on a site adjoining the recreation ground.
- b) The building of a village school, village pavilion, and village hall associated with 2(a).
- c) An application for 13 houses and one bungalow on Moore's Farm (50% affordable.)
- d) An application for 3 dwellings on Mortimer's Lane.
- e) Furthermore the Parish Council would like to see the development of the former primary school site to meet the housing needs of the village, by the building of 6 to 8 dwellings - of which the affordable element would be particularly suited to older residents.

Including this application, we assess this as an increase of around 15% in the number of dwellings in the village in less than a 5-year period. It is the view of many in the village including the village shopkeeper, that we have reached saturation point so far as the acceptable civilized use of the commercial amenities in the heart of the village are concerned, an area of the village on which this development will impact adversely to a considerable extent.

In view of the above the Parish Council needs to be satisfied that any development would not deleteriously affect the nature of the village, bearing in mind its historical heritage, its limited infrastructure, and its designation in the local plan.

1. Environment

(a) The War Memorial and Burlington Press

The proposed development would have a substantially negative impact on a major focal point of the village, namely the War Memorial site. It is near to listed buildings and abuts (and thereby would affect) the Village Conservation Area. The Parish Council recognises the need implicit in the South Cambridgeshire Local Plan (February 2004, p.156) that special note be taken of developments next to Conservation Areas "affecting their setting".

The War Memorial intersection is an important part of the Village structure and any attempt radically to alter it should be carefully considered. While there may be some debate over the architectural merits of the Burlington Press buildings, there is widespread agreement that proposed development certainly worsens the position. Maintaining the frontage of the Press building, particularly near to the War Memorial, would do little to offset the overall adverse impact that 12 modern two-storey and three-storey houses built closer to the war memorial would have on this important part of the Village. Moreover, the higher roofline on the Station Road frontage would add to the cold winter impact along this stretch of the path and highway. Because of the heavy shadow, ice does not clear rapidly posing a safety hazard.

Similarly, approaching the War Memorial from the Conservation Area, with the Press site on the left-hand side of the road (with the buildings being set well back) gives an impression of space and openness, which compliments the dovecot field opposite. This aspect would also be lost with any major redevelopment. The development would, the Parish Council consider, deleteriously affect the views to and from the Conservation Area and adversely affect the rural nature of this important focal point of the Village.

The Parish Council notes that the retention of the frontage of the Press building would result in the front doors of the associated dwellings opening

directly onto the street. It is considered that any proposed dwellings should be set well back from the Station Road.

(Please note that these were the words we used in May last year, we did not say that we wanted the front façade retained) see further comments below.

(b) Noise and General Nuisance

The proximity of the Burlington Press would adversely affect the occupants of the dwellings due to undue noise and general nuisance particularly the occupants of the affordable housing. An implication of the 1998 planning decision is that the site is not suitable for mixed commercial/residential use.

The amenities of the occupiers of the Press cottages and other nearby properties are already adversely affected by reason of undue noise and general nuisance through the use of the current access (see also No.2 below). These impacts are contrary to Policy HG11 of the South Cambridgeshire Local Plan (2004, p.50) particularly as part of the proposed development is to the rear of existing properties.

Policy ES6 pages 193/4 covers noise & pollution and paragraph 11.34 deals with new noise sensitive developments near to existing commercial or industrial activity.

An applicant is required to demonstrate that any noise pollution from the existing commercial or industrial activity will not result in unacceptable noise to noise sensitive development.

Paragraph 11.35 deals with new noise sensitive development constructed near to existing industrial or commercial development will need to be designed and orientated so that as far as practicable windows of sensitive rooms including living rooms and bedrooms face away from major noise sources. Are the noise standards set by the district council met by this development?

The Parish Council considers this to be most relevant to the whole of this application.

2. Traffic Congestion/Access

Since a previous application (S/1476/98/F) was refused in 1998 on the grounds of increased congestion and adverse impact on road safety conditions in Station Road, the road has become more congested. Heavy vehicles, (including continental container lorries going to and from the Press), and buses use this narrow road, which has considerable on-street parking. (Yellow lines have recently been added at the junction with the A10.)

The access road to the site would be too narrow for two cars to pass safely especially if a pavement is required.

The junction of the access road with Station Road will continue to mar the appearance of both the row of historic Press cottages and the setting of the listed buildings virtually opposite.

The Parish Council considers that the development would also greatly contribute to the traffic congestion that already occurs around the War Memorial, especially with respect to the on-street parking in this area. Moreover, the T-junction between Station Road and the High Street is already dangerous and access from the proposed site is bound to exacerbate the situation.

There is already widespread concern by parishioners about the existing level of noise on the site, not only from the Press machinery, but also from the

movement of vehicles at all hours related to the business. There are two bus stops in this section of Station Road including a bus shelter immediately outside the proposed plot number 7. There is further concern that with the marked increase in the number of vehicles (including those from within site) using Station Road to get to the A10, which would arise from this development, there is an unacceptable increase in the risk to pedestrians and children.

The problem of parking in front of the properties in Station Road will immediately arise and will present the village with no alternative but to request an order for yellow lines along this part of Station Road.

The Parish Council notes that the proposed 1998 development (**S/1476/98/F**) was turned down on the grounds that:

“... the development is unacceptable by virtue of its close proximity to the adjacent works, Burlington Press. The occupiers of the houses proposed are likely to suffer from unreasonable loss of amenity due to noise from the works, traffic movement and parking area.”

And

“The proposed vehicular access [using the Press site] as shown is of inadequate standard by reasons of its width, visibility splays and general design to serve the development proposed by reason of its shared use with other industrial and residential traffic and development is therefore unacceptable as it will have an adverse impact on road safety in the area.”

The Parish Council believes that it would be inconsistent not to reject the present proposal on the same grounds.

3. Parking within the site

It is essential to avoid parking on Station Road and we are concerned that there is inadequate parking within the site – for instance, where do cars owned by occupier and visitors to plot numbers 1 and 2 park? Where garages are provided, these are more than likely to be used for storage purposes. We would urge that consideration be given to the provision of more than the statutory minimum of 1.5 spaces per dwelling in this and for that matter, any rural application.

4. Brownfield redevelopment

The proposed housing site would be a large-scale development at the heart of the village and exceeds the maximum 8 houses usually permitted on any single site in the village. The parish council notes “development may exceptionally consist of up to 15 dwellings, if this would make the best use of a Brownfield site” (South Cambridgeshire Local Plan, Foxton, p.88). The Parish Council does not accept that the development of 12 dwellings “makes best use of the site”

From the plans we assess that only 5 of the properties would fall within the definition of “brownfield redevelopment”, the remaining development including 7 dwellings would be on greenfield land.

But the proposed development is not on a true "Brownfield site" (a former industrial site), it is on a viable commercial site. Therefore the proposed development would result in a significant drop in commercial capacity and the potential number of jobs in the village.

5. Commercial Capacity/Employment

Policy EM8 concerning loss of employment states:

"The conversion, change of use or redevelopment 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." (emphasis added).

These parts of the Press buildings are currently occupied and are used variously as offices and for storage and currently providing employment including for some village people.

It may be that the commercial interests of Burlington Press (the tenant) have been raised with the District Council as they have been with the Parish Council. The Parish Council is minded that this is not really a planning issue, however we cannot ignore it. We are reminded that there have been several changes of occupation of these buildings including a recent sub let to MW Creative. Our view is that the commercial driver to sublet further parts of these buildings, including those parts included in this planning application and which are subject to a further nine years of leasehold, will determine the commercial occupancy of the site in the near future.

We are seeking to ensure the commercial viability of this part of the village.

6. Design Issues

Given the importance of this development within the village framework, we are concerned that insufficient attention has been given to the design of the scheme. It does not come across as a quality design, more an opportunity to maximise the value of a site. All aspects of detail, bricks, tiles, railings, fences etc. need to be carefully considered and the outcomes specified.

The positioning of the flats within a couple of metres of the factory wall and the fact that they directly overlook the garden of number 7 High Street must surely be unacceptable in planning terms.

The retention of the whole of the façade is questionable. The reuse of storage buildings nearest to the High Street/Station Road junction seems hard to justify particularly as the proposed four-bedroom dwelling has no obvious parking provision. This building and its façade seem to have considerably less historical and architectural merit than the original building.

We note that 4 out of 5 front doors open on to the Station Road pavement. We are against this and would like to see a design with less doors opening onto the pavement and, preferably, an elimination of all such doors.

7. Infrastructure

The development of the site would place a strain on the existing village infrastructure. In addition to the volume of road transport already noted, the newly built Village Primary School is already over-subscribed in some classes. The local Melbourn and Harston general practitioner lists are full. There are serious doubts as to whether the current sewerage and water system can cope

with any large development and there are already intermittent obnoxious smells from the sewerage system and flooding in the vicinity of the sewage works.

The Parish Council also notes that part of the proposed development is on the High Street, which already suffers from flooding with even moderate rainfall. The development would be likely to increase the propensity for flash flooding and result in an unacceptable volume of runoff. We also note that it is proposed that the houses on plot numbers 2,3 and 4 be built on the flood plain. (Inset 30, local plan 2004).

The Parish Council considers that the proposal for the development of the Press site does **not** meet all the criteria set out in Policy SE4 and on these grounds alone the application should be refused.

8. Affordable Housing

The Parish Council welcomes the inclusion of 4 affordable flats in this proposal, the location of which to some extent meets the criticism of social and spatial segregation. This represents only one third of the total dwellings in the scheme and is less than the normal 50% required by South Cambridgeshire District Council. Belatedly we have understood this to be due to the cost of retaining the whole of the façade to Station Road. In simple terms the developer's cost for retaining the whole façade is 2 affordable dwellings. If you take the value of houses compared with flats the proportion of affordable housing offered by value will be considerably less than one third and that is not acceptable.

You should know that the reason for this reduction in affordable housing was not known at the time of the Parish meeting and that the village has been left with no time to respond to this new information. The Parish Council and the village have not had the opportunity to assess the cost benefit or otherwise of retaining the façade as opposed to securing affordable housing. You may recall that none of the 31 dwellings referred to above were affordable and as a consequence the village has lost many of its sons and daughters, indeed the lifeblood of a sustainable community. The Parish Council is anxious that this should not happen again and is pressing for affordable housing in small developments including the old school site.

We urge the District Council to re-evaluate the costs and planning benefits (S106) and to insist on a new proposal that retains less of the frontage and secures a greater proportion of affordable dwellings.

In any re-evaluation the District Council should press the developer to take in to account the value of the additional development to the rear of Station Road afforded by the retention of the façade. The end result of which should ensure that the Council secures a greater proportion of affordable houses.

We are also concerned to know whether these flats are truly affordable, are they to be rented and will the village receive exclusive nomination rights?

9. Summary/Recommendation

The Parish Council notes that this is a revision to an earlier submitted plan. It has carefully considered the proposal and has taken into account the views of parishioners. It considers that the development, as set out in the application, should not be approved on the following grounds:

- (i) The proposed development can be compared with an earlier plan, which was refused planning permission in 1998 (**S/1476/98/F**). The reasons given for the refusal of that proposal are even more relevant today with this application.
- (ii) The development would result in an unacceptably adverse impact on road safety and congestion in the area.
- (iii) The development, given its location, would have an adverse impact on the visual quality of the War Memorial site, is out of keeping with the structure of the village as a whole, and is not sympathetic to the historic interests, character, and amenities of the village.
- (iv) Noise issuing both from machinery and traffic would have an unacceptable impact on residents. (Policy ES 6)
- (v) The development would result in an unacceptable increase in the pressure on the village infrastructure and is therefore not sustainable.
- (vi) The Council has not secured 50% affordable housing on this site.
- (vii) The retention of the whole of the façade extended and heightened would have an adverse effect on the quality of the development. Whilst the centre of the façade has historic merit, the rest has considerably less aesthetic value.
- (vi) Policy EM8 (Loss of employment sites in villages) should be adhered to."

I understand the Parish Council has sent a letter to every household in the village dated 14th January 2006 expressing its concern at the application and urging parishioners to write to the Council. Any further comments received will be reported verbally.

- 17. **The Environment Agency** states the application does not sufficiently consider surface water drainage, pollution control and environmental impact and conditions are recommended requiring the submission of further information for approval prior to commencement.
- 18. **Anglian Water** has not commented.
- 19. **English Nature** has no records to suggest bats are using the building, but agrees with the Council's Ecologist that it is a possibility. A condition requiring emergence surveys and a destructive search are recommended.
- 20. **The Local Highway Authority** requests minor improvements to the existing factory access which have been incorporated in the amended plans.
- 21. **The Cambridgeshire Fire and Rescue Service** is of the opinion that additional water supplies for fire fighting are not required.
- 22. **The County Archaeologist** states the site lies on the northern edge of the historic village core. Evidence of Medieval and early Post-Medieval domestic activity is likely to survive. The High Street is also thought likely to follow the line of the Icknield Way, a major prehistoric route way, and the potential for the discovery of prehistoric and Roman remains in the area cannot be discounted at this stage. A condition is recommended requiring the securing of a programme of work before development commences.

23. **The Chief Financial Officer (County Council)** does not require an educational financial contribution as there is capacity in the new village primary school.

24. **The Conservation Manger comments:**

“The existing Press buildings are a fine range of ‘Arts and Crafts’ buildings, dating from 1908 that make an important contribution to the built environment of Foxton and any alterations will need to be carefully handled. It will also be important to ensure that the demolition will not include any parts of building that are of architectural interest.

Having had the opportunity to inspect the interior of the buildings, I am of the opinion that there is little of architectural interest worthy of retention to the interiors behind the Station Road elevation.

The buildings fronting Station Road form quite an eclectic composition, with classical elements incorporated into an overall asymmetrical arrangement. All elements contribute to the overall strength and architectural impact of the structures on the streetscape. I am pleased to see that the revised scheme now retains the ‘saw-tooth’ element at the left hand end (nearest the war memorial, House 1), though where this abuts the white rendered central element (House 10) the wall is to be partially taken down and re-built on a new line set back from the existing elevation. This will not achieve anything in practice but will weaken the overall strength of the existing architectural composition. Therefore the proposal should be revised to retain the line of the existing wall and limit the alterations to the introduction of new openings (the head of the wall where it abuts the white rendered central element could also be straightened out without harm to the overall composition). The new window and entrance door that are to be introduced into this wall will need to be undertaken with a degree of care and the detailing should reflect the ‘Arts and Crafts’ roots of the original building.

The conversion/re-building of the factory unit element to form dwellings includes the introduction of a number of dormer windows on the rear elevation. The elevation is at variance to the plan in that it only shows 3 dormers, whereas the plan indicates 5 dormers. These dormers would appear to follow the form of the existing dormers on the street elevation (and should therefore have lead roofs etc). I would wish to see details of these dormers before work commences to ensure that they are appropriate. The street elevation includes a series of rooflights. These should be ‘conservation’ type, with a condition requiring the final size and manufacturer to be agreed before work commences.

Finally, there is a war memorial to employees of the Press killed in the Great War and Second World War mounted on the sidewall of the open porch. In the event of planning permission being granted for conversion of the building I would expect a condition to be imposed requiring retention of this memorial in this location and that the porch will remain open in perpetuity. There are also a number of other significant ‘Arts and Crafts’ elements to the building which should be retained including; the ventilation cowl to the ridge of the roof, the two dated rainwater hopper heads (with initials UTP), the ‘Venetian’ window and two dormers, the portico complete with ionic columns and open book/sun detail to the pediment. The existing chimney, though simply detailed, is also a key component to the overall composition and should be retained. I am aware that the current scheme proposes the retention of all these items, but I have listed them here for the avoidance of doubt.

Recommendation:

No objection in principle but would wish to see the link-wall revised on House 1 (as outlined above) and conditions as set out above. The roof to House 1 is given as Sarnafil. I assume this to be a single ply membrane detailed with rolls to resemble lead. Such a roof treatment might be acceptable, but alternatives might include a standing seam aluminium or zinc roof. There would also appear to be a panel of patent glazing in this roof facing Station Street, but no information is provided on this. Samples and details of the roof treatment to House 1 should again be agreed before work commences. Finally, a scheme of this size should fall into the criteria for provision of Public Art. Given the design of the existing building, there may be scope for it to be in the form of some further 'Arts and Crafts' detailing or helping to enhance the backdrop to the war memorial'.

25. **The Council's Ecologist** received a bat survey but some parts of the roof space proved difficult to access. Bats may be present and a Condition requiring further survey work is suggested. Provision for nesting birds is also required and can be conditioned.
26. **The Chief Environmental Health Officer** has concerns that noise emanating from the existing extraction system located on the southern elevation of the Press factory may have an adverse impact on the 4 affordable flats proposed. The system would have to be relocated, and can be secured by Condition. A further condition regarding the operation of power operated machinery during the construction period is required.
27. **The Environment Operations Manager (Waterbeach Depot)** has no objections. More information would be useful on the proposed bin store adjacent to the affordable homes.
28. **EDF Energy** has not commented regarding the resiting of the sub-station.

Representations (Pre-amendment)

29. 3 objections have been received from Station Road residents. The main points are:
 1. The volume of traffic onto Station Road will increase creating highway danger and increasing congestion of the junction with the A10.
 2. Recent residential developments in the village and those in the pipeline will increase the strain on already stretched village infrastructure e.g. the school is at full capacity and there will be increased pressure on local doctors' surgeries.
 3. There will be a negative impact on visual amenity of a high density scheme in the heart of the village, close to the War Memorial and the Conservation Area.
 4. Inadequate parking is proposed for the 3 new houses fronting onto High Street and the single detached dwelling on Station Road. This would lead to on-street parking near a busy junction.
 5. The ridge height of the Press building is raised and the roof extended, adversely affecting the amenity of the houses opposite in Station Road in terms of decreased light and view.
 6. The number of affordable properties is below the 50% required by policy. A preferred option would be to build affordable housing on the old school site.

7. The proximity of the Press commercial site to the proposed dwellings will lead to environmental problems from noise and commercial traffic. A previous application in 1998 for 6 houses nearby was refused partly on these grounds.
8. More housing will increase the likelihood of water shortages.

Planning Comments – Key Issues

30. The key issues are:
 1. The appropriateness of the Conversion of the Press Buildings in design terms
 2. The impact on the scheme on the War Memorial.
 3. The level of provision of affordable houses.
 4. The loss of employment floorspace.
 5. Environmental considerations of building houses close to an operational factory.
 6. Traffic/parking implications.
 7. Impact on neighbouring properties/street scene.
31. The application is a scaled down version of a withdrawn application submitted in April 2005, which involved the conversion of the Press Building into 14 dwellings and the erection of 20 affordable houses.
32. Discussions with officers prior to the current application centred on the desirability of retaining as much of the attractive Arts and Craft frontage to Station Road as possible, improving the setting of the War Memorial and securing an element of affordable housing within the scheme.
33. The Conservation Manager is now satisfied that the application, as amended, will result in a sympathetic conversion of the Press Buildings, subject to conditions concerning the retention of architectural details including a small War Memorial plaque in the entrance porch. The importance of the buildings is solely in their facades, the elements to the rear having been rebuilt to modern standards over the years. More of the façade is retained in the current scheme but the Parish Council is critical of the impact of this on the War Memorial itself.
34. More thought has been given to the setting of the free standing Village War Memorial. Greater clearance is achieved by resiting the proposed unit facing Station Road and removing a garage on the High Street frontage from the scheme. The existing electricity sub-station which currently forms an unfortunate backdrop will be resited. Conditions can be attached to the permission withdrawing permitted development rights for the erection of buildings within the domestic garden area proposed behind the memorial, and a landscape scheme attached to secure the planting of a hedge behind the existing low wall enclosing the memorial. The Parish Council considers the development will damage its setting.
35. The applicant has discussed the provision of affordable housing with the Council resulting in the provision of a block of 4 one and two bedroom flats. This equates to 33% of the units proposed, a shortfall on the Local Plan requirement of up to 50%. A

letter of justification has been received from the applicant's agent which is attached as Appendix 1.

