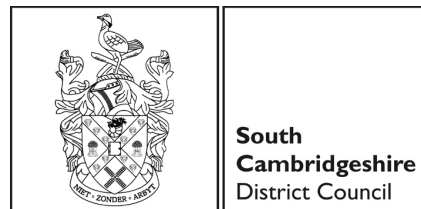


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28 March 2006

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, 5 APRIL 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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3. MINUTES OF MEETING HELD ON 1 MARCH 2006 Available on the Council's website, and included in the Agenda for the meeting of Full Council on 23 March 2006.	
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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

REPORT TO: Development and Conservation Control Committee 5th April 2006
AUTHOR/S: Director of Development Services

S/0104/06/F – Harston
Change of Use of Two Areas of Amenity Land to Land in Association with Business Premises and Garden Land and Erection of Boundary Fences at Land adjacent 106 High Street for J DeBeer

Recommendation: Approval
Date for determination: 20th March 2006

Site and Proposal

1. This application relates to two areas of land that were originally landscaped areas as part of the High Meadow development but have subsequently been sold by the developer to the owner of No.106. There is currently no planting within these areas. The boundary between these areas and No.106 is currently marked by fencing ranging from 1 metre high to approximately 2.4 metres high plus trellis on top.
2. This full application, registered on the 23rd January 2006, proposes to use the area close to the High Street as garden in association with the dwelling at No.106 and the area to the rear in association with the garage workshop business at No.106. The existing boundary fencing currently on the back edge of the High Meadow footway, which stands up to approximately 2.4 metres high plus trellis on top, would be removed and new fencing erected set-back 300mm from the back edge of the High Meadow footway rising from 1 metre high close to High Street to 2 metres high.

Planning History

3. These two areas of land were shown as landscaped areas as part of the scheme for nine houses and garages on land at Manor House Farm (the development now being known as High Meadows) approved under reference **S/1166/97/F** in November 1997.
4. An application for change of use of these two areas of amenity land to land in association with business premises and garden land and erection of boundary fences ranging from 1 metres to 3 metres in height was refused in January 2005 under reference **S/1920/04/F** on the grounds that:
5. “These two areas of open land were part of the landscaping scheme for the High Meadows development. Their enclosure with the proposed fencing (which would range from 1m to 3m in height) would seriously detract from the character and appearance of the High Meadows development. The proposal is therefore contrary to the aims of Structure Plan 2003 Policy P1/3 and Local Plan 2004 Policies SE4 and HG10 which seek to ensure that developments achieve and retain a high standard of design and layout which create and retain a sense of place.”
6. There have also been a number of other applications at what is now 106 High Street including: Erection of Motor Workshop after Demolition of Existing – Refused (**C/67/160/D**); Motor Repair Workshop - Approved (**C/69/452**); Erection of a New Workshop After Demolition of Existing – Refused (**S/0255/71/O**); Erection of a

Workshop to Replace Existing – Refused (**S/0571/71/O**); Erection of a Workshop to Replace Existing – Refused and Appeal Dismissed (**S/0682/71/D**); Alterations of House and Office to First Floor Self Contained Flat with Ground Floor Sale Room and Office – Refused and Appeal Dismissed (**S/0480/74/F**); Extension to Workshop to Provide Insulation Barrier – Refused (**S/1458/76/F**); Rearrangement of Living Accommodation to Allow Access to Rear of Property – Refused (**S/1251/78/O**); Drive Through Vehicle Showroom – Refused (**S/1702/79/F**); Established Use Certificate for Sale of Motor Vehicles and Spares – Deemed Refusal and Appeal Dismissed (**S/0893/81**); Change of Use of Spray Shop to Motorcycle Sales/Spares/Accessories – Refused (**S/1823/85/F**); and Conversion of Workshop to Offices and Conversion of House to 2 Flats – Approved (**S/0432/88/F**).

Planning Policy

7. 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.
8. Local Plan 2004 **Policy SE4** states that residential development will be permitted within the village framework of Harston 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.
9. 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 and should also achieve high quality design and distinctiveness.
10. Local Plan 2004 **Policy EM7** states that development for the small-scale expansion of existing firms within village frameworks (small-scale being considered to be development for those who employ 25 people or less) will be permitted provided that there would be no adverse impact on residential amenity, traffic conditions, village character and other environmental factors; and the development would contribute to a greater range of local employment opportunities, especially for the semi-skilled and unskilled, or where initial development is dependent on the use of locally-based skills and expertise.