36. As well as the additional costs involved, particularly with regards to the retention of the façade of the building in accordance with the advice of the Conservation Officer and the relocation of the existing sub-station away from the setting of the War Memorial, Members will note the financial problems currently being experienced by Burlington Press, a major local employer. In the circumstances I consider the provision of 4 affordable houses instead of a maximum of 6 acceptable given the planning gain flowing from the redevelopment and the economic advantages for Burlington Press, increasing the likelihood that they will remain in the village. The Parish Council remains concerned at the potential loss of 2 affordable houses and criticises the chosen location adjacent to the modern factory building.
37. Although there will be some loss of employment floorspace with the conversion/rebuilding of the frontage buildings, large areas of the floorspace are available in the modern factory buildings to the rear with changes in technology which will enable the existing office function to relocate into a newly partitioned area within that building. There will be no loss of jobs as a result of the development. The large 2 storey office building, which was also proposed for residential conversion in the previous scheme is being retained in employment use. Further information on the Company's circumstances is given in Appendix 2.
38. The Chief Environmental health Officer is satisfied it is appropriate to build houses close to the modern factory to the rear, with the proviso that extraction vents adjacent to the proposed affordable houses are relocated prior to their occupation. This can be secured by Condition. The Parish Council remains concerned about the juxtaposition of housing with a potential noise source.
39. The Parish Council and local residents have expressed concern about traffic hazards likely to result from increased traffic onto Station Road and fear increased on-street parking. At the suggestions of officers all the parking is now to the rear via the existing factory access. The Local Highway Authority supports this arrangement, subject to some minor widening/improved kerb radii to the Station Road access which has been incorporated in the amended plans. The previous scheme accessed the 3 detached houses off High Street and rear access has the advantage of retaining most of an attractive frontage wall adjacent to the Conservation Area, which will now only be interrupted by pedestrian accesses. More parking has been provided within the amended scheme at the behest of officers. 21 spaces/garages are now provided which exceeds the Government standard of an average of 1.5 spaces per dwelling.
40. One neighbour is concerned at the impact of raising and extending the existing roof of the converted building on the light and view from his property, but the overall height will only be 7.9m and the objector's dwelling is set at an angle to Station Road at a distance of 24m. The Parish Council is also concerned that raising the ridge will increase shadowing in Station Road, increasing the likelihood of icy conditions on the road and path. This is unlikely to be a side effect given the orientation and the small increase involved i.e. 1.3m.
41. The Parish Council points out that in the last 5 years there has been considerable housing development in the village, in the order of 15% increase in the housing stock either built or approved. Further residential development on this site will impose an unacceptable strain on the existing limited village infrastructure, particularly the school and the village shop. The school is not at capacity and the County Council is not seeking an Education contribution from the Developer. I am surprised the village

shop is not supporting the proposal as it would obviously be a source of more custom.

42. The frontage to High Street was included in the 2002 indicative flood plain. But no part of the site falls within either the 2005 Flood Zones 3 (high risk) or 2 (medium risk). This is confirmed by the Environment Agency's response.
43. A verbal report will be made of the responses received to the amended plans.

Recommendation

44. Approval, as amended by plans PLO1F, PLO2E, PLO3E and PLO4E franked 13th January 2006, subject to the following conditions:

1. Standard Cond A - 3 yrs.
2. No development shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:
 - a) The materials to be used for the external walls and roofs of the houses and garages, and the precise detailing of the roof to House 1.
 - b) The materials to be used for hard surfaced areas including roads, driveways and car parking areas.
 - c) The treatment of the High Street boundary wall and the individual plot boundaries.
 - d) Full joinery details.
 - e) The "Conservation" roof lights and patent glazing proposed on the Station Road elevation.
 - f) The dormers to houses 7, 8 and 9.
 - g) Design of bin store.

The development shall be carried out in accordance with the approved details.
(Reason - To ensure the development is not incongruous.)

3. SC51 Landscaping (RC51).
4. SC52 Implementation of landscaping (RC52)
5. No demolition, site clearance or building operations shall commence until chestnut pale fencing of a height not less than 1.3m shall have been erected around each tree to be retained on site at a radius from the trunk of not less than 3.6m. Such fencing shall be maintained to the satisfaction of the Local Planning Authority during the course of development operations. Any trees removed without consent or dying or being severely damaged or becoming seriously diseased during the period of development operations shall be replaced in the next planting season with tree(s) of such size and species as shall have been previously agreed in writing with the Local Planning Authority. (RC56).
6. 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 transfer of the 4 affordable flats (Nos 5a, 5, 6a, 6) to a Registered Social Landlord approved in writing by the Local Planning

Authority. (RC - To ensure the development makes provision for Affordable Housing in accordance with Policy P5/4 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policy HG7 of the South Cambridgeshire Local Plan 2004.

7. 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 properties on Plots 1 and 2 unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf:
 1. PART 1 All Classes
 2. PART 2 Class A(RC - To protect the setting of the Village War Memorial).
8. Prior to the commencement of any development, a scheme for the provision and implementation of ground contamination investigation, assessment and remediation shall be submitted to and agreed in writing with the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme.
(Reason - To prevent the increased risk of pollution to the water environment.)
9. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and agreed in writing 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.
(Reason - To ensure a satisfactory method of surface water drainage.)
10. Prior to the commencement of any development, a scheme for the provision and implementation of pollution control to the water environment shall be submitted to and agreed in writing 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.
(Reason - To prevent the increased risk of pollution to the water environment.)
11. 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 protect the amenity of neighbouring residents.)
12. Before the occupation of the 4 affordable flats (Nos 5a, 5, 6a, 6), the existing extraction vents in the southern elevation of the adjacent factory building shall be relocated in accordance with a scheme previously agreed in writing by the Local Planning Authority.
(Reason - To protect the amenity of the flats from an existing noise source.)

13. 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 approved in writing by the Local Planning Authority.
(Reason - To secure the provision of archaeological evacuation and the subsequent recording of the remains.)
14. No development shall commence until a scheme for public art is submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved scheme.
(Reason - In accordance with Policy SF/6 of the Submitted Draft Local Development Framework dated January 2006.)
15. The War Memorial plaque on the sidewall of the porch on the Station Road frontages shall be retained in-situ and the porch remain open in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.
(Reason - To ensure the plaque, which has social history importance, is retained and can be viewed by the public.)
16. No development shall take place until details of the provisions to be made for nesting birds, particularly house sparrows and starlings, have been submitted together with details of the timing of the works, and are subsequently approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details.
(Reason - To secure appropriate biodiversity features in accordance with Planning Policy Statement 9 and Policy EN12 of the South Cambridgeshire Local Plan 2004.)
17. No alteration or demolition of the existing buildings, or development of the site shall commence until additional survey work has been undertaken for bats. The methodology of such survey work shall be agreed in writing with the Local Planning Authority. Any variation to such survey work as a result of seasonality or new information shall first be agreed in writing by the Local Planning Authority. The results of the survey work shall be used in the preparation of a suitable mitigation and compensation strategy for bats.
(Reason - All species of bat and their places of shelter receive full protection under the UK Habitats Regulations, 1994. The initial bat survey submitted with the planning application highlighted the potential for bats in parts of the building that could only be assessed through further survey work or during the process of alteration or demolition of the existing building.)
18. The works involving improved radius kerbs and widening of the factory access shown on amended plan No. P101 Rev F franked 13th January 2006 shall be carried out before the occupation of the approved dwellings.
(Reason - In the interest of highway safety.)

Informatives

1. The Environment Agency comments as follows:
 1. 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 best practice for the removal, containment or otherwise rendering harmless of such contamination, as may be found.

2. All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.
 3. 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.
 4. Soakaways will not be permitted in contaminated land.
 5. 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.
 6. Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies.
 7. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from lorry parks and/or parking areas for fifty car park spaces or more and hardstandings should be passed through an oil interceptor designed compatible with the site being drained. Roof water shall not pass through the interceptor. An acceptable method of foul drainage disposal would be connection to the public foul sewer.
 8. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground.
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2. The Council's Environmental Health Officer comments that should driven pile foundations be proposed, then before work commences, a statement of the method for construction of these foundations shall be submitted and agreed by the Council so that noise and vibration can be controlled.
 3. For further information on the design of the proposed bin store, contact the Council's Environment Operations Manager, Mr S. Harwood-Clark.
 4. The Conservation Manager suggests that the provision of Public Art could take the form of some further "Arts and Crafts" detailing or helping to enhance the backdrop to the War Memorial. Contact - David Grech.
 5. For the avoidance of doubt, significant "Arts and Crafts" architectural elements should be retained. E.g. the ventilation cowl to the roof ridge, the two dated rainwater hopper heads (with initials UTP), the Venetian window and two dormers, the portico complete with ionic columns and open book/sun detail to the pediment.

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
 - P1/2** - Environmental Restrictions on Development
 - P1/3** - Sustainable Design in Built Development
 - P5/2** - Re-using Previously Development Land and Buildings
 - P5/3** - Density
 - P5/5** - Homes in Rural Areas
 - P7/6** - Historic Built Environment
 - **South Cambridgeshire Local Plan 2004:**
 - SE4** - Group Villages
 - SE8** - Village Frameworks
 - HG7** - Affordable Housing on Sites within Village Frameworks
 - HG10** - Housing Mix and Design
 - HG11** - Backland Development
 - EM8** - Loss of Employment Sites in Villages
 - EN12** - Nature Conservation: Unidentified Sites
 - EN30** - Development affecting setting of Conservation Areas
 - ES6** - Noise and Pollution
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Impact on the amenity of neighbouring residents
 - Highway safety
 - The character of the Conservation Area
 - The setting of the War Memorial
 - The shortfall in the provision of affordable houses

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

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- Planning Files Ref: S/2263/05/F, S/0813/05/F and S/1476/98/F

Contact Officer: Bob Morgan - Majors Champion
Telephone: (01954) 713395

Plan S/2263/05/F (Major Application), comments following revisions dated 12 Jan 2006 and publication of agenda and papers for SCDC Development and Conservation Control Committee, 1 Feb 2006.

(These comments have been made following public display of the revised plans and sight of the Report to the Development and Conservation Control Committee. They supplement the Parish Councils earlier comments on this plan.)

Comments on the Amendments dated 12 January 2006

1 Retention of existing facade.

Whilst recognising its attractiveness, especially of the central section, there is little enthusiasm in the village of Foxton for the retention of the facade. Further, we note that the architect for the developer quotes the cost of retaining the facade at £160,000. Whilst retention of the facade is a planning not a financial matter, we would comment that this money would be better spent setting the development back from the pavement edge in Station Road and in increasing the proportion of affordable homes in the plans. If the conservation officer believes that the façade warrants preservation, then this should be addressed through listing rather than through the retention being offset against affordable housing.

2 Reduction of affordable element from 50% to 33%.

Apart from the cost of £160,000 quoted for the retention of the facade, the developer's architect has quoted further costs amounting to £255,000. We note that none of these costs seem to be attributed to the affordable housing element of the plan - they would appear to be incurred whatever housing redevelopment is undertaken on part of the site. You may recall that, in our earlier comments, we said "We urge the District Council to re-evaluate the costs and planning benefits and to insist on a new proposal that retains less of the frontage and secures a greater proportion of affordable dwellings."

We are unable to reconcile the figures for housing need determined in the latest Housing Needs Survey (Summer 2003) with those given by the developers architect. That Housing Needs Survey assessed the need for 1 and 2 bed accommodation within five years time, i.e. by 2008, at 18 units. Even allowing for the eight units in plans already approved and not yet built, the figures quoted by the developer's architect for units needed are too low.

3 Vehicular access and parking

We note that some modifications to the Station Road access are proposed. However there remain major concerns regarding conflicting movements within the press environs. There are three conflicting traffic flows.

Firstly lorry and other traffic into the press itself, secondly vehicular access to the garages behind the existing 16 press houses to the north of the press, and lastly the traffic to and from this development in the eastern part of the press site. All these flows must come and go through the access onto Station Road. Additionally there are flows at peak times in and out of the Foxton Learning Centre site immediately opposite the access road.

There will inevitably be an increase in traffic problems at both the High Street/Station Road junction and at the Station Road/Cambridge Road junction. The Council will almost certainly be forced to seek parking controls around the High Street/Station Road junction.

We note that the parking provision has been increased to be just above the figure of 1.5 per dwelling, however the parking spaces appear to be allocated to specific dwellings and therefore are likely to meet neither all the need for residents' parking nor the need for visitors parking. This will inevitably lead to roadside parking which will increase traffic problems both inside and outside the development.

Comments on the Report to the Development and Conservation Control Committee

4 Village infrastructure.

Whilst noting that the village school has space at the moment the situation can change given the number of dwellings given planning approval and not yet built. The pressure on village and other local facilities remain a serious matter for concern.

5 Employment

The tenant's concerns regarding the size and fixed costs of the present press area of 60,000 sq ft are naturally of concern to us also. Whilst we note his need to downsize the premises leased, this is a matter between landlord and tenant, and not a planning matter. The overall loss of commercial space is of concern to us as it reduces potential employment opportunity in the village.

6 Noise

Noise is already a concern for existing nearby properties, which are much further away from noise sources, than any of the dwellings proposed now. There is no evidence that resiting the vents will significantly reduce noise pollution to the new flats, and it is likely to increase the noise pollution problem for some surrounding properties. We request that a quantitative noise survey be carried out and no decision be made until detailed proposals for the relocation of noise sources have been fully tested.

In the Reasons for Approval it is stated that "The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:

- Impact on the amenity of neighbouring residents
- Highway safety
- The character of the Conservation Area
- The setting of the War Memorial
- The shortfall in the provision of affordable houses"

The Parish Council disputes each and every one of these views. We refer you to our original submission for our assessment of the impact on these material planning considerations. In addition we feel it is important to stress the very considerable loss of amenity to the occupants of 37 High Street.

(Overall comment)

The parish council remains strongly opposed to this plan, as currently amended. We believe this opposition fully reflects the views of the overwhelming majority of the residents of Foxton.

Brian Hockley, 28/01/06

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 1st February 2006
AUTHOR/S: Director of Development Services

S/2297/05/RM - Hardwick

Erection of 42 Houses, Including 4 Live/Work Units and 12 Affordable Dwellings, Garaging and Associated Road Works, The Old Enterprise Café Site, St Neot's Road for Taylor Woodrow Anglia

Recommendation: Delegated Approval
Date for Determination: 2nd March 2006 (Major Application)

Site and Proposal

1. This 1.22 ha (3 acres) site is located on the southern side of the St Neots Road, just south of the Dry Drayton/Hardwick roundabout. The former Enterprise Café, the former café operative's bungalow and a former accommodation block have all now been demolished as part of site clearance works. Hawthorn hedges form part of the eastern and western boundaries; the southern boundary is open to the countryside. The ground level rises by approximately 1.7 metres over the 200-metre distance from north to south.
2. To the east and west is ribbon development along the St Neots Road frontage, predominantly well-spaced single storey residential properties with long back gardens.
3. This reserved matter application, registered on 1st December 2005, seeks 42 dwellings including 12 affordables and 4 live-work units. (34 dwellings per hectare).
4. The application is accompanied by a brief design statement, a landscape design statement, an external materials schedule, a landscape master plan, a site contamination report, a drainage plan and a layout showing positioning of street lighting columns.
5. The Housing mix proposed comprises:
 - a) *Private*
 10 x 4 bed detached houses
 12 x 3 bed terraced and semi-detached houses
 4 x live/work-units (2 bed accommodation over office floorspace).
 - b) *Affordable*
 4 x bed semi-detached houses
 8 x 2 bed terraced houses
 4 (2 bed) are for rent and 8 (mix 3 and 2 bed) are shared ownership, as required by a S106 Agreement dated 14th July 2005.
6. The layout incorporates 0.08 hectares of open space upon which will be a local equipped area of play and a retained horse chestnut tree.

Relevant Planning History

7. On 14th July 2005, outline planning permission was granted for the erection of 42 dwellings, including 4 live/work units, on the site. A Section 106 Agreement of the same date secured an education contribution, a public open space commuted sum, the provision, establishment, equipping and maintenance of 0.08 hectares of open space on the site and the provision of 12 affordable houses (see also para 5 (b) above).

Policy

8. Government Policy, incorporated in Planning Policy Guidance (PPG) 3, "Housing" and PPS, 7, "Sustainable Development in Rural Areas", seeks to, inter alia, give priority to re-using previously developed land in urban areas, reduce car dependence, focus new development on existing towns and villages, determine the pattern of new development through the development plan process and to strictly control new house building in the open countryside, away from established settlements.
9. The site is outside of the village framework of Hardwick: Policy P1/2 of the Structure Plan 2003 restricts development in the countryside unless the proposals can be demonstrated to be essential in a particular rural location. Policy P1/3 requires a high standard of design and sustainability for all new development. Policy P5/5, referring to homes in rural areas, allows for small-scale housing developments in villages. The supporting text comments that, except for small sites to meet locally identified housing need, housing in the countryside beyond the built up areas defined in Local Plans is not considered appropriate.
10. Policy SE8 of the South Cambridgeshire Local Plan 2004 presumes in favour of housing development within the defined physical framework of the villages. Residential development outside these frameworks will not be permitted.
11. Policy HG8 of the Local Plan allows, as an exception to the normal operation of the Local Plan policies, schemes of 100% affordable housing designed to meet identified local housing needs on sites within or adjoining villages. The number, size, design, mix and tenure of the dwellings should be confined to, and appropriate to, the strict extent of the identified local need and must also comply with certain criteria of Policy HG7 regarding affordable housing.
12. Policy HG10 of the Local Plan requires new housing developments to incorporate a mix and range of house sizes, types, and affordability to make the best use of the site and promote 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.
13. Policy SE4 of the Local Plan defines Hardwick as a group village. It requires development to be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours. All developments should provide an appropriate mix of dwelling size, type and affordability.
14. Policy EN5 of the Local Plan requires trees, hedges, woodland and other natural features to be retained whenever possible in proposals for new development.

15. Policy EN12 of the Local Plan requires features and habitat types of nature conservation value to be retained where they occur on sites not specifically identified in the plan.

Consultation

16. **Hardwick Parish Council** has no recommendation but comments:
- (a) We would like 'wheelie bins' storage so that bins are not left in full view all the time;
 - (b) There appears to be a shortage of off road parking; and
 - (c) We query only one access road.
17. **Local Highways Authority** states that the layout is acceptable.
18. **Highways Agency** has no objections as the proposal will not adversely affect the A428 trunk road.
19. **Environment Agency's** comments are awaited.
20. **Cambridgeshire Fire and Rescue Service** requests that adequate provision is made for fire Hydrants. (Condition 6 of the outline planning permission is applicable).
21. **County Archaeology Office** states that its advice in respect of the outline planning permission remains appropriate. (Condition 11 of the outline planning permission is applicable).
22. **The Council's Ecology Officer** recommends that the perimeter hedgerows should be enhanced. Provision of nest boxes upon new buildings, retained hedgerows and trees would be desirable. With so much of the boundary hedgerows falling within private gardens, there is concern that hedges will be lost over time. Additional planting should occur along all boundaries. It would also be prudent to know how much of the present hedge might be cut back as boundaries are defined and what type of fence, if any, might be used. It is suggested that the open spaces be aligned in the east boundary to retain a greater length of hedgerow. The existing horse chestnut tree should be protected. A condition is required to control the removal of vegetation during the bird-breeding season.
23. **Police Architectural Liaison Officer's** comments are awaited.
24. **The Trees and Landscape Officer's** comments are awaited
25. **Housing Development Manager** supports the development and the planned number of units that support the housing need. It is suggested that the affordable units are well integrated within the site.
26. **The Environmental Operations Manager** comments that ' the hammerhead needs to be extended nearer to plot 16 so that plot 14 then becomes within the distance prescribed in our storage and collection policy. All access roads to be constructed to adopted highway standards (26 tonnes gvw) to prevent damage by collection vehicles. Details of refuse storage required for every dwelling with special attention given to terraced properties that may require storage areas at the front of dwellings.'

27. The comments of the **Cultural Services Manager** are awaited.
28. **The Chief Environmental Health Officer has considered** the site contamination report and has recommended a number of procedures be adopted to ensure that the site is suitable for its intended use. These have been forwarded to the applicant.

Representations

29. One resident of St. Neots Road ("Maythorn") has objected. Their property adjoins the south and west side of the site. The grounds of objection are as follows:
- "(a) Housing development in this area was rejected recently, in favour of the new town housing development called Cambourne situated only two miles away. With planning permission in this area only for single dwelling on suitable gaps of land between properties would be allowed on merit. Why is it then, 42 dwellings are allowed to be built on a frontage of land similar to the string community here that would allow only three or four houses?
 - (b) The consequences of mass increase in the number of dwellings will force other owners in this area to sell their gardens and land to the potential of further development. Is it the intention of South Cambridgeshire District Council to do this?
 - (c) I have also written proof that the South Cambridgeshire District Council refused planning permission on this same stretch of land fronting the same road for single dwellings, because it was out of character with Hardwick Parish and it would also force local owner-occupiers as a lever against the Council to sell their land.
 - (d) This blatant force of dwellings will have immediate affect and will spread and merge further housing developments reversing the last government backed housing development, which was rejected after much public debate and scrutiny.
 - (e) One of the reasons why housing development was rejected in this area was to prevent the joining of the two villages of Hardwick and Caldecote-Highfields. This gradual infilling will reverse this decision. What is the point to have public inquiries in major planning decisions if the policies are ignored?
 - (f) How can we justify yet more houses to be built when it has been announced recently, again, there are over 2000 properties in south and east Cambridgeshire vacant for indefinite periods.
 - (g) There will be pressure on certain utility services such as sewage. We know for a fact that these services are never accurately calculated or promised to work fully whenever there is an increase in housing. Our sewage has been a problem for many years. Developers of Cambourne miscalculated when they tried to force a new sewage pipeline to be built anywhere to take up the effluent into other nearby communities including us. Can you guarantee that the sewage pipe covering the cul-de-sac community is able to cope with the substantial increase in effluent and surface water to our system which has had a history of problems in the past?

- (h) Why are there so many houses allowed to be built on such a small area? Surely this brown field site is more suited to a small business development or a redeveloped transportation system.

The following objections are based on more local issues regarding the farmland around the development.

- (i) There has been a notable increase in trespassing to our land when there is an increase in houses on our borders.
- (j) The south and west borders are mainly marked by hedgerows, however, there are gaps in the hedgerows mainly in the south border, which have been destroyed by vandals. This particular section was set on fire and completely decimated the established hedgerow. A post and wire net fencing was put up and that too has been knocked down. Can you assure me a more solid, permanent fence would be built around the perimeter to prevent people from trespassing?
- (k) Parts of land, mainly on the west side is set up for horse grazing. Fencing is not a problem at the moment but hedgerows are not enough to prevent people from breaking through. This sets up a safety and security liability. The more neighbours on the boundaries the more potential for somebody becoming hurt. There should be a rearrangement of the planning design and solid fencing introduced.
- (l) Would the new occupiers to this crowded development be aware and tolerate agricultural machinery, spraying or land left fallow? This development could force us to alter or even prevent our way of life.
- (m) Another problem is surface rainwater running off the land towards the development. The incline runs from south to north. The responsibility of surface rainwater not being able to drain into the soil fast enough during storms or high water-table in the winter, is a natural process which from my experience is not understood by home owners. This has caused unnecessary grievance in the past and should be addressed by appropriate drainage/ditching. There is a great deal of documented haste in building homes and then becoming waterlogged because the building developers didn't account for this problem and/or a cost cutting tactic. The houses most affected are the properties around the borders."

Planning Comments

- 30. The principle of residential development of this site and the erection of 42 units, inclusive of 12 affordable dwellings and 4 live/work units has been established by the grant of outline planning permission on 14th July 2005. Consequently the issues about whether this was an appropriate location, use or scale of development were carefully considered at that time by the Local Planning Authority and the Secretary of State, who did not call the application in for his determination.
- 31. The key issues for determination are now, therefore, whether the siting, design, means of access and landscaping achieve the objectives of Development Plan Policies, principally P1/3 of the Structure Plan and HG10, SE4, EN5 and EN12 of the Local Plan.

32. The housing numbers, mix, provision of affordable housing and area of open space accords with the outline planning permission and the S106 Agreement. The siting and layout of the development is largely dictated by the shape of the site. At the front are proposed the 4 live/work units. Frontage in this form reflects the nature of adjoining development but the siting forward of bungalows either side is a concern.
33. In the middle of the site is proposed the open space, the affordable housing and the remaining 2 bed and 3 bed houses, some of which will overlook and provide surveillance for the open space on the south and east sides. Although the open space does not adjoin a section of the existing hedge on the west boundary, it does incorporate the one tree, a Horse Chestnut on site worth retaining. The landscaping scheme also proposes further tree planting and an area of wildflower seeding. I therefore consider its location to be acceptable.
34. There is scope for better integration of the affordable and the private two and three bedroom accommodation. I shall discuss this with the applicant.
35. The rear of the site comprises an informal layout of four bedroom houses, partly served by the estate road and partly by a private drive. This is considered to be acceptable subject to the bin collection arrangements being amended and to the landscaping scheme incorporating proposals for planting on the south boundary. I have also brought to the attention of the applicant inconsistencies between the landscaping scheme and the proposed layout.
36. Although the buildings are of traditional design, I do have concern regarding their height in this particular location, given that adjoining development is dominated by low bungalows. The buildings range from 9 metres to 10 metres in ridge height. The applicant has agreed to revise the design in this respect. Inconsistencies between the house plans/elevations and street elevations, in respect of the provision of chimneys, are also to be amended.
37. The layout incorporates wheelie bin storage at the rear of each unit. There is adequate off-street car parking (71 spaces plus garaging for up to 19 vehicles), which exceeds the average requirement for 1.5 spaces per dwelling plus visitor spaces. One access road is quite adequate to serve this scale of development. Indeed a condition of the outline planning permission required the closure of a former access on the eastern boundary of the site. The layout has been approved by The Local Highway Authority.
38. Security on the perimeter boundaries is important but this has to be balanced with the landscaping and biodiversity value of the existing hedgerows, which should be retained. Any additional fencing should not prejudice the health of these hedgerows.
39. In conclusion it is hoped that amendments to the layout and landscaping of the scheme and the design of the houses will render the proposal acceptable.

Recommendation

40. Subject to the receipt of satisfactory amended drawings, delegated approval of reserved matters (siting, design, means of access and landscaping) pursuant to outline planning permission dated 14th July 2005 reference S/1204/04/O and to the conditions attached thereto.

Additional Conditions:

1. Standard Condition 5(a) (samples of bricks and tiles to be used) (RC - To ensure the satisfactory appearance of the development.)
2. 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. (RC - To minimise noise disturbance to adjoining residents.)
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 dwellings on plots 27 to 38 inclusive unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf:
Part 1 Classes A, B and C
(RC - To maintain small units of accommodation.)

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - a) Cambridgeshire and Peterborough Structure Plan 2003:
P1/3 - Sustainable Design in Built Development and P5/5 - Homes in Rural Areas
 - b) South Cambridgeshire Local Plan 2004:
SE4 - Residential Development in Group Villages, HG8 - Exceptions Policy for Affordable Housing and HG10 - Housing 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: **principle of the development, layout and parking, hedgerow retention and security on the site boundaries.**

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

County Structure Plan 2003

South Cambridgeshire Local Plan 2004

Planning Application Files: S/2297/05/RM and S/1204/04/O

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 1st February 2006
AUTHOR/S: Director of Development Services

S/2357/05/F – Hauxton
Extensions to 22 The Lane for Dr N and Mrs S Sutcliffe

Recommendation: Approval
Date for determination: 3rd February 2006

Adjacent to Conservation Area

Site and Proposal

1. The application relates to a previously extended detached brick, render and interlocking tile bungalow which forms part of a row of detached bungalows set back from the road, some with accommodation in the roofspace, along this section of The Lane. On this side of The Lane to the north are two rows of two-storey terraced dwellings set closer to the road.
2. This full application, received on the 9th December 2005, proposes a first floor extension, a single storey rear extension to provide a replacement dining room and a single garage forward of the dwelling linked to the dwelling by a covered walkway. The proposal would increase the height of the dwelling from 4.8m to 6.5m and would result in a chalet dwelling with two dormer windows in the front roofslope.

Planning History

3. Planning permission was refused but subsequently granted at appeal for a first floor extension, front porch and side store in January 2005 (**S/0333/04/F**). The resulting dwelling had a hipped roof to the front and stood 7.2m high to the ridge
4. Planning permission for an extension was granted in 1997 (**S/1656/97/F**).
5. A planning application for the bungalow was approved in 1958 (**C/58/431**).

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 HG12** states that planning permission for the extension and alteration of dwellings will not be permitted where: the design and use of materials would not be in keeping with local characteristics; the proposal would harm seriously the amenities of neighbours through undue loss of light or privacy, being unduly overbearing in terms of its mass, or would adversely affect surrounding properties by virtue of its design, layout, location or materials; there would be an unacceptable loss of off-street parking or garden space within the curtilage; there would be an unacceptable visual impact upon the street scene; and/or boundary treatment would provide an unacceptable standard of privacy and visual amenity.

Consultations

8. **Hauxton Parish Council** recommends refusal stating “The Parish Council objects to this application for the following reasons:- The Lane has a very clear building line that is its signature. The siting of the garage to the front of the house will destroy this feature. The garage at the front of the house makes the property look unattractive and does not compliment the open aspect of most of the other properties in the immediate area. The property would have much more character without the garage and would not infringe on the existing building line.”
9. **Conservation Manager** states that the proposal is a significant improvement on the scheme allowed at appeal and it would not detract from the setting of the Conservation Area. He also states that there are examples of garages forward of 20th Century bungalows nearby (in Church Road).

Representations

10. None received.

Planning Comments – Key Issues

11. The main issues in relation to this application are: the impact on the streetscene, the character and appearance of the area and the setting of the Conservation Area; and impact on neighbours.
12. The Parish Council's concerns relate solely to the garage. Whilst there are currently no garages forward of dwellings along this part of The Lane and, it is accepted that the introduction of a garage forward of the dwelling would have an impact in the street scene and on the character and appearance of the area, it is considered that it would not harm the street scene or character and appearance of the area. In coming to this view, I am mindful that the two-storey terraced properties to the north stand close to the road and there are examples of garages forward of dwellings elsewhere in the village. The design and appearance of the resulting dwelling is considered to acceptable.
13. Whilst the proposal would affect the outlook from the dining room patio door in the side elevation of No.24, mindful of the Inspector's comments in relation to application S/0333/04/F and the absence of any objections, on balance, it is considered that the scheme would not seriously affect the amenity of the occupiers of No.24. It is also considered that the proposal would not seriously affect the amenity of the occupiers of No.20.
14. Delegated approval is recommended as, although the consultation periods set out on the site notice and in the neighbour notification letters had expired by the time this report was compiled, the period set out in the press notice does not expire until the 7th February 2006.

Recommendation

15. Delegated approval
 1. Standard Time Condition A – Time limited permission (Reason A)
 2. Sc5a – Details of materials for external walls and roofs (RC5a(ii))

3. No further first floor windows or openings of any kind shall be inserted in the side elevations of the dwelling unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf (RC22)

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:** P1/3 (Sustainable design in built development)
 - **South Cambridgeshire Local Plan 2004:** HG12 (Extensions and alterations to dwellings within frameworks)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise: Impact of proposed garage in the streetscene and on the character of the area.

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

South Cambridgeshire Local Plan 2004

Cambridgeshire and Peterborough Structure Plan 2003

Planning file Refs: S/2357/05/F, S/0333/04/F, S/1656/97/F and C/58/431.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 1st February 2006
AUTHOR/S: Director of Development Services

S/2385/05/F - Histon

Change of Use of Land and Former Agricultural Buildings to Ancillary Residential to Peaks Hall including Alteration and New Roof, Peaks Hall, Mill Lane - for Mr and Mrs S Graves

Recommendation: Approval
Date for Determination: 8th February 2006

Site and Proposal

1. Isolated Victorian farmhouse and buildings approximately 700m to the north east of Histon, lying roughly midway between the B1049 Histon/Cottenham road to the west and the Milton/Impington road to the east. The site is surrounded by open arable farmland.
2. Immediately to the north of the farmhouse is a group of single-storey buildings, brick with slate and corrugated tin roofs used for both domestic and farm use, and garaging etc. They sit within a concrete yard adjacent the back door to the farmhouse.
3. The full application, received 14th December, is to regularise the 'domestic' use of the buildings, to replace them in a better arrangement for garaging, log-store, storage, games room etc. and to change the use of the yard to residential use.

History

4. Consent granted in 1987 and 1993 to extend the house. In 1992 consent was granted for a grass tennis court to the south of the house, effectively extending the garden.

Policy

- i) Structure Plan **Policy P9/2 - Green Belt**
- ii) Local Plan **Policy GB2 - Green Belt**

Consultations

5. **Histon Parish Council** recommends refusal, 'objecting to the change of use...., being an agricultural tenancy site.'

Planning Comments

6. The private garden to Peaks Hall, together with the tennis court are clearly defined on site. However, the application site itself is the usual area of 'transition' between the residential use connected with the house, to that area connected with the farm. The barns and outbuildings appear to be contemporary with the house and would, no

doubt, have comprised stables, cart-lodges etc. Over the years an element of residential use ie garage/car-port, log store, storage has taken over some of the floor-space.

7. This application is to re-furbish the buildings, including stripping off the rusty tin roofing and replacing with slate, converting a 4-bay cart-lodge to log store and games room, and regularising other areas for storage.
8. There would be no effect whatever on the open countryside or the character of the green belt. Whilst applications for garden extensions are usually refused within the green belt, and up-held on appeal, this case is substantially different in that the extended curtilage comprises an existing concrete yard and range of buildings, the appearance of which will not be altered. That said, I think, I think it appropriate to withdraw permitted development rights for further ancillary buildings elsewhere within the residential curtilage.
9. I am unable to comment on the Parish Council's objection, based on the fact that this is an 'agricultural tenancy site'. The applicants have declared themselves to be the owner of the farm, - whether or not it is let to a tenant is not relevant to the application at all.

Recommendation

1. Standard Condition 'A' RC 'A'
2. SC21 Withdrawal of Permitted Development
1) Part I - Class E Ancillary Buildings and Structures. RC21 a)

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - Cambridgeshire and Peterborough Structure Plan 2003
Policy P9/2a Green Belt
 - South Cambridgeshire Local Plan 2004:
Policy GB2 - Green Belt
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise: **Agricultural tenancy site**

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Ref. S/2385/05/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 1st February 2006
AUTHOR/S: Director of Development Services

S/2298/05/F - Linton
House at Land Adjacent 19 Rivey Close for The Papworth Trust

Recommendation: Approval
Date for Determination: 26th January 2006

Site and Proposal

1. The site is in the north western corner of Rivey Close, inside the Linton village framework. It measures approximately 0.05 of a hectare in area and currently comprises a vacant piece of land that was previously a garage / parking court serving dwellings in Rivey Close, and part of the rear garden to No. 19 Rivey Close.
2. No. 19 Rivey Close is a two-storey end-of-terrace dwelling that is situated to the east of the site. It has one ground floor window and one first floor window in its side elevation. A two metre high fence and low chain link fence define the boundary. No. 17 Rivey Close is a two-storey, semi-detached dwelling that lies to the south. It has a vehicular right of access to the rear via the former garage/ parking court. A 1.8 metre high wall defines the boundary. A woodland public right of way runs along the western boundary of the site with the Chalklands residential development beyond. Open countryside lies to the north. The land rises fairly steeply to the north.
3. The application, received on the 1st December 2005, proposes the erection of a disabled-adapted, four bedroom house. The house faces south and is set back approximately 0.5 metres from the front elevation of No. 19 Rivey Close. It is part two-storey and part single storey with a height of 5 metres to the eaves and 7 metres to the ridge, with the lower element located on the western side. Two parking spaces and turning area is provided. The existing pedestrian access to the public right of way and vehicular access to No. 17 Rivey Close is to be retained. The density equates to 20 dwellings per hectare.

Planning History

4. Planning permission was granted for the erection of five garages on the site in 1965.

Development Plan Policy

5. Policy **P1/3** of the **Cambridgeshire and Peterborough Structure Plan 2003** requires all new developments to incorporate high standards of design that create a sense of place that responds to the local character of the built environment.
6. Policy **SE2** of the **South Cambridgeshire Local Plan 2004** identifies Linton as a Rural Growth Settlement. Residential development is permitted on unallocated land within these settlements providing 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, local features of landscape or ecological importance, and the amenities of neighbours.

7. Policy **HG10** of the **South Cambridgeshire Local Plan 2004** states that the design and layout of residential schemes should be informed by the wider character and context of the local townscape and landscape.
8. Policy **SE9** of the **South Cambridgeshire Local Plan 2004** states that development on the edges of villages should be sympathetically designed and landscaped to minimise its impact upon the countryside.

National Planning Guidance

9. **Planning Policy Guidance Note 3 (Housing)** outlines the governments aim to make the best use of previously developed land.

Consultation

10. **Linton Parish Council** recommends refusal of the application and makes the following comments: -

“Councillors are concerned that this is not the best use of this plot of land due to the gradient and restricted access, but Councillors are, however, pleased that this site is being developed.”
11. The **Cambridgeshire County Council Countryside Services Team** has no objections, but points out that the right of way along the western boundary of the site is Public Bridleway No. 20 and not a public footpath. It recommends the inclusion of various informatives should any consent be granted.
12. The **British Horse Society** has no objections to the application and repeats the above.
13. The **Ramblers Association** has been consulted on the application. Any comments received will be reported verbally at the meeting.
14. The **Chief Environmental Health Officer** is concerned that problems may arise from noise and recommends a working hours condition and general informatives in order to minimise the effects of the development upon nearby residents.

Representations

15. **Shire Homes** on behalf of the applicants make the following comments in support of the application: -

“The five garages were demolished because they were beyond economical repair, partly due to the presence of asbestos in the roofing panels. There is a supply of alternative garages nearby, which were offered to the original tenants of the demolished garages. It is hoped that the land could be redeveloped to provide accommodation for a local household with a need for purpose built disabled facilities. The land in question has an area large enough to provide off-road parking and will not affect the parking facilities of other residents.”
16. The occupiers of **No. 17 and No. 19 Rivey Close** comment that the development will cause parking and access difficulties in an already congested area. The occupier of No. 17 also questions what will happen to his right of access to the rear.

17. A disabled resident of Linton is concerned about general disabled access within the village. He comments that the poor state of the pathways and lack of dropped kerbs do not create a safe environment for such residents.

Planning Comments – Key Issues

18. The main issues to consider in the determination of this application are: -
- 1) The principle of residential development on the site;
 - 2) The design and visual impact of the dwelling; and,
 - 3) The impact upon neighbour amenity.

Principle of Residential Development

19. The development of one dwelling on this site within the village framework is considered acceptable in principle under Policy SE2 of the Local Plan. In addition, the development of a brownfield site within the village framework is considered to contribute towards the aim of PPG3 to make the best use of previously developed land.
20. The development of the site would result in the loss of the parking area that previously served some of the residents of Rivey Close. Whilst the majority of residents have on-site parking in front of their properties, the applicants have demonstrated that off-street parking could be provided within a garage block that is situated opposite No. 14 Rivey Close, approximately 50 metres to the south east, for the residents that do not have on-site parking. This would ensure that there would not be an increase in on-street parking to the detriment of highway safety. In addition, two parking spaces will be provided for the new dwelling, in accordance with the Council's parking standards.

Design and Visual Impact of the Dwelling

21. The erection of a two-storey house on this site is considered to reflect the character of development within the surrounding area. Whilst Rivey Close comprises a mixture of semi-detached and terraced properties, a detached property of the proposed design is considered to be acceptable on this corner plot. A large footprint is required to provide the necessary space for a disabled person to manoeuvre easily within the dwelling.
22. The proposed house is situated in line with the existing dwellings in Rivey Close and approximately 20 metres from the village framework boundary. Whilst it is likely to be visible from the open fields to the rear, it is not considered to adversely affect the character and appearance of the surrounding countryside as a result of the lower ground level, screening and distance from the rear boundary.
23. Although the single storey element of the proposed house would project very close to the western boundary of the site and would be visible from the public right of way, it is not considered to harm the character of the area as the majority of the existing landscaping along this boundary would be retained.

Impact upon Neighbour Amenity

24. Whilst the proposed house would face towards the rear garden of No. 17 Rivey Close, it is not considered to seriously harm the amenities of that property. The

building would be orientated to the north of the dwelling and the two-storey element would be situated approximately 15 metres from the private garden area immediately to the rear of that dwelling. There are no first floor windows facing the rear garden of that property.

25. No. 19 Rivey Close has one ground floor window and one first floor window in its side elevation. The proposed house is not considered to seriously harm the amenities of the neighbour through a loss of outlook, as these windows serve non-habitable rooms. Whilst the proposed house would be sited approximately 2 metres behind the rear elevation of No. 19 Rivey Close, it is not judged to seriously affect the amenities of that property. The first floor windows in the rear elevation of the proposed house would not result in a serious loss of privacy, as a result of existing first floor windows in the rear elevation of the adjoining neighbour at No. 21 Rivey Close.

Other Matters

26. The right of vehicular access to No. 17 Rivey Close is principally a matter between the applicants and the occupiers of that property. I do not consider the loss of the neighbour's access to be a planning consideration that warrant refusal of the application, as there would be two on-site parking spaces retained to the front of No. 17.
27. The retention of the existing pedestrian access to the public right of way is supported.
28. Whilst it is acknowledged that there is a lack of dropped kerbs and that the pathways are in a poor state of repair within Linton, and as a result it is difficult for disabled residents to have a high standard of access to village services, this is not a reason for not supporting the proposed residential unit for occupation by a disabled person. I will, however, pass these concerns on to the applicant for information.

Recommendation

29. Approval subject to conditions:
1. Standard Condition A – Time limited permission (Reason A);
 2. Sc5a – Details of materials for external walls and roofs (Rc5aii);
 3. Sc22 – No windows, doors or openings at first floor level in the south elevation of the development (Rc22);
 4. Sc22 – No further windows, doors or openings at first floor level in the east elevation of the development (Rc22);
 5. C3a + b – Parking for two cars and turning (Rc- To ensure adequate on-site parking and turning in the interests of highway safety);
 6. Sc57- Protection of trees (Rc57);
 7. Sc5e- Finished floor levels (Rc5e);
 8. Sc26- Restriction of hours of use of power operated machinery during the period of construction (Rc26).

Informatives

Reasons for Approval

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

- **Cambridgeshire and Peterborough Structure Plan 2003: P1/3**
(Sustainable design in built development)
- **South Cambridgeshire Local Plan 2004: SE2** (Development in Rural Growth Settlements), **HG10** (Housing Mix and Design) and **SE9** (Village Edges)

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

- Residential amenity
- Highway safety
- Public and private rights of way
- Disabled access

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

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- Planning File Reference S/2298/05/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 1st February 2006
AUTHOR/S: Director of Development Services

**S/2335/05/F- Longstanton
 Erection of Walls as Entrance Feature (Retrospective)**

**Recommendation: Approval
 Date for Determination: 1 February 2006**

Site and Proposal

1. This application, registered on 7th December 2005, seeks retrospective temporary planning permission for the erection of two walls which are to act as an entrance feature for the development.
2. The wall are located either side of the entrance to the site. The land is identified within the layout plan as being for community uses and the Village Green.
3. The majority of the houses fronting the Village Green are now occupied with the exception of number 6 (plot 60).
4. The walls have been erected in an attempt to create an entrance feature for the purpose of selling properties. It is proposed that the planning consent be limited to a two year time period.

Planning History

5. The site is part of Phase One of the Home Farm Development (500 houses), which received outline planning permission in 2000, under Local Planning Authority Reference number **S/0682/95/O**.
6. Phase one, received reserved matters approval in 2003 and 2004 under Local Planning Authority Reference number **S/1960/03/RM**, **S/1961/03/RM** (landscaping), **S/1762/03/RM** (91 dwellings) and **S/2085/03/RM** (landscaping of the Village Green).
7. The site is currently under construction with a portion of the development complete and occupied.

Planning Policy

Cambridgeshire and Peterborough Structure Plan 2003:

8. Policy **P4/3**, relates to the protection of open space and recreation facilities, and explains open spaces and recreation facilities should not be developed for another use if they are required to meet local needs.

South Cambridgeshire Local Plan 2004:

9. Policy **RT7** states that planning permission will not be granted for proposals resulting in the loss of recreational land.

Consultation

10. **Longstanton Parish Council**, recommended refusal stating:

“This retrospective planning application is for a masonry entrance feature on the site of the Village Green. In the accompany letter from Persimmon to the Head of Planning Services stating that “this application is made for temporary permission for 2 years, as the entrance feature is only for sales purposes and will be removed once the development is complete and properties sold.

The structures are unsightly.

The structures will impede the handover of the Village Green.

The Council was not consulted on the construction or sighting of these features.

These features imply that the Village Green is part of the development.

The time period is misleading ie. “and will be removed once the development is complete and all properties sold”.

Utility services have been erected on the Village Green footprint and although relatively small, reduce the effective playing area of the Village Green.

Unhappy with the naming of St. Michaels Park, as St Michaels is at the other end of the village.

The structure is not appropriate on Longstanton’s Village Green.

When is the handover of the Village Green.”

Representations

11. One resident of Station Road objects to the proposal, as the walls are located on land identified as Village Green and community land.

Planning Comments – Key Issues

12. Each structure consists of two piers which are 2.2 metres in height and a bridging wall structure which dips to 1.3 metres in height. The walls are approximately 7.5 metres in length and constructed in a light brick to match nearby new houses.
13. The walls are located in an appropriate position so the required visibility splays can be achieved.
14. The proposals are for temporary permission meaning any visual intrusion is for a limited duration. The proposals are not harmful in this context, but would be inappropriate structures on a permanent basis.
15. An adoption/maintenance agreement for the Village Green, and incidental open space on Phase 1 is to be executed, together with a supplemental S.106 Agreement which will delete from the original legal agreement a requirement to carry out road improvements across the corner of the Village Green at the junction of High Street and Over Road.

Recommendation

16. Approval, subject to conditions
1. The structures hereby permitted shall be removed and the land restored to its former condition on or before 31st December 2007 or when all the properties on Phase 1 approved under planning reference S/1762/03/RM have been first

sold, whichever is the sooner. (Reason: approval of the proposal on a permanent basis would detract from the appearance of the Village Green.)

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: P4/3** (Protection of Open Space and Recreation Facilities)
 - **South Cambridgeshire Local Plan 2004: RT7** (Protection of existing recreation 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:
 - Visual impact on the Village Green

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/1960/03/RM, S/1961/03/RM, S/1762/03/RM and S/2085/03/RM

Contact Officer: Area Team 3

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 1st February 2006
AUTHOR/S: Director of Development Services

S/2127/05/F - Melbourn
Alterations to Partially Built Extension to Provide Additional Dwelling
for A De Simone

Recommendation: Delegated Approval
Determination Date: 2nd January 2006

Site and Proposal

1. The site is currently occupied by a semi-detached two storey house with a site frontage of approximately 17m, one of a pair of properties of similar design to others in Portway, a roadway with no footways accessed off Cambridge Road on the north eastern corner of Melbourn.
2. The full planning application, received 7th November 2005, proposes to convert a partially constructed extension to a three bedroom dwelling.
3. The new dwelling would have a hipped roof, will be set back from the existing by approximately 0.5m and not project beyond the rear wall of the existing.
4. The proposal has been amended to show 2 spaces for each dwelling and to correct the plans for the existing dwelling which did not show the existing dwelling having a bathroom. The plans also show the south eastern boundary where there is a gap of approximately 1m from the side wall of the new garage to this boundary.
5. Parking for two cars for each dwelling is shown though one of the spaces for the existing dwelling is less than a standard car parking space length.
6. A fence is proposed to separate the rear gardens and a 900mm high wall to separate the front gardens.

Planning History

7. Full planning permission (ref. S/1630/02/F) was granted in November 2002 for an extension to 21 Portway. The bulk and form are similar to the dwelling proposed but the rear element projected back as a gable and a 6m² porch was to be erected at the front. This permission has been implemented and is substantially complete (at the time of writing the roof had not been started but the walls were up to ridge level).

Planning Policy

8. South Cambridgeshire Local Plan 2004 (Local Plan) **Policy SE2** – List of Rural Growth Settlements states (in part):

“Residential development and redevelopment will be permitted on unallocated land within village frameworks of RGS 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.”

9. 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”.

Consultation

10. **Melbourn Parish Council**

Comments in relation to the proposal as submitted: Recommends refusal
“Design as submitted unworkable i.e. no bathroom facilities in original dwelling, no access to the rear of same. Plans do not make sense.”

Comments in relation to the amended plans are awaited.

11. **Chief Environmental Health Officer**

No objections subject to safeguarding measures during construction to control noise.

12. **Local Highways Authority**

“Portway is maintained by this Authority at public expense. Whilst it does not comprise a standard carriageway and footpath arrangement normally expected in this location, the combined carriageway / footway is some 5.5m – 6.0m wide which is suitable to cater for vehicles and pedestrians.

The domain comprises a suitable turning facility that would cater for most vehicles likely to enter Portway. Similarly, the junction with Cambridge Road comprises acceptable geometry and visibility.

Given the above, I could not sustain an objection to the proposed development.”

Representations

13. None received.

Planning Comments – Key Issues

14. The key issues are the visual impact in the street scene, the impact on neighbour amenity and on highway safety.

Visual Impact

15. The new dwelling does not differ from the approved extension in any material way. In fact its bulk is reduced. There will be a need for more cars to be parked in front of the new and existing dwellings and a low garden wall is proposed to separate the two front gardens. I do not, however, consider that this would be detrimental to the character of the area or the visual quality of the street scene.

Neighbour amenity

16. There are no openings proposed in the side (south east) elevation that faces the neighbouring property and the position of rear facing first floor windows will not result in any greater impact on privacy than the approved scheme.

Highway safety

17. I am concerned that both properties require 2 off street car parking spaces and the submitted layout plan does not adequately show how this can be achieved. However, it should be possible to provide adequate parking if there is no porch or step element to the front door of the existing dwelling. A revised plan is therefore necessary.

18. ***Other issues***

There is no pedestrian access to the rear and no provision or space for bin storage to the front of the existing property. Access to the rear could be achieved alongside the garage to the new dwelling, where there is a 1m gap, which would allow for bin storage to the rear of the existing property.

Recommendation

19. Delegated approval, as amended by letter dated 9th December 2005 and plans 1A, 2B and 3A franked 16th January 2006, subject to the submission of a plan showing 2 suitable off street car parking spaces, rear access for bin storage, and to the following conditions:
1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission. (Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development which would not have been acted upon.)
 2. The external materials of construction for the building works hereby permitted shall be identical to those used for the existing building unless otherwise agreed in writing with the Local Planning Authority. (Reason - To ensure that the appearance of the development blends in with the existing building in accordance with Policies SE2 and HG10 of the South Cambridgeshire Local Plan 2004.)
 3. No windows, doors or openings of any kind shall be inserted in the first floor south east elevation of the development, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf. (Reason - To safeguard the privacy of occupiers of the adjoining properties in accordance with the requirements of Policies SE2 and HG10 of the South Cambridgeshire Local Plan 2004.)
 4. The development shall not be occupied until space has been laid out within the site for 2 cars to be parked for both the existing dwelling, known as 21 Portway and for the additional dwelling, hereby approved, and that area shall not thereafter be used for any purpose other than parking of vehicles. (Reason - To ensure adequate space is provided and thereafter maintained on site for the parking and turning of vehicles.)
 5. 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 protect the occupiers of adjacent properties from an unacceptable level of noise disturbance during the period of construction.)

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
South Cambridgeshire Local Plan 2004: **SE2, HG10**

Background Papers: the following background papers were used in the preparation of this report: Planning Files reference S/2127/05/F and S/1630/02/F, South Cambridgeshire Local Plan 2004.

Contact Officer: Nigel Blazeby – Senior Planning Assistant
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 1st February 2006
AUTHOR/S: Director of Development Services

S/2099/05/F - Melbourn**Variation of Condition 4 of Planning Permission S/1447/03/F to Allow Display and Sale of Tents and Camping Equipment in Part Of The Building, Phillimore Garden Centre, Cambridge Road For D. Clark**

Recommendation: Refusal
Date for Determination: 29th December 2005

Site and Proposal

1. Phillimore Garden Centre is located on the west side of Cambridge Road, north of Melbourn village.
2. This full application, registered on 3rd November 2005, seeks to vary a condition attached to a planning consent for a recently erected building within the site to allow the display and sale of tents and camping equipment in half of the building. The other half of the building is occupied by a garden building and fencing company.

Planning History

3. Planning consent for the erection of the building the subject of this application was granted in 2003 following consideration by Members at the November 2004 meeting (**Ref: S/1447/03/F** Item 6).
4. As originally submitted the application proposed the erection of a building for shed and building display and sales, and camping shop. Members resolved to grant consent subject to a condition restricting the use of the building to uses appropriate to a garden centre and prohibiting its use for the sale of comparative or convenience goods not associated with the use as a garden centre. The reference to a camping shop was deleted from the application before it was approved
5. Condition 4 states "Notwithstanding the provisions of Article 3 of Schedule 2 of the Town and Country Planning General Development Order 1995 (or any order revoking or re-enacting that Order), the building hereby permitted shall be used in association with the approved use of the site as a Garden Centre only and for no other purposes (including the sale of comparative and convenience goods which are not associated with the use as a garden centre, or any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that order"

Planning Policy

6. The site is in the countryside.
7. **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

8. **Policy SH12** of the South Cambridgeshire Local Plan 2004 ("The Local Plan) states that "garden centres will not be permitted unless they conform to the following criteria:
- 1) convenience sales will not be permitted where it would have a significant adverse impact, either individually or cumulatively, on the viability of the existing Rural and Limited Rural Growth Settlements in South Cambridgeshire, or other village centres;
 - 2) not be located within the countryside or in such a location that the visual amenities of the countryside would be adversely affected;
 - 3) be well related in scale and character to the settlement or surrounding development;
 - 4) be conveniently located and well related to the primary road network and accessible by public transport, cyclists and pedestrians;
 - 5) not create local traffic difficulties;
 - 6) not prejudice the residential environment; and
 - 7) not conflict with other policies in the Structure and Local Plans."
9. The Local Development Framework Submission Draft 2006 **Policy SF/5** precludes the sale of goods in the countryside except for, amongst others, the sale of convenience goods, ancillary to other uses, where proposals do not have a significant adverse impact on the viability of surrounding village shops or the vitality of rural centres or other village centres.

Consultation

10. **Melbourn Parish Council** recommends approval.

Representations

11. None received.

Applicant's Representations

12. In a letter accompanying the planning application the applicants' agent comments that the display and sale of tents and camping equipment is commonplace in other garden centres around the country, and a list of 31 such centres is attached to the letter. The application is said to be in response to these precedents.
13. Given that tents and camping equipment display and sales is a use usually associated with Garden Centres, and much more akin than other uses, which may be less appropriate, such as arts and crafts, the applicants' agent is of the view that this particular use should be allowed. Policy SH12 in the 2004 Local Plan suggests that convenience sales from Garden Centres will not be permitted where an adverse impact is likely on rural and limited growth settlements or other village centres. The proposed specialist use, of part of the building, will have no such impact on local settlements or other villages, due to limited availability of space. A Garden Centre location is therefore ideal due to the lower rental value and existing customer base.
14. The largest proportion of the building floor space the subject of the application will be devoted to the display of tents allowing customers to view and test a wider range of

products than might be possible in villages or central Cambridge for example, which is subject to higher rents. Currently there are a number of sites within the region where such a display of tents can be viewed.

Planning Comments – Key Issues

15. The key issue to be determined with this application is whether the proposed use of half of this recently erected building for the display and sale of tents and camping equipment is appropriate on this garden centre site having regard to the Development Plan policies relating to retailing in the countryside.
16. At the November 2003 meeting I expressed the view that such a use was not one that I could support on this site. Members accepted that view and, whilst supporting the erection of a building which would not constitute inappropriate development in the countryside by virtue of its scale, conditioned that any use of the building should be in association with the approved use of the site as a garden centre.
17. I note the comments contained in the supporting letter accompanying the application however I am of the view that this use can not reasonably be described as being associated with the use as garden centre and will attract customers in its own right. The application does not demonstrate that the proposal complies with Policy P1/2 of the County Structure Plan in terms of being essential in the particular rural location nor does it show that the proposal is sustainable having not produced any evidence of a sequential approach to site selection and the availability of suitable alternative sites.

Recommendation

Refuse

18. That the application be refused in that it proposes the use of a building in the countryside, which in part is for a retail use that is not appropriate to a garden centre site. The applicant has failed to demonstrate that the proposal is essential in the particular rural location and is therefore contrary to the aims of 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:

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Ref: S/2099/05/F & S/1447/03/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 1st February 2006
AUTHOR/S: Director of Development Services

S/2192/05/F - Fen Drayton
Expansion of Existing Nursery Facilities to Retain Tree Plantation,
Provide 3 Greenhouses, Together With a Change of Use for 11 Showgardens,
Area for Storage and Supply of Hard and Soft Landscaping Materials;
Erection of a Reception/Office Building;
Retention of Existing Barn for Ancillary Storage and Staff Facilities; Car Parking and
Construction of a Vehicular Access to Huntingdon Road for Bannold.

Recommendation: Minded to Approve: Application to be Referred to the
Secretary of State for Consideration as a Departure.
Date for Determination: 15th February 2006

MAJOR APPLICATION
DEPARTURE FROM THE DEVELOPMENT PLAN

Site and Proposal

1. The site comprises 2.23 hectares land in the rural area to the south-west of Fen Drayton, close to the slipway to the A14 eastbound. The land was formerly in use as a nursery, having a large single-storey agricultural building and a number of glasshouses in poor condition. There are several storage bins with soils, sand and gravel, together with disused plant, equipment and vehicles on the site. A crop of Norwegian Spruce grows at the south eastern end of the site.
2. Access to the site is from Mill Road. The northwest boundary of the site adjoins the rear garden areas of a pair of dwellings, Nos 1 and 2 Mill Road. To the north east of the site, there are more nurseries. To the south west, the site is bounded by Huntingdon Road, where there is a mature hedgerow boundary. To the south east, the site adjoins a warehouse unit in use by Cambridge Produce Brokers.
3. The application, dated 14th November 2005, as amended by plans received 19th January 2005, proposes the establishment of a centre for the display of show gardens and the purchase of the various landscaping materials and plants on display. This would entail the erection of 3 greenhouses adjacent the north west boundary, together with the formation of display areas for 12 showgardens. An area for storage and supply of hard and soft landscaping materials is to be formed centrally within the site. A reception/office building is to be erected, using a reclaimed barn (17th century oak framed). The existing agricultural building is to be retained and used for ancillary storage and staff facilities. Areas for customer car parking (31 spaces) and goods vehicle loading/unloading are to be provided, together with a separate area for staff parking (9 spaces). The existing vehicular access to Mill Road is to be retained for the adjoining dwelling only, and a new vehicular access to Huntingdon Road is to be formed. Disused structures and vehicles will be cleared from the site.

Planning History

4. Planning permission for the formation of the existing access onto Mill Road was granted in 1990 (**S/2647/89/F**).

Planning Policy

Planning Policy Statement 7 (Sustainable Development in Rural Areas)

5. The Government's policy is to support the re-use of appropriately located constructed existing buildings in the countryside where this would meet development objectives. Re-use for economic development purposes will 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.

6. Cambridgeshire and Peterborough Structure Plan 2003:

P1/1 (Approach to Development)- development should be located where travel distances by car can be minimised, walking and cycling encouraged and where good transport accessibility exists or can be provided.

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.

P2/5 (Distribution, Warehousing and Manufacturing) – these uses will only be permitted on sites with good access to rail freight facilities, and to motorways, trunk or other primary routes.

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

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

7. 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:

- The buildings do not require major reconstruction;
- The conversion will not prejudice village vitality;
- The appearance after conversion is in keeping with the surroundings;
- The conversion does not materially change the material character of the building or the surrounding countryside;

- 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;
- Scale and frequency of traffic generated can be accommodated on the road system without undue effects.

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".

Policy SH10 (Farm Shops and Nurseries) Sales from farms and nurseries of produce and/or craft goods will be permitted, subject to other policies in the Plan, provided they:

- (1) Only sell goods of which the majority must be produced on the farm or in the locality;
- (2) Do not generate a traffic problem;
- (3) Do not create a nuisance or create a visual intrusion;
- (4) Do not adversely affect the setting or character of existing development.

The supporting text indicates " The District Council is concerned about sporadic development in the open countryside but is aware of the special cases of nurseries and farm shops which can assist the viability of existing enterprises. Whilst nurseries and farmers may sell goods produced in the holding, there has been a trend for such outlets to include a wider range of goods including goods which are not produced locally. Operating with lower overheads, these sales could have adverse effect on the economic viability of existing shopping facilities in nearby villages. Nursery and farm sales should therefore be restricted to those goods which are primarily produced at the site."

Policy SH12 (Garden Centres): Garden centres will not be permitted unless they conform to the following criteria:

- (1) Convenience sales will not be permitted where it would have a significant adverse impact, either individually or cumulatively, on the viability and vitality of the existing the Rural and Limited Rural Growth Settlements in South Cambridgeshire, or other village centres;
- (2) Not be located within the countryside or in such a location that the visual amenities of the countryside would be adversely affected;
- (3) Be well related in scale and character to the settlement or surrounding development;
- (4) Be conveniently located and well related to the primary road network and accessible by public transport, cyclists and pedestrians;
- (5) Not create local traffic difficulties;
- (6) Not prejudice the residential environment; and
- (7) Not conflict with other policies and proposals in the Structure and Local Plans.

The supporting text states," Garden centres are different from nurseries because the retail activity undertaken is not ancillary to the growing of stock on the site. Therefore, whilst they can be large users of land, garden centres do not need to be located in

the countryside. A garden centre is wholly a retail activity and can be accommodated on retail warehouse parks or on the edge of existing urban areas. However, like petrol filling stations and farm shops, they can benefit from lower overheads and should not be permitted to sell convenience or other goods where it could undermine the viability of village shops which are better located to serve the entire population, not just those with ready access to motor car.”

Policy EN3 (Landscaping and Design Standards for New Development in the Countryside) – new development in the countryside should reinforce local distinctiveness in terms of scale, design, layout, materials and landscaping.

Policy Fen Drayton 1: Within the area of the former Land Settlement Association Estate, planning permission will not be granted for housing or commercial development unless it is directly related to the effective operation of local agriculture, horticulture, forestry or other uses appropriate to a rural area. The supporting text indicates that the former estate is the subject of a 1937 Planning Agreement which restricts the use of land, buildings and dwellings to those of agriculture and horticulture.

Consultations

8. **Fen Drayton Parish Council** – Approval, no further comments.
9. **Council’s Trees and Landscape Officer** – comments awaited.
10. **Highway Authority** – no objection subject to a limited alteration to the design of the vehicular access.
11. **Highways Agency** – The HA considers it likely that the majority of visitors to the site will use the A14. The Agency is satisfied that this development will not generate enough traffic to have a significant impact on the A14 during peak periods. A smaller car park should be provided and the company required to implement a travel plan to encourage sustainable travel to the site.
12. **Environment Agency** – The site is within an area of environmental concern, where landfill gas may be present. The EA recommends conditions to be attached to require submission of details of protection from landfill gas and foul/surface water drainage.

Representations

Agent

13. The agent has indicated the firm will be relocating from Waterbeach, where 8 full-time staff are employed. The proposed business is expected to employ 10-12 full-time staff.
14. Operating hours are to be 7.30am-5.00pm (9.00am general public) Mondays to Fridays and 9.00am to 1.00pm Saturdays, and at no time Sundays or Bank Holidays.
15. The full text of the agent’s statement is attached at **Appendix 1**.
16. In response to the concerns raised by the objector, the agent has indicated that the previous nursery business failed because the extent of diversification was not sufficient. He states that the business will be a landscape gardening service with a

significant element of plants for sale. He denies that his statement is misleading. The full text of the agent's supplementary statement is attached at **Appendix 2**.

Third Party Representations

17. The occupier of the adjacent nursery on Mill Road has objected to the scheme.
- Not a horticultural use, but an aggregates and stone yard. The greenhouses and open ground growing will be only a minor part of the business.
 - Not in keeping with the surrounding area.
 - Precedent for other non-horticultural uses in the land settlement area.
 - Poor screening of the site when viewed from his land.
 - A large increase in volumes of aggregates compared with existing.
 - Overprovision of car parking spaces
 - The way the proposal is presented is very misleading.

A copy of this correspondence is reproduced at **Appendix 3**.

Planning Comments

Proposed Use

18. The site lies in the rural area and former Land Settlement Association Area. Policy Fen Drayton1 and other policies in the Structure and Local Plans indicate that use of land in this area should be for horticulture or other agricultural purposes, or other uses appropriate to a rural area. The proposed use involves retailing of a proportion of imported goods, and as such it cannot be considered as fully horticultural. The agent has indicated that the existing area of Norway Spruce that is being grown at the south eastern end of the site is to be continued for sale as part of the enterprise. This area occupies some 20% of the site. For this reason, the proposed mixture of uses of the site do not fall within the definition of agriculture or any use class i.e. they form a *sui generis* use. The proposal falls to be considered as an exception to countryside policies in the Structure and Local Plans.
19. Similarly, the proposal does not neatly fall within either shopping policies SH10 or SH12. The proposal does not comply with criterion (1) of SH10, as the majority of goods sold will not be produced on the site or in the locality. I consider that, provided a minimum of 20% of the site area is reserved for the growing of plants either in the open or under glass, as is currently proposed, an exception to this aspect can be made, given compliance with other criteria in each policy. The range of goods to be sold should be restricted so as to exclude any unrelated to the proposed use, in order to avoid any undue impact on the viability of village shops in the locality. I do not consider that the use will create a nuisance to nearby residents, given the proposed operating hours, the closure of the existing access and the proposed siting of the new access on Huntingdon Road. There is mature natural screening on all external boundaries at present. Provided this is retained and strengthened where necessary, and subject to the comments of the Trees and Landscape Officer, I do not believe that there is likely to be any visual intrusion into the countryside. I recommend that a condition be attached in the event of planning permission being granted to limit the height of bulk stored materials, to prevent any visual intrusion in the future.

20. The applicant has been seeking a relocation for some time. The existing site north of Bannold Road is allocated for residential development by virtue of Policy Waterbeach 1 and Policy SE2 of the Local Plan 2004.

Highway Safety

21. The site is well located to benefit from access to and from the A14. Neither the Local Highway Authority nor the Highways Agency has objected in principle. The amendments requested by each have been passed to the applicant and amended plans received. Subject to their comments on the amended plans, the proposal appears to be satisfactory from the highway safety point of view. I recommend that a condition be attached in the event of planning permission being granted to require the submission of a travel plan to encourage sustainable travel to the site.
22. In the event of Members being minded to grant planning permission, the application will be referred to the Secretary of State as a departure from the development plan.

Recommendation

23. Subject to no objections being received from the Local Highways Authority and Highways Agency to amended plans received 19th January 2006, and to the comments of the Council's Trees and Landscape Officer, that the application be referred to the Secretary of State and, if he does not call it in, that it be approved as amended and subject to the conditions set out below:
- 1) Standard Condition A – Time limited permission (Reason A);
 - 2) Sc5a – Details of materials for external walls and roofs (Rc5aii);
 - 3) Sc51 – Landscaping (Rc51);
 - 4) Sc52 – Implementation of landscaping (Rc52);
 - 5) Sc60 – Details of boundary treatment (Rc60);
 - 6) Sc5f – Details of materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas (Reason – To minimise disturbance to adjoining residents);
 - 7) Height of stored materials to be limited to 4.0m;
 - 8) Minimum 20% of site area to be reserved for the growing of trees and plants for sale;
 - 9) No sale of goods other than trees, plants, gardening products or hard surfacing materials to take place from the site;
 - 10) Workshop and staff room to be used for no other purpose, including display or sale of goods or materials;
 - 11) Hours of operation to be limited to 7.30am-5.00pm (9.00am general public) Mondays to Fridays and 9.00am to 1.00pm Saturdays;
 - 12) Landfill gas protection details;
 - 13) Foul and surface water drainage details;
 - 14) Travel plan details to be submitted.
- + any conditions required by the Local Highways Authority, Highways Agency or Trees and Landscape Officer

Informatives

Reasons for Approval

1. The development is considered generally to accord the following policies in the Development Plan:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P2/6** (Rural Economy)
 - **South Cambridgeshire Local Plan 2004: P2/5** (Distribution, Warehousing and Manufacturing)
Policy EN3 (Landscaping and Design Standards for New Development in the Countryside)

The development is considered to be acceptable as an exception to other policies in the Development Plan, notably **Cambridgeshire and Peterborough Structure Plan 2003 P1/2** (Environmental Restrictions on Development), and **South Cambridgeshire Local Plan 2004 EM10** (Conversion of Rural Buildings and Future Extensions), **Policy SH10** (Farm Shops and Nurseries), **Policy SH12** (Garden Centres) and **Fen Drayton 1** because of the limited visual intrusion into the countryside, the proximity to the A14 which will afford safe vehicular access with minimal use of the rural road network, the retention of a significant element of a horticultural use, and the limited impact on the viability and vitality of village centres in South Cambridgeshire.

2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity including overlooking issues
 - Highway safety
 - Visual impact on the locality

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/2192/05/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 1st February 2006
AUTHOR/S: Director of Development Services

**S/2265/05/F - Knapwell
Extensions, 10 High Street, for Miss S Johnson**

**Recommendation: Refusal
Date for determination: 19th January 2006**

CONSERVATION AREA**Site and Proposal**

1. The dwelling is a semi-detached two-storey Victorian cottage located adjacent to the village framework boundary at the northern end of the village, fronting High Street. The extensive side and rear garden with the cottage lies outside the village framework for the most part. The dwelling has been extended by the addition of a timber conservatory at the rear. There is a substantial hedge on the road frontage. The adjoining dwelling at No.11 has been extended on the side at full height, and at the rear in single-storey fashion, with a flat roof.
2. The proposal, dated 16th November 2005, proposes the erection of a reduced height two-storey side extension, set back on the front elevation by 200mm. The extension will add 5.2m to the length of the existing front elevation of 5.1m. The design, materials and widow style will match those of the existing dwelling, using reclaimed materials where possible. This will necessitate the removal of a mature Cherry tree.
3. A second element in the application is the removal of the existing conservatory and its replacement with a single-storey rear conservatory/breakfast room with dimensions depth 5.2m x width 7.0m x height 2.7m. The design shows a flat roof with a central roof lantern. The windows and doors are to be framed with oak.

Planning History

4. Planning application **S/2356/04/F** for the erection of a dwelling and construction of an access for the existing dwelling was withdrawn on 8th March 2005 prior to determination as the siting was beyond the village framework. Planning permission for the existing conservatory was granted in 1995 (**S/0951/95/F**).

Planning Policy**Cambridgeshire and Peterborough Structure Plan 2003**

5. **Policy P1/3** (Sustainable Design in Built Development) A high standard of design and sustainability for all new development will be required which provides a sense of place and which responds to the local character of the built environment and is integrated with adjoining landscapes.
6. **Policy P7/6** (Historic Built Environment) LPA's will protect and enhance the quality and distinctiveness of the historic built environment.

South Cambridgeshire Local Plan 2004

7. **HG12** (Extensions and Alterations to Dwellings within Frameworks): Planning permission will not be permitted where:
 1. The design and use of materials would not be in keeping with local characteristics;
 2. The proposals would seriously harm the amenities of neighbours;
 3. There would be an unacceptable loss of off-street parking or garden space within the curtilage;
 4. There would be an unacceptable visual impact upon the street scene;
 5. The boundary treatment would provide an unacceptable standard of privacy and visual amenity.
8. **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.

Consultations

9. **Knapwell Parish Council-** Approval, no further comment.
10. **Conservation Manager-** Recommends refusal. The side extension will alter the character of the building, but is acceptable (subject to conditions) because of the careful way it has been designed. The concern relates to the rear extension, which repeats the principle of the flat-roofed extension at the rear of No.11. He considers that it would be unduly large, and that, if this form of development were to be repeated it would be detrimental to the character and appearance of the conservation area. The proposal should be redesigned to provide a pitched roof with patent glazing or roof lights to the roof slopes.

Representations

11. None received.

Planning Comments

12. The proposal will be visible in the locality and represents an unacceptable form of development which, if implemented, would not preserve or enhance the character of the conservation area. The applicant has indicated that she wishes the application to be determined as submitted.

Recommendation

13. Refusal for the following reason:

The extension of the dwelling on the eastern (rear) elevation by the addition of a single-storey flat-roof conservatory/ breakfast room in the manner proposed would be unduly large and with an inappropriate roof design, and so would be harmful to the appearance of the dwelling (as proposed to be extended on the northern elevation),

and would fail either to preserve or enhance the character and appearance of this part of Knapwell Conservation Area. The proposal does not comply with policies in the development plan, notably P7/6 (Historic Built Environment) of the Cambridgeshire and Peterborough Structure Plan 2003, and HG12 (Extensions and Alterations to Dwellings within Frameworks) and EN30 (Development in Conservation Areas) of the South Cambridgeshire Local Plan 2004.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Ref. S/2265/05/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	1 st February 2006
AUTHOR/S:	Director of Development Services	

**S/2130/05/F- Swavesey
New Dwelling Adjoining 50 Whitegate Close, for Mr C Beaumont**

**Recommendation: Approval
Date for Determination: 3rd January 2006**

Site and Proposal

1. This application, received on 8th November 2005, proposes the erection of one, 2 bedroom dwelling on land adjacent 50 Whitegate Close, Swavesey. The proposed new dwelling would adjoin the existing dwelling at number 50, and be set back approximately 900 mm from the existing frontage. The proposed ridged roof and fenestration would reflect that of the existing dwelling.
2. Number 50 Whitegate Close is one of a pair of semi-detached dwellings that form part of a small residential estate of similar style dwellings. The proposed dwelling would therefore create a short terrace of three dwellings. The proposed new dwelling would incorporate two off-street parking spaces.
3. Currently, the application site comprises part of the garden of the existing dwelling, with an established hedge and 700 mm deep shallow watercourse forming the north western boundary of the original curtilage. The flank wall of the house would be some 7 metres from the edge of this watercourse.
4. The site lies within the village framework of Swavesey.
5. To the north of site is open land, and to the south, east and west is existing residential development.

Planning History

6. **S/0563/05/F-** Planning application for the erection of one dwelling. This application was refused on 28th July 2005 for a single reason, that a flood risk assessment was not submitted in support of the application.

Planning Policy**Cambridgeshire and Peterborough Structure Plan 2003:**

7. **Policy P1/2** explains 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.
8. **Policy P1/3** states that a high standard of design and sustainability for all new development will be required which creates a compact form of development through the promotion of higher densities, that responds to the local character of the built

environment and pays attention to the detail of form, massing, textures, colours and landscaping.

South Cambridgeshire Local Plan 2004:

9. Local Plan **Policy SE2** confirms that Swavesey is a Rural Growth Settlement.

Residential development and redevelopment will be permitted on unallocated land within village frameworks providing that:

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

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

10. Local Plan **Policy SE8** notes that there will be a general presumption in favour of residential development within village frameworks.

11. Local Plan **Policy CS5** explains that planning permission will not be granted for development where the site is liable to flooding, or where development is likely to:

1. Increase the risk of flooding elsewhere by materially impeding the flow or storage of flood water, or
2. Increase flood risk in areas downstream due to additional surface water runoff, or
3. Increase the number of people or properties at risk, unless it can be demonstrated that the above effects can be overcome by appropriate alleviation and mitigation measures, secured by planning conditions or planning obligations providing the necessary improvements would not damage interests of nature conservation.

Consultation

12. **Swavesey Parish Council.** Recommend refusal of the application.

“The Parish Council, as with the original application (S/0563/05/F), still raises its original objections of:

- a) Over development of the site. The plot is small and the Council considers that to put another dwelling here is over development.
- b) An additional dwelling would change the status of existing dwellings, from semi-detached to terraced. The Parish Council does not consider this is acceptable to the existing house owners.
- c) Insufficient car parking space to accommodate another dwelling and its associated vehicles.

The Parish Council fully supports the comments and objections raised to this application by neighbours in Whitegate Close, sent in April 2005. The Parish Council

questions the original planning permission that allows for additional dwellings to be built, and whether there was a limit set on the number of dwellings within each phase of the Cherry Trees development. The Parish Council would like to suggest that Councillors consider a site visit before any decision is discussed. “

13. **Environment Agency.** The application site falls within Zone 2 (medium risk) of the Environment Agency's Flood Zone Matrix. The Local Planning Authority should assess the flood risk assessment submitted as part of the planning application in accordance with standing advice.
14. The comments of the Land Drainage Manger and the Building Inspector are awaited.

Representations

15. Eight letters of objection from local households were received in relation to the previous application on the site proposing the erection of one dwelling. These can be viewed in the file S/0563/05/F.
16. The current owners/occupiers of number 51 Whitegate Close state that they oppose the development (see previous letter dated 12th April 2005). Their concerns remain the same as previously, which are as follows:
 - a) Would de-value number 51 Whitegate Close, as would be converted to an end of terrace property.
 - b) The proposals are out of character with the rest of Whitegate Close.
 - c) Drainage and sewage concerns.
 - d) Parking and vehicle access concerns.
 - e) Concerns over the extra traffic created in the cul-de-sac (many young families).
 - f) Would reduce privacy that is currently enjoyed.
 - g) Noise and nuisance during construction hours.
 - h) Concerns over stress and vibration relating to the foundations of number 51.
 - i) Possible subsistence as the proposed house is located adjacent to a ditch.
17. The current owners/occupiers of number 58 Whitegate Close state that they oppose the development (see previous letter dated 17th April 2005). Their concerns remain the same as previously, which are as follows:
 - a) If the plot of land was large enough for a house and its parking then it would have been built 7 years ago when the pedestrianised close was taking place.
 - b) Object to the additional parking required in what is a confined space.
 - c) The risk to children from the building process.
 - d) Since the completion of the estate 7 years ago, the neighbourhood has developed into a pre-school play area. Children roam freely across the front gardens and paved roadway during the day (there are no pavements); thus too much risk to the children who play here.

Planning Comments – Key Issues

Flood risk issues

18. Under application reference S/0563/05/F, planning permission was refused on this application site following the consultation response received from the Environment Agency. As the application was not accompanied by a flood risk assessment, the proposed development was not considered to be in accordance with PPG25 and Policy CS5 of the Local Plan.
19. A flood risk assessment (FRA) has been completed and submitted with this current application, which addresses the necessary criteria.
20. The FRA explains that the application site is within an area of land which is not at risk of flooding in a 1 in a 100 year event, although the site would appear to be on the edge of land considered a possible risk in a 1 in a 1000 year extreme event. It concludes that as the proposed dwelling is well above the modelled 1 in a 100 year flood level of 5.69 metres, and that the proposed floor level matches the existing adjacent property's floor level of 6.488 metres, there are no grounds for objecting to the proposals on flooding grounds.
21. I am surprised by the Environment Agency's response as the site is clearly shown to be outside the Flood Zone 2 on its 2005 maps. It therefore falls in Zone 1 (little or no risk).

Design issues

22. The application proposals reflect the existing pattern of development within the residential estate and the immediate vicinity of the site, which already comprises a mixture of semi-detached dwellings and short terraces of three dwellings.
23. As the proposed house is set back 900mm from the building line of number 50 Whitegate Close, the impact of the proposed dwelling on the streetscene would be minimal.
24. The existing access, shared drive and turning area have taken account of current standards, and the new dwelling would incorporate off-street parking provision which complies with the Council's adopted policy. Parking for Nos. 50 and 51 Whitegate Close is opposite and to the south of these houses.

Residential amenity issues

25. The application proposals would retain an adequate private rear amenity area. The marginal projection of the proposed new dwelling behind the rear wall of number 50 Whitegate Close would not have a significant impact upon the amenity of this existing dwelling.

Conclusions

26. Whilst the comments raised in representations received in relation to this application have been considered, it is not considered that they are of sufficient weight to warrant a refusal of planning permission on this site.

27. The development of the site is appropriate in terms of the size and scale of the proposals. There is sufficient car parking space to accommodate a dwelling in this location.

Recommendation

28. Approval, subject to conditions
1. Standard Condition A – Time limited permission (Rc A);
 2. Sc5a – Details of materials for external walls and roofs (Rc5aii);
 3. Sc51 – Landscaping (Rc51);
 4. Sc52 – Implementation of landscaping (Rc52);
 5. Sc60 – Details of boundary treatment (Rc60);
 6. Surface water drainage details;
 7. Foul water drainage details;
 8. Restriction of hours of use of power operated machinery during construction.

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
P1/2 (Environmental Restrictions on Development)
P1/3 (Sustainable design in built development)
 - **South Cambridgeshire Local Plan 2004:**
SE2 (Development in Rural Growth Settlements)
SE8 (Village Frameworks)
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:
 - Residential amenity
 - Design issues
 - 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 Applications File References S/0563/05/F and S/2130/05/F

Contact Officer: Area Team 3

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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/0306/05/F	Mr & Mrs Golder 9 Skiver Close Sawston Extension (Officer Recommendation to Approve)	Allowed 09/12/2005
S/0750/05/F	Mr & Mrs R Maynard Adj Gurner House, 20 Church Street Ickleton Dwelling & Garage (Delegated Refusal)	Dismissed 09/12/2005
E 495A	J Gordon Clarke Water Lane, Smithy Fen Cottenham Enforcement against use of land as residential caravan site and removal of associated vehicles, sheds, steel containers, drains, electrical and water supplies, accesses and hardstandings.	Dismissed 14/12/2005

2. Summaries of recent decisions of interest

None

3. Appeals received

Ref. No.	Details	Date
S/0703/05/O	Mr T Ginty 7 The Lane Hauxton Dwelling (Delegated Refusal)	08/12/2005
S/2311/04/F	Dr K Fraser 39 Oatlands Avenue Bar Hill Change of use to garden land and erection of boundary fence (retrospective) (Delegated Refusal)	12/12/2005

E520	Dr K Fraser 39 Oatlands Avenue Bar Hill Enforcement against change of use of land to garden land and and erection of boundary fence.	12/12/2005
S/6310/05/RM	Westbury Homes (Holdings) Ltd GC23 Bullrush Lane Cambourne Erection of 35 dwellings and ancillary works (Officer Recommendation to Refuse)	12/12/2005
S/1670/05/F	Mr G Heslop 28-32 High Street Madingley Erection of 4 houses following demolition of existing 2 Bungalows (Delegated Refusal)	13/12/2005
S/1186/05/O	Mr R Joyce Frog End Farm, Barton Road Haslingfield House (Delegated Refusal)	14/12/2005
S/0823/05/F	Mrs L Sorrentino The Barn, Charity Farm, Haslingfield Road (Harston) Haslingfield Extension to dwelling incorporating stable block (Delegated Refusal)	14/12/2005
S/1447/05/F	J M Tollit Kings Farm Stables Horningsea Extension and conversion of former stables into dwelling. (Officer Recommendation to Approve)	15/12/2005
S/0982/05/F	Mr & Mrs Thornhill 10a Potton Road, The Heath Gamlingay Extensions (Delegated Refusal)	16/12/2005
S/1111/04/F	Cambridgeshire Salad Producers Ltd CSP Ltd, Pampisford Road Great Abington Change of use to B1 and or B8 use (Delegated Refusal)	16/12/2005

S/1005/05/F	<p>Selective Developments 2 Pepys Way Girton Erection of 4 dwellings following demolition of existing bungalow. (Delegated Refusal)</p>	19/12/2005
S/1845/05/F	<p>Houghton Homes 152 Hinton Way Stapleford Erection of 2 houses following demolition of existing dwelling (Officer Recommendation to Approve)</p>	20/12/2005
S/6283/05/F	<p>Mr M Procter Madeira House, 17 The Maltings Cambourne Change of use of flat to offices (class B1) (Officer Recommendation to Approve)</p>	21/12/2005
S/1193/05/F	<p>Mr Gaskin Jnr Constellation Mobile Home Park, The Drift Elsworth Enlargement of mobile home park with new layout to include an additional 2 units (Delegated Refusal)</p>	22/12/2005
S/2481/04/O	<p>Mr & Mrs C Hicks Barns at Woodside Longstanton Bungalow & Garage (Officer Recommendation to Refuse)</p>	03/01/2006
S/1478/05/A	<p>ING Real Estate Sawston Trade Park, London Road Pampisford Signs (Retrospective) (Delegated Refusal)</p>	03/01/2006
S/1581/04/F	<p>MPM Properties and Huntingdonshire Housing Partnership Livanos House & Abberley House, Granhams Road Great Shelford Appeal against non-determination of 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.</p>	05/01/2006

S/1485/05/F	Camping & Caravan Club 19 Cabbage Moor Great Shelford Change of use to allow for the siting of 15 static caravans (Delegated Refusal)	12/01/2006
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4. Local Inquiry and Informal Hearing dates scheduled before the next meeting on 1st March 2006

Ref. No.	Details	Date/Time/Venue
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 (Local Inquiry)	07/02/2006 Swansley 10.00am
S/2128/04/F	David Charles Ltd Bluebell Wood Caravan Site, Ely Road Landbeach Redevelopment of mobile home park to provide 16 retirement mobile units and excavation of amenity lake (Hearing)	21/02/2006 Swansley 10.00am

5. Appeals withdrawn or postponed

None

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

Ref. No.	Details	Date
S/6258/04/RM	MCA Developments Land South of Great Cambourne Cambourne Alterations in land form (dispersion of soil from building works.) (Local Inquiry)	09/05/2006 Confirmed
S/1663/04/F	Cambridge Wind Farm Ltd Land South West of Huntingdon Road (A14) Boxworth Wind farm comprising 16 wind turbines, anemometry mast, substation and associated infrastructure (Local Inquiry)	17/10/2006 Confirmed To sit for 12 days

PERFORMANCE CRITERIA

Quarterly Statistics

In the third quarter of 2005, the number of applications received by South Cambridgeshire decreased by 12% over the corresponding period in 2004. In England there was a 8% decrease.

The percentage of all decisions taken within the eight week period in the District was 77% compared with 80% in England. The equivalent figure for householder development was 91% compared with the national figure of 89%.

The percentage of decisions delegated to officers in this quarter was 89%. On average authorities in England delegated 87% of decisions to officers. The Government has set a target of 90%.

On the “excluding major and minor applications” where the Government target is 80% in eight weeks, the Council achieved 86% whilst on the “minor” category where we are urged to decide 65% in eight weeks the Council achieved 66%. The more difficult target is the Government’s 60% in thirteen weeks for major applications. Here the Council achieved 61% which is the first quarter that the Council has achieved this target, a sign of the priority which has been given to these applications since April 2005.

The graphs, which accompany this report, illustrate the picture in Cambridgeshire for each of these development types during the year ending 30th September 2005 and the quarter July to September 2005.

Major Applications

On 5th November 2004 the Government issued its proposed planning best value performance standards for 2005/06. South Cambridgeshire was one of 77 authorities specified as expected to determine 57% of major applications within thirteen weeks in 2005/06. The authorities were identified on the basis of their performance in the year ending June 2004 falling below 40%. The Authority was not named in the “minor” or “other” categories.

In the year ending June 2004, South Cambridgeshire determined 32% of major applications within 13 weeks. This increased to 39% in the year ending March 2005. Since the beginning of 2005/06 56% have been determined in less than 13 weeks.

This improvement has been achieved by continual and careful monitoring of progress of each application, greater priority being afforded to them and use of conditions, if necessary, to ensure that Section 106 obligations are secured before any development commences.

There remains an outstanding backlog of some 21 undetermined major applications, which already exceed the 13 week determination period, together with the six Northstowe applications. Although some will be withdrawn, the majority will be determined albeit outside the 13 week period. So although every effort is being made to determine new major applications within 13 weeks, the overall percentage will continue to be depressed until this backlog has been substantially reduced.

Retrospective Applications

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

Thus in the third quarter of 2005, the number of retrospective applications submitted was 19. This represented 3.3% of all applications submitted during that quarter. Of the 16 retrospective applications which have been determined, (One is still in progress and two are county matters) 87.5% have been approved and 12.5% refused. During the quarter 82% of all applications were approved.

Enforcement Statistics (Quarter ending September 2005).

Statistics for the previous quarter are in brackets.

Enforcement Notices	1	(8)
Stop Notices	0	(2)
Planning Contravention Notices	16	(5)
Breach of Condition Notices	0	(0)
Amenity Notices	0	(0)
Number of Complaints	110	(104)
Prosecutions	3	(0)
Injunctions	1	(0)

Trees and Landscaping Statistics (Quarter ending September 2005)

Statistics for the previous quarter are in brackets.

Applications for work on Statutorily Protected Trees

(Tree Preservation Orders and Conservation Areas)

Number of applications – Received	142	(136)
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Landscaping

Number of landscaping conditions received from DC	107	(87)
Number of weekly actions	753	(730)
Number of schemes submitted	165	(169)
Number of schemes finalised and approved	61	(35)
Number of landscaping conditions currently active (excluding Cambourne work)	885	(947)
Number of breach of condition notices requested	13	(11)

Local Government (Access to Information) Act 1986

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

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

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

Mr J Belcham	(01954) 713252
Mr A Moffat	(01954) 713169
Mr R McMurray	(01954) 713259
Mr D Rush	(01954) 713153
Mr P Sexton	(01954) 713255
Mr B Morgan	(01954) 713395
D B Hussell	
Development Services Director	

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL PLANNING APPEAL STATISTICS

FROM 1st OCTOBER TO 31st DECEMBER
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Total Number of Appeals Received	39
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Appeals Against Planning Decisions and Non-Determination	Written Representations	25
	Informal Hearings	12
	Local Inquiries	0
Appeals Against Enforcement Notices	Written Representations	1
	Informal Hearings	1
	Local Inquiries	0

Total Number of Decisions Received	41
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Appeals Against Planning Decisions and Non-Determination	Written Representations	25
	Informal Hearings	7
	Local Inquiries	4
Appeals Against Enforcement Notices	Written Representations	1
	Informal Hearings	2
	Local Inquiries	2

Number and % of Decisions Received Dismissed	31	76%
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Appeals Against Planning Decisions and Non-Determination	Written Representations	16	64%
	Informal Hearings	6	86%
	Local Inquiries	4	100%
Appeals Against Enforcement Notices	Written Representations	1	100%
	Informal Hearings	2	100%
	Local Inquiries	2	100%

Number and % of Decisions Received Allowed	10	24%
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Appeals Against Planning Decisions and Non-Determination	Written Representations	9	36%
	Informal Hearings	1	14%
	Local Inquiries	0	0%
Appeals Against Enforcement Notices	Written Representations	0	0%
	Informal Hearings	0	0%
	Local Inquiries	0	0%

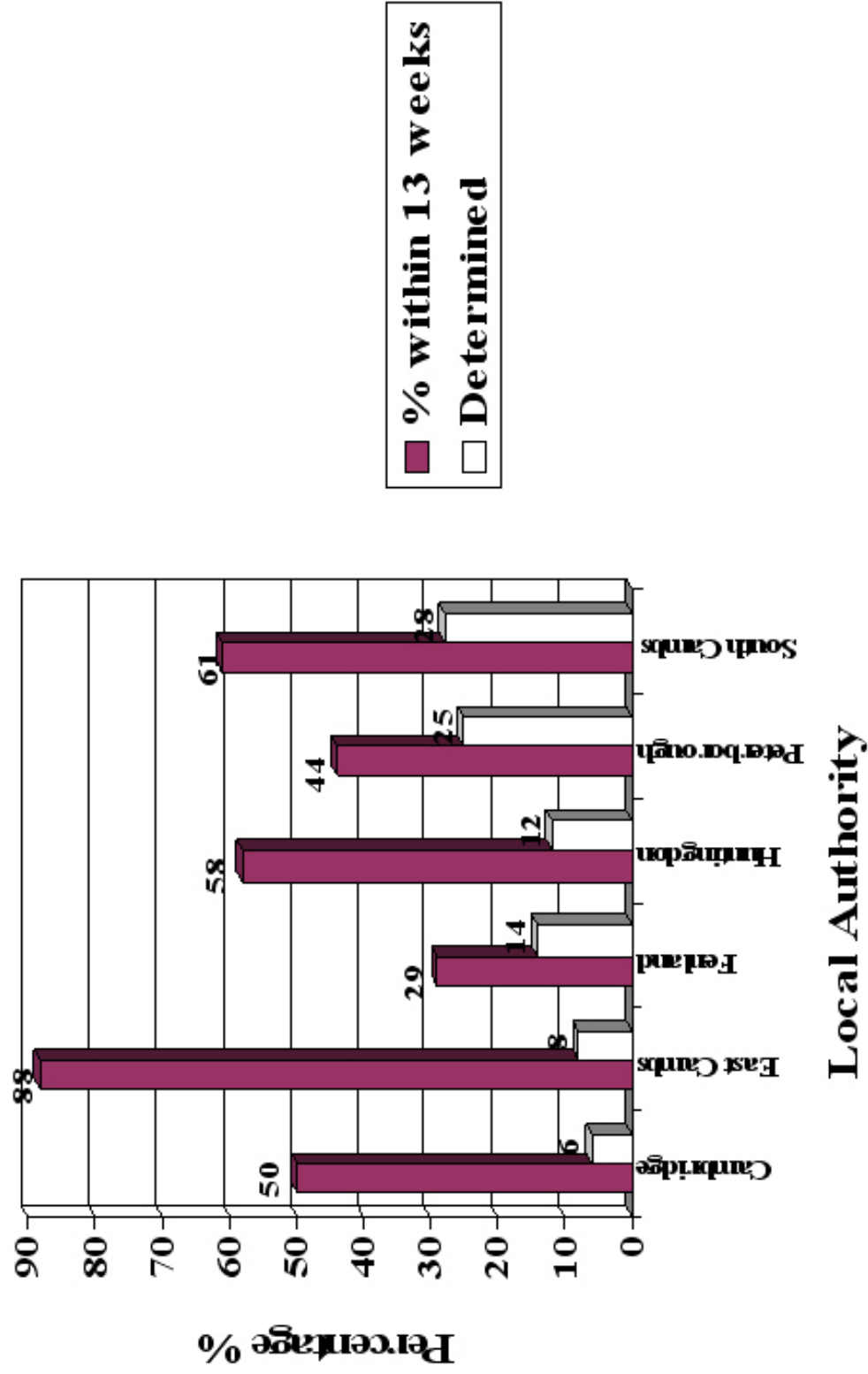
Total Number of Appeals Withdrawn	3
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Planning decisions by development type and speed of evaluation.

Major Decisions for Quarter, July - September 2005

(In England 62% were determined within 13 weeks)

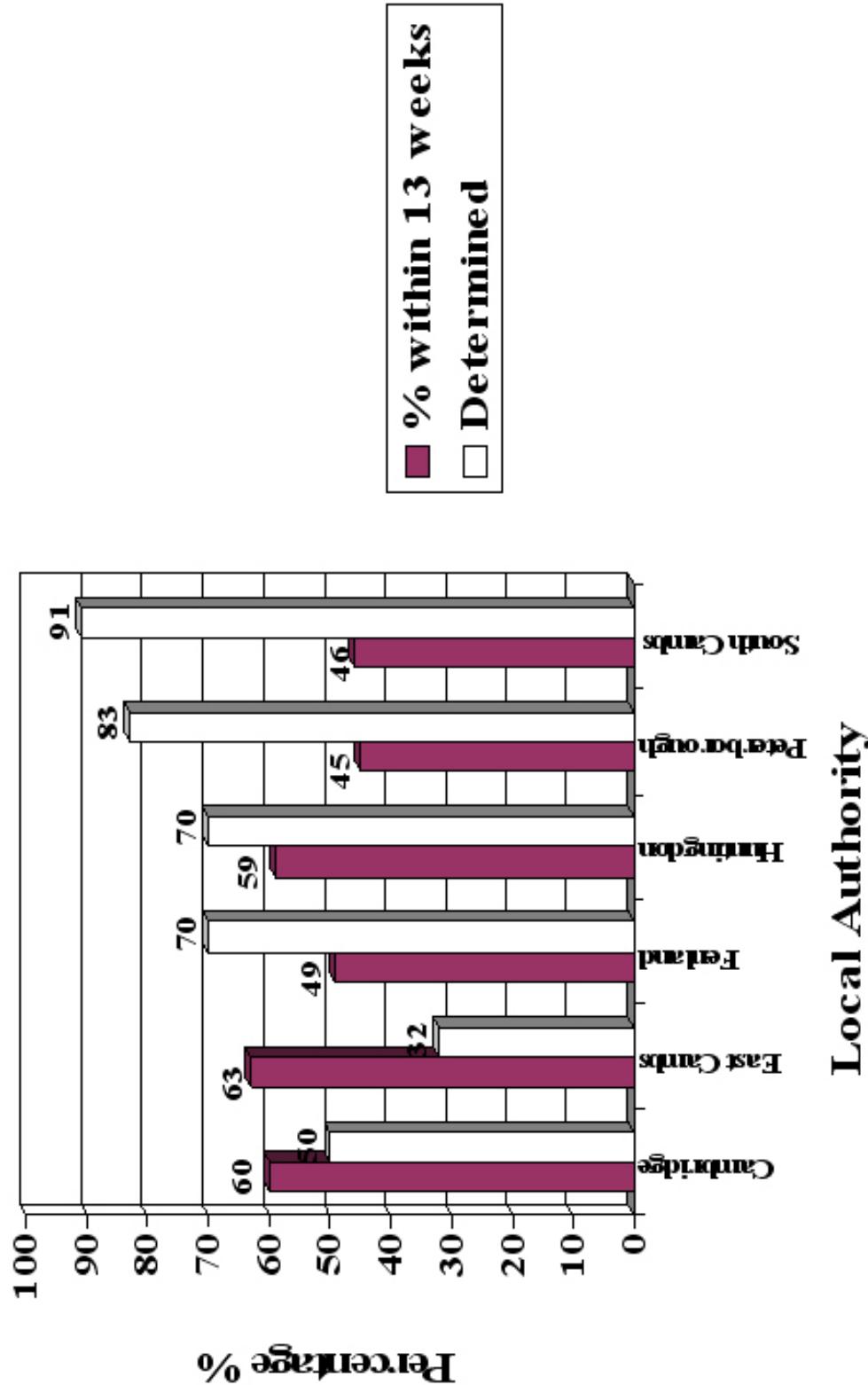


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Planning decisions by development type and speed of evaluation.

Major Decisions, year ending 30th September 2005

(Govt target 60% within 13 weeks)

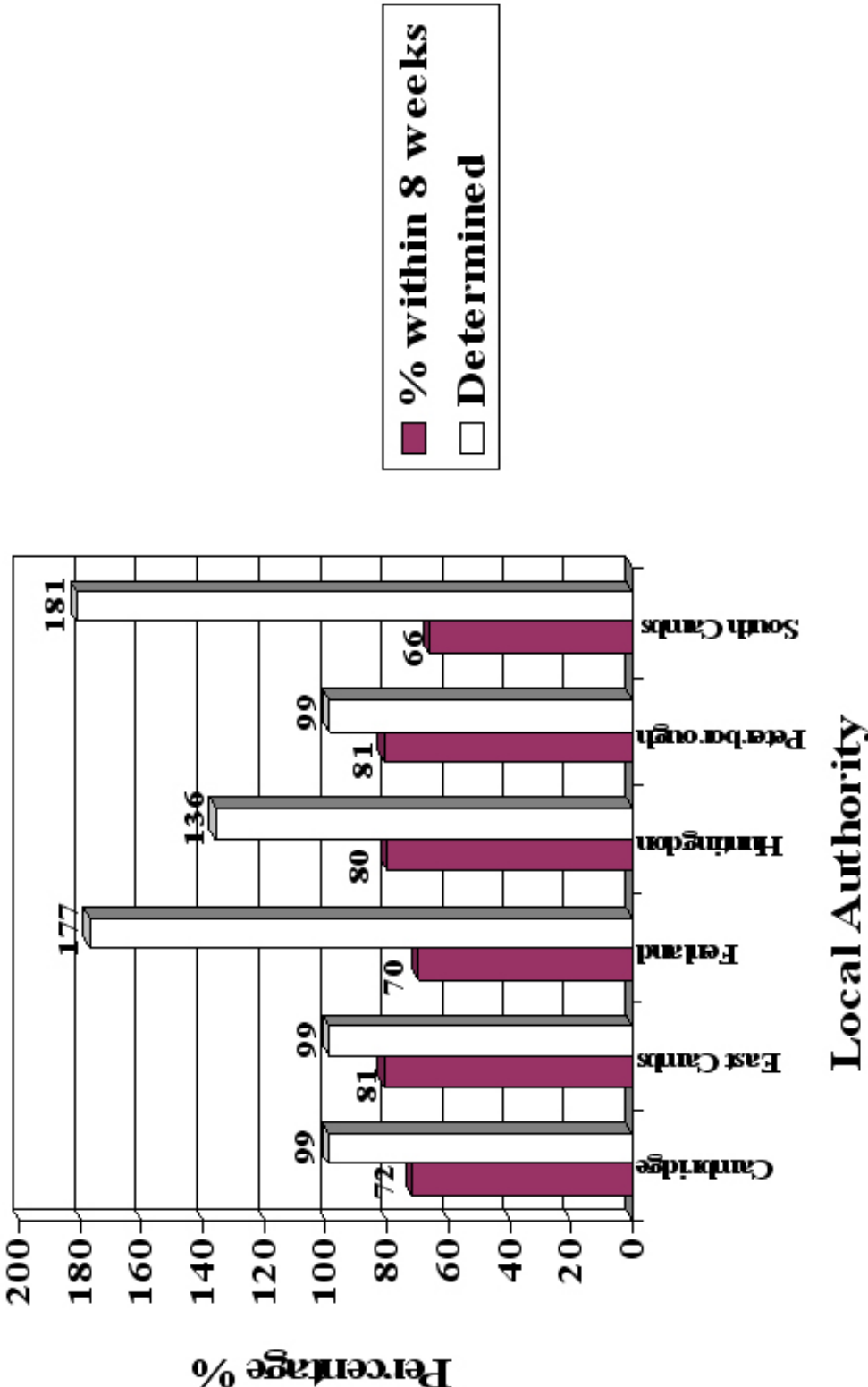


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Planning decisions by development type and speed of evaluation.

Minor Decisions for Quarter, July - September 2005

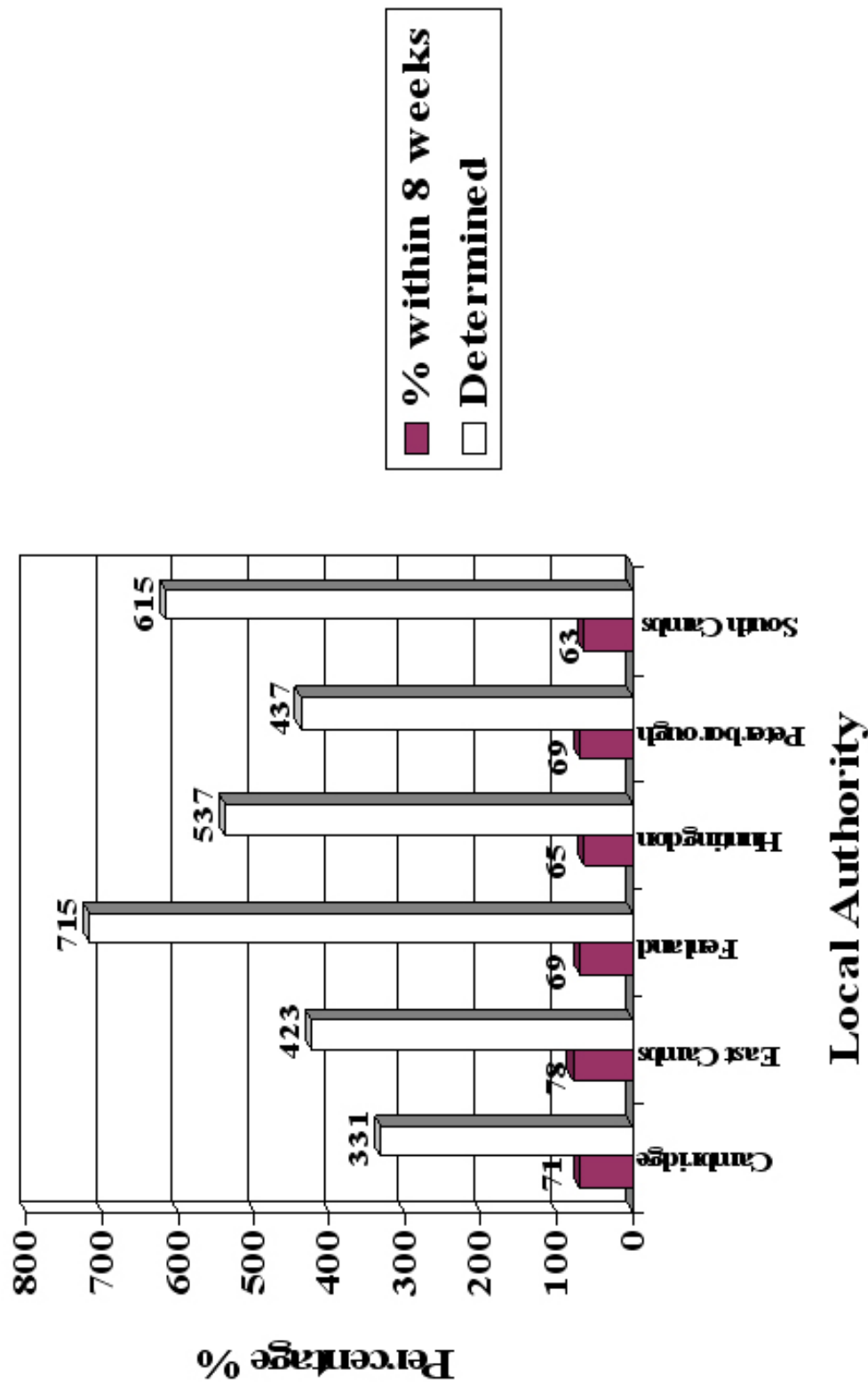
(In England 72% were determined within 8 weeks)



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Minor Decisions, year 30th September 2005

(Govt target 65% within 8 weeks)

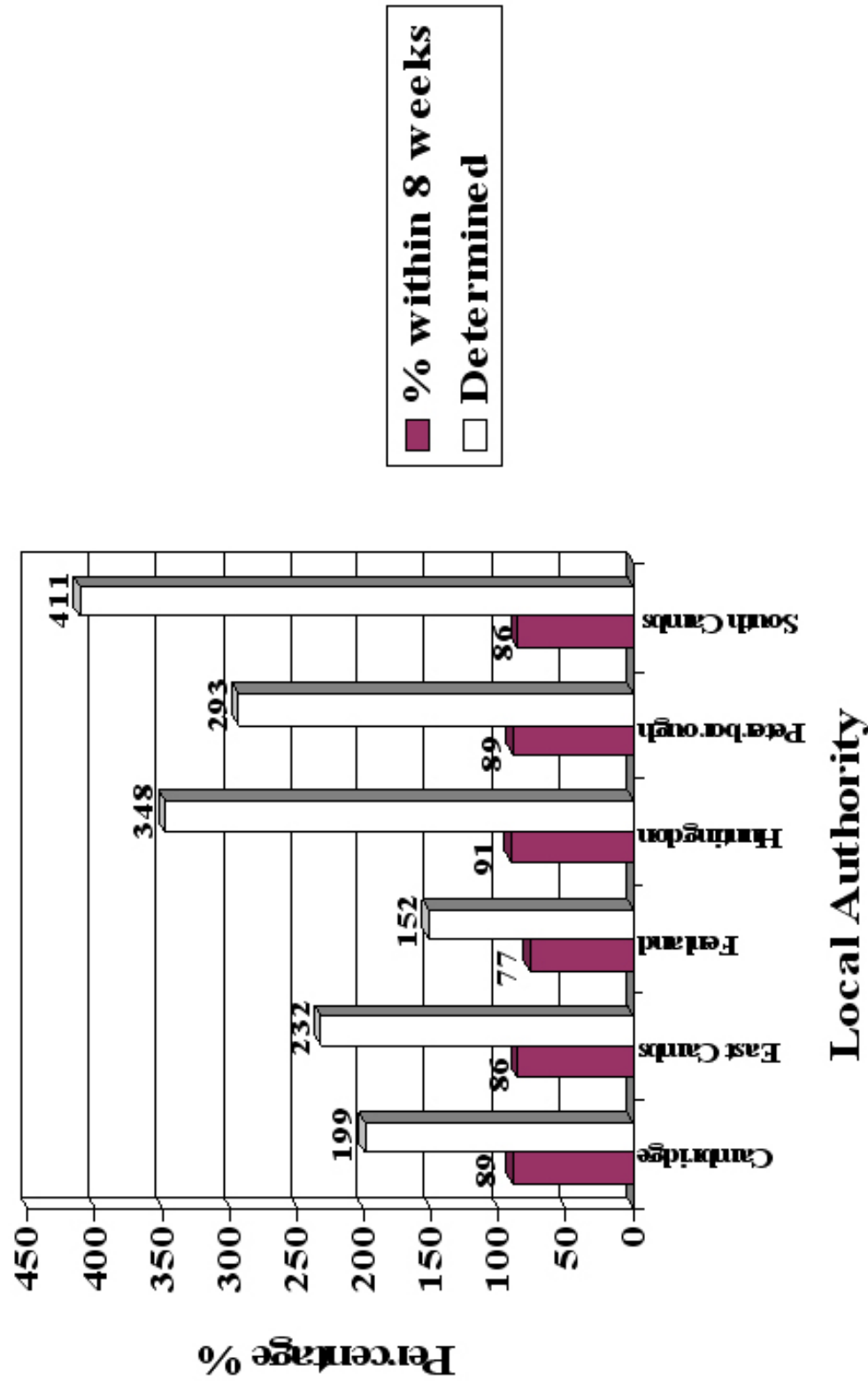


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Planning decisions by development type and speed of evaluation.

Other Decisions for Quarter, July - September 2005

(In England 86% were determined within 8 weeks)

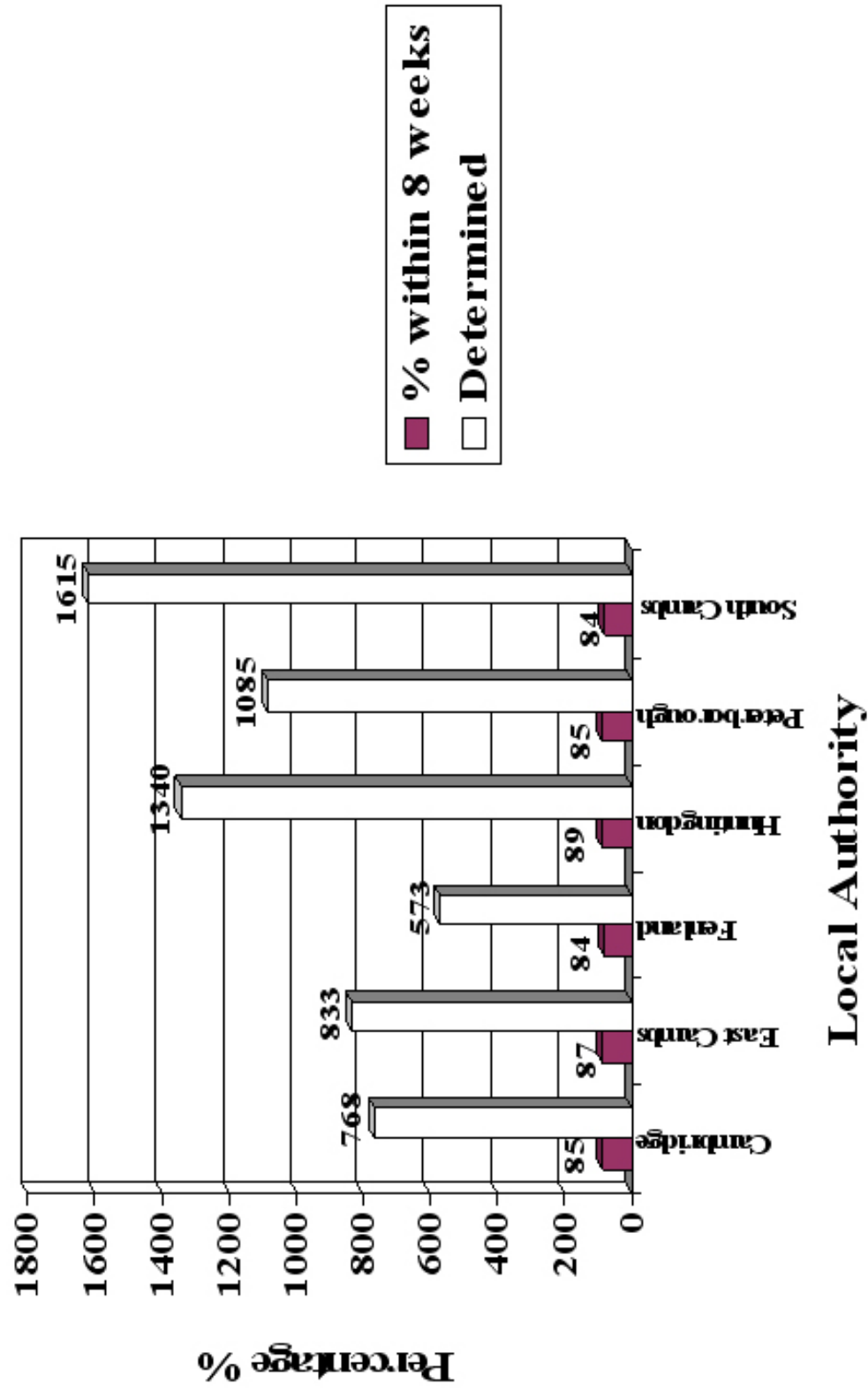


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Planning decisions by development type and speed of evaluation.

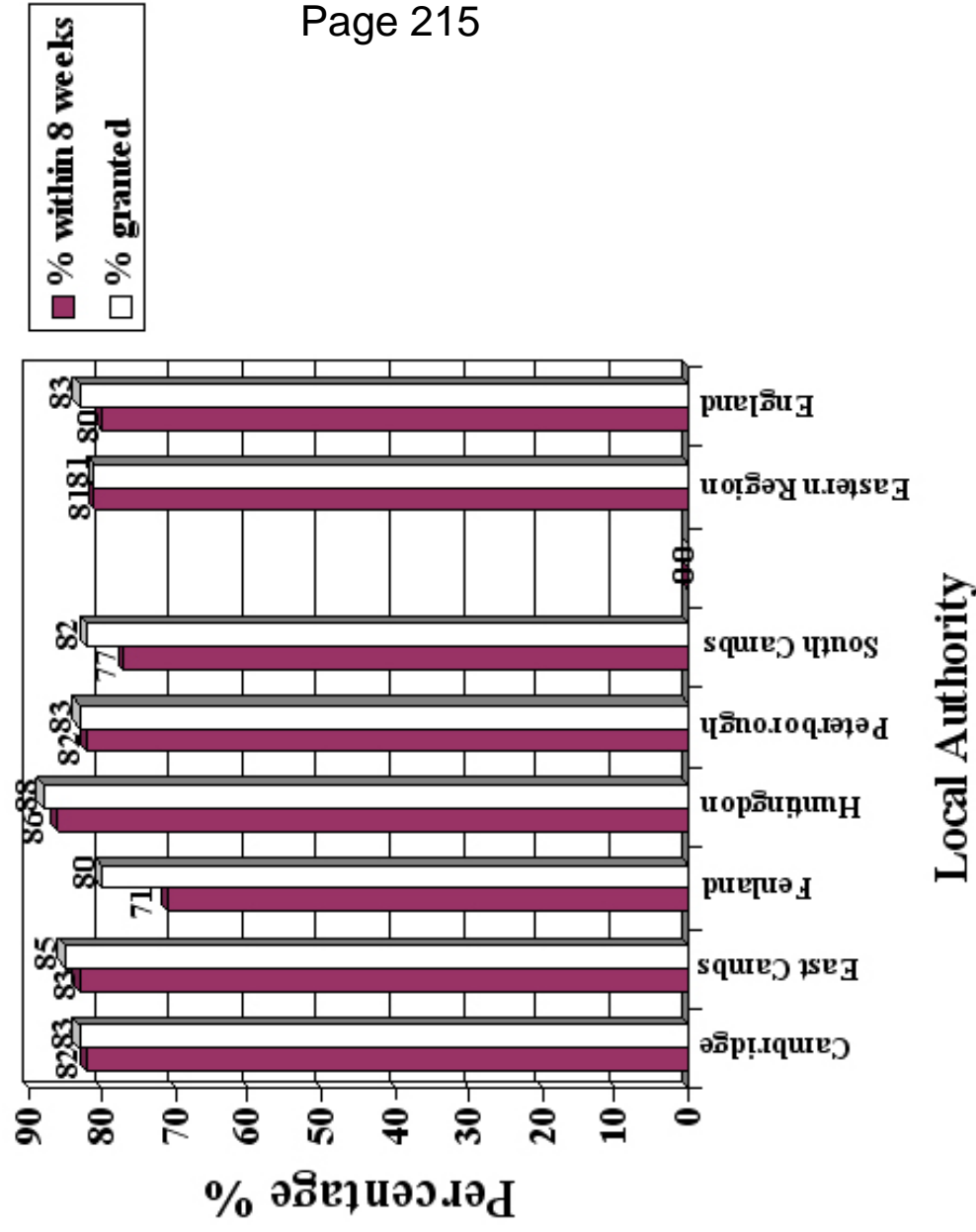
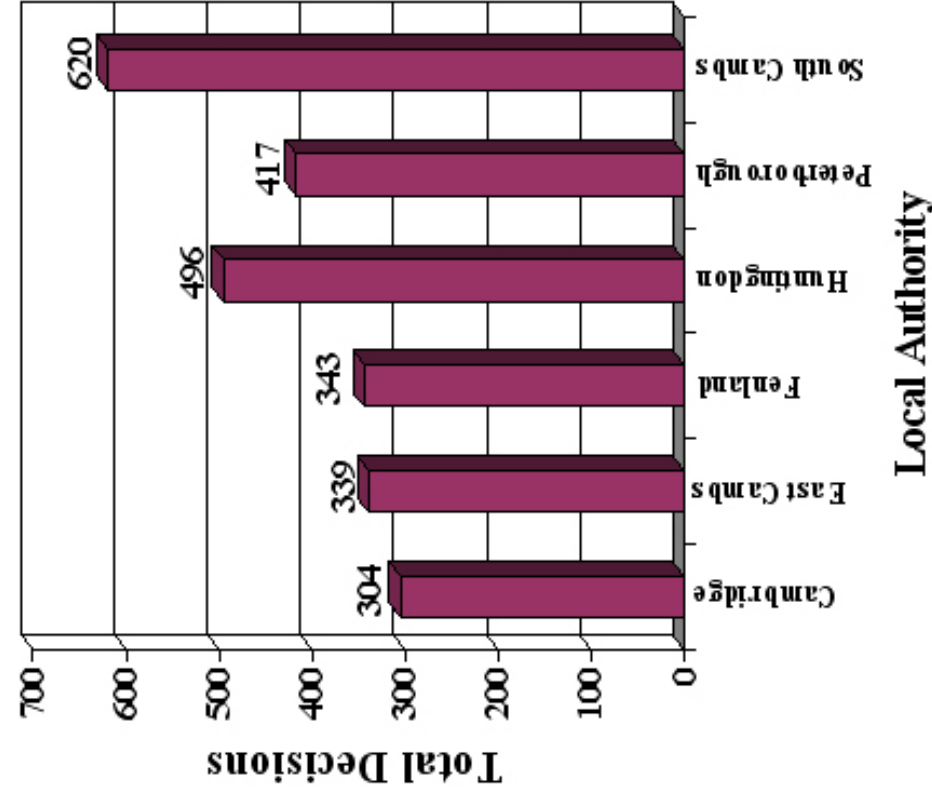
Other Decisions, year ending 30th September 2005

(Govt target 80% within 8 weeks)



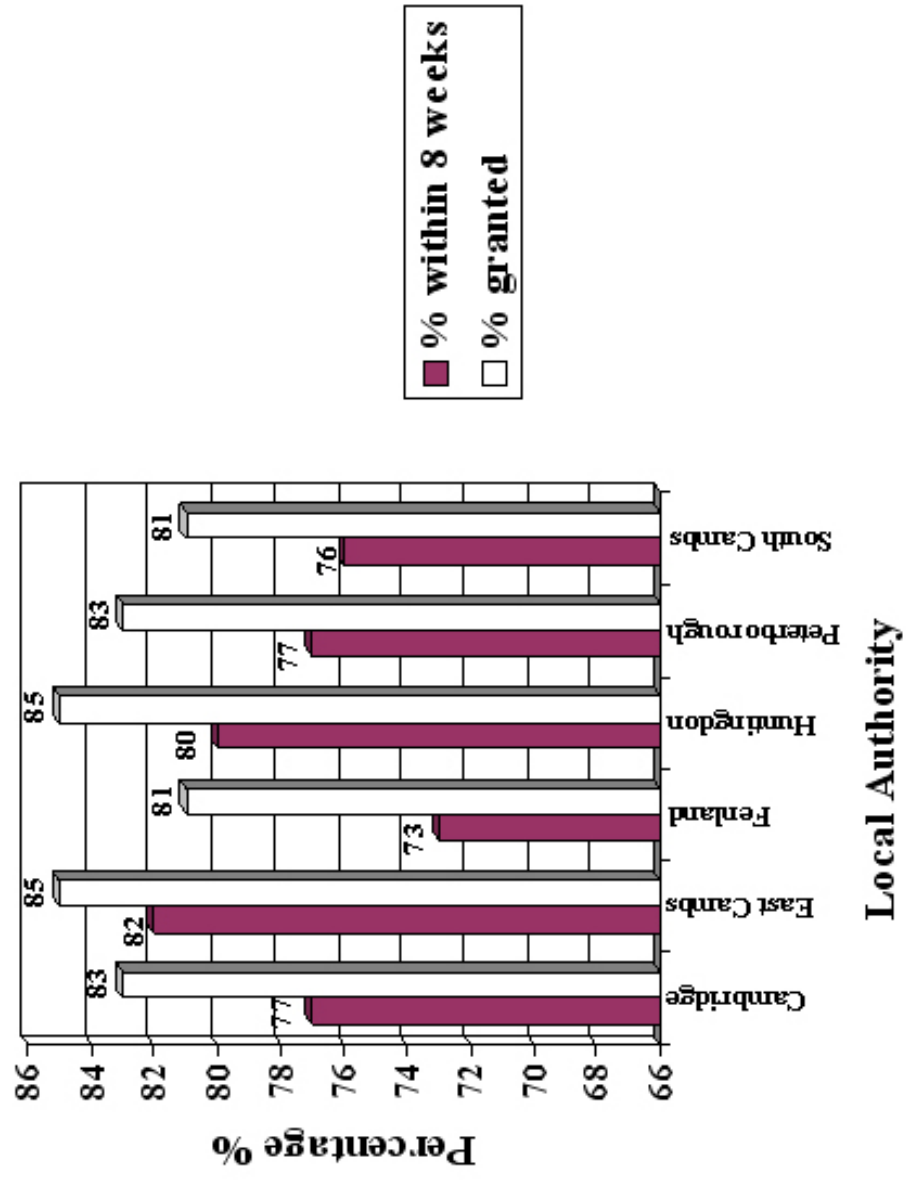
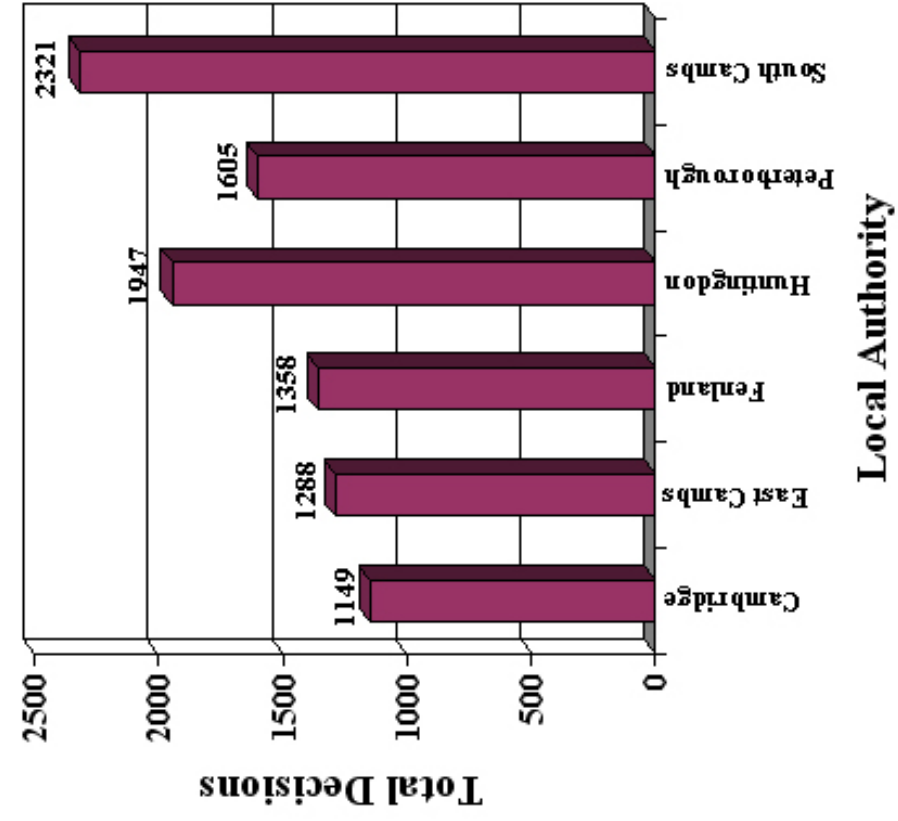
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Planning Decisions for Quarter July - Sept 2005 England – 80% within 8 weeks



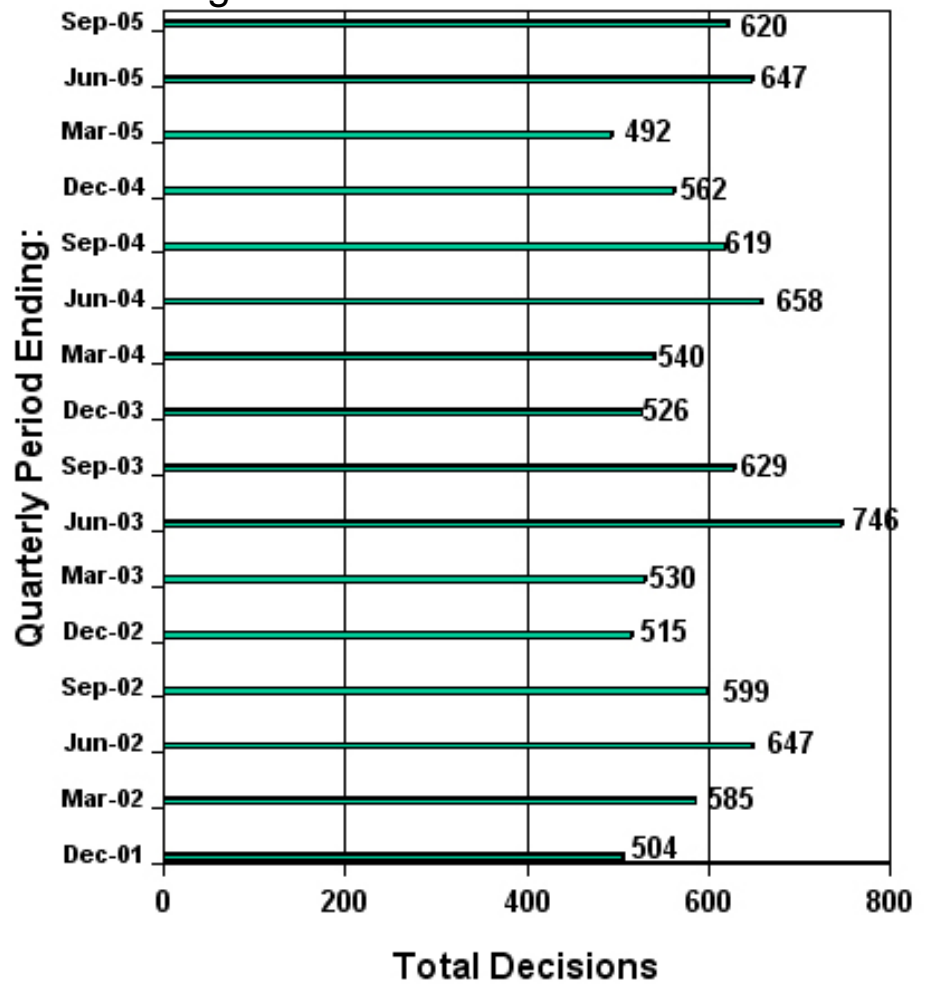
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Planning Decisions for the year ending 30th September 2005

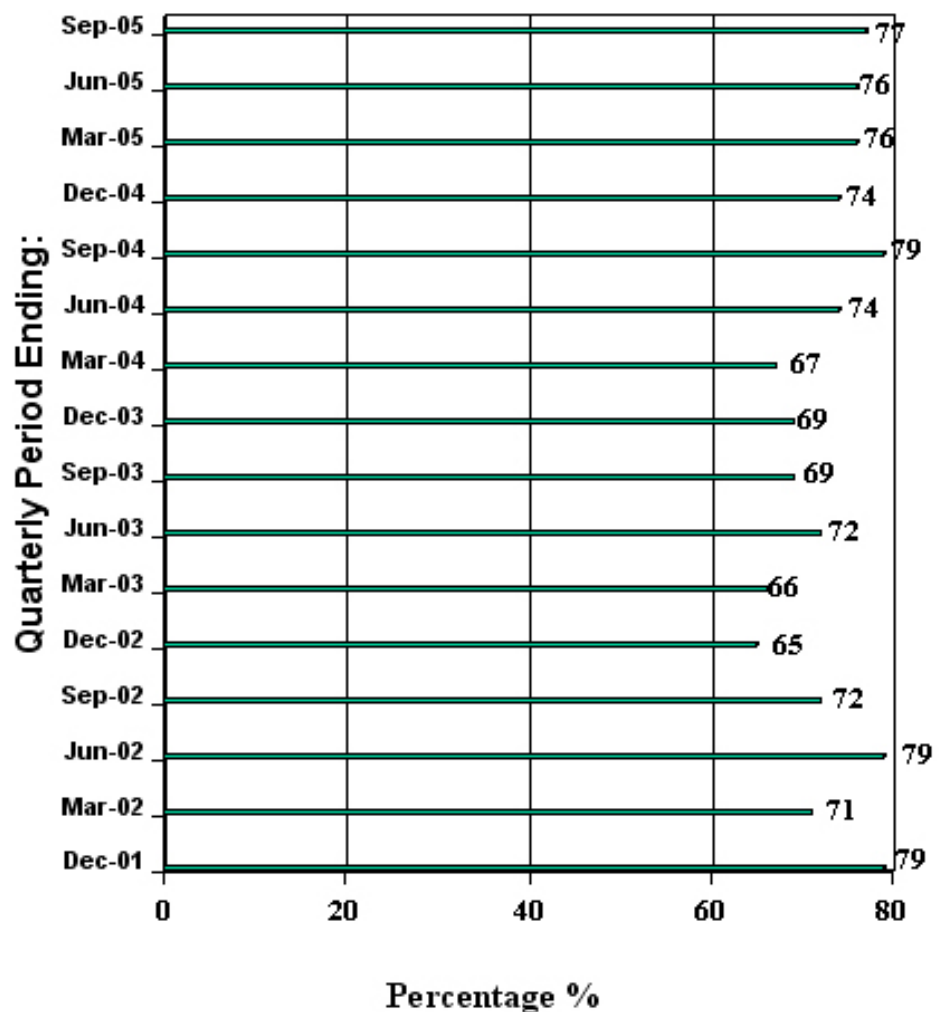


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Total Decisions issued Quarterly by South Cambs



% of all Applications Determined Within 8 Weeks



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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation
Control Committee

1 February 2006

AUTHOR/S: Finance and Resources Director

**Tree Preservation Order – 11/05/SC (Ashwell House, Fardells Lane, Elsworth) and
16/05/SC (72 Highfields, Caldecote)**

Recommendation: To confirm without modification

Purpose

1. To review Tree Preservation Order no.11/05/SC in Elsworth and 16/05/SC in Caldecote.

Effect on Corporate Objectives

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

Background

3. Section 198 of the Town and Country Planning Act 1990 enables local planning authorities, where it is expedient in the interests of amenity, to make provision for the preservation of trees or woodlands in their areas, to make Tree Preservation Orders with respect to such trees, groups of trees or woodland, as may be specified in the Order.
4. Any such Order may prohibit the unauthorised cutting down, topping, lopping, uprooting, wilful damage, or wilful obstruction of trees and may require replanting of any part of woodland area filled in the course of permitted forestry operations.
5. Once made, Tree Preservation Orders remain in force for a provisional period of six months, but can be confirmed at any time.
6. At its meeting on 7th December 2005 (Minute 30 refers), the Development and Conservation Control Committee resolved, among other things,
 1. *That delegated authority be given to the Trees and Landscape Officer or, in that officer's absence, to the Trees and Landscape Assistant (a) to*

make and serve all Tree Preservation Orders (both emergency and non-emergency); and (b) 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

2. ***that the Development and Conservation Control Committee (or its successor committee or Group) reserve to itself determination of whether or not to confirm those Orders to which objections are raised and, if so, with or without modification.***

Considerations

- **11/05/SC – Ashwell House, Fardells Lane, Elsworth**

7. Tree Preservation Order 11/05/SC in Elsworth was made on 12 September 2005. A previous Order in identical terms was confirmed by Committee on 7th September 2005 (Minute 23 refers) due to an unfortunate administrative error in failing to identify a letter of objection. That Order will be revoked formally to avoid confusion.
8. The Council made the Order because the Field Maple tree was affected by a planning application. The tree contributes visually to the quality and character of the local environment and enhances the area, and is considered of such value as to warrant its retention.
9. The statutory period for the registering of objections to the Order ended on 14th October 2005.. The letter of objection, dated 4th May 2005, was re-affirmed upon service of the replacement Order. The objection related to (among other things)
 - the argument that the tree is not significant
 - the fact that the tree can hardly be seen from Fardells Lane
 - the tree's relation to a copse of trees
 - disagreement as to the tree's value

- **16/05/SC – 72 Highfields, Caldecote**

10. Tree Preservation Order 16/05/SC in Caldecote was made on 15 November 2005.
11. The Council made the Order because the oak tree is visually important within the vicinity and adds to the local character of the area.
12. The statutory period for the registering of objections to the Order ended on 9th January 2006. The letter of objection, dated 9th December 2005, referred to the following grounds
 - the objector's property adjoins that of 72 Highfields Road
 - the tree is of poor standard
 - the tree is not visible from any road, but only a few rear gardens
 - timing
 - similar trees nearby are not protected
 - proximity to the objector's house and boundary fence
 - the need for tree maintenance

Options

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

Financial Implications

14. There are no financial implications.

Legal Implications

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

Staffing Implications

18. There are no staffing implications.

Risk Management Implications

19. Tree Preservation Orders are the principal means of protecting trees that are valued locally and might be lost as a result of future development. In making an Order, the main risk is one of administration in that any objections to it, which are not withdrawn, trigger a site visit, the consideration of amendment, and additional staff time. A further risk is that, where there is a suspicion that the proper legal process has not been followed, the Authority could be judicially reviewed.
20. The risk from not making a Tree Preservation Order in a particular case is that the tree, group, area or woodland could be damaged to the detriment of the local environment.

Consultations

21. A copy of this report has been sent to the local Members, Councillor MP Howell and Councillor NIC Wright (Elsworth) and Councillor R Martlew (Caldecote).
22. A site visit took place previously on 13 January 2006. Both Elsworth and Caldecote were visited. Councillors JPR Orme (Chairman of the Development and Conservation Control Committee), Councillor NIC Wright (Vice-Chairman of the Committee and local Member for Elsworth) and the Council's Trees and Landscape Officer were in attendance. It was decided that the Development and Conservation Control Committee should be recommended to confirm both Tree Preservation Orders without modification.

Conclusion

23. TPO number 11/05/SC (Elsworth) remains provisionally in force until 11th March 2006. TPO number 16/05/SC (Caldecote) remains provisionally in force until 14th May 2006. By confirming them now, the Council will ensure that the Tree Preservation Orders remain in force beyond those dates.

Recommendations

24. It is recommended that Tree Preservation Order 11/05/SC in Elsworth and 16/05/SC in Caldecote be confirmed without modification.

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

- Tree Preservation Order no. 11/05/SC In Elsworth and 16/05/SC in Caldecote and the relevant files maintained by the Trees and Landscape Section
- Letters dated 4th ~May 2006 from Bird and Tyler Associates relating to 11/05/SC, and 9th December 2005 from Mr Mark Turner relating to 16/05/SC

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