Consultations

11. **Harston Parish Council** recommends refusal stating:
 - 1 “The terms of Refusal by SCDC in 2004 of PA S/1920/04/F still apply
 - 2 The 2 small areas of amenity land in question were contained in the approved Landscape Design of the original PA for High Meadow development, approved by the SCDC. The proposed change of use removes that South Cambridgeshire District Council approved Landscape Design intent.
 - 3 The amenity land effectively is a verge, and provides a sight line for High Meadow road.
 - 4 A fence abutting the kerb, to separate the Business Use of the 106 High Street from High Meadow residential area, would create a visual obstruction for access onto the A10 from High Meadow.”

12. **Chief Environmental Health Officer** raises no objections.
13. **Local Highway Authority** raised no objections to application S/1920/04/F.

Representations

14. The occupier of 108 High Street has no objections.
15. The occupiers of 1, 2, 3, 4, 9 and 10 High Meadow object on the following grounds:
 - a. Highway safety/creation of a blind corner, and resulting risk to children playing in the road;
 - b. The two areas were part of the original landscaping design and their loss would materially detract from the appearance of the development and compromise its good design by reducing the entrance to a narrow looking road with no visual welcoming aspect;
 - c. Extension of business premises into a quiet residential area;
 - d. Additional congestion, noise and parking in High Meadow as a result of the increase in size of the business;
 - e. Possible future creation of an access onto High Meadow;
 - f. The area to be used in association with the business premises will be used for bonfires bringing them closer to residential properties;
 - g. The pungent smells, fumes and loud engine noises from an early hour would be brought closer to residential properties;
 - h. The reduction in height of the fences and moving them back 300mm from the pavement does not satisfactorily address these concerns; and
 - i. The reasons of refusal of application S/1920/04/F are still applicable.

Planning Comments – Key Issues

16. The main issues in relation to this proposal are:
 - Impact on the character and appearance of the area;
 - Impact on residential amenity; and
 - Highway safety.
17. The two areas formed part of the original landscaping scheme for the High Meadows development but have recently been sold to the applicant by the developer. Whilst these areas, if properly landscaped and maintained, would make a contribution towards the character of the area, the Local Planning Authority does not have any powers to ensure that they are replanted and maintained. In my opinion, by setting the proposed fence line back 300mm from the edge of the footway and being only 2 metres high, this application satisfactorily addresses my concerns in respect of the previous application (S/1920/04/F) which proposed fencing up to 3 metres in height and on the back edge of the footway. In coming to this view, I have given weight to the fact that there would be some gain as a result of the development in that a section of the existing fencing which sits on the back edge of the High Meadow footway and is approximately 2.4m high plus trellis on top would be replaced by a 2m high fence set back 300mm from the back edge of the footway. The resiting and reduction in the height of this fencing should therefore be a condition of any permission.
18. Subject to compliance with the recommended conditions, the expansion of the garage site would be acceptable in terms of the impact on neighbours.

19. The approved plans for High Meadow (S/1166/97/F) indicate that part of the easternmost area subject of this application was intended to provide visibility round the bend in High Meadow. However, the Local Highway Authority has raised no objections to the proposal in this regard and it is not therefore considered that a refusal could be substantiated on this ground.

Recommendation

20. Approval (as amended by e-mail dated 27th February 2006)
1. Standard Time Condition A – Time limited permission (Reason A).
 2. Prior to the commencement of development, the existing fence on the back edge of the High Meadow footway between the two areas of land (shown in blue on the Arrangement Plan) shall be replaced with 2 metres high fencing set back 300mm from the back edge of the footway (Reason – To ensure that, by removing a higher section of fencing on the back edge of the footway, the net effect of the development does not detract from the appearance of the area).
 3. Any external storage of vehicles or materials on the land to be used in association with the business premises (the easternmost of the two areas) shall not exceed 2 metres in height (Reason - To ensure the development does not detract from the appearance of the area).
 4. No work or process shall be carried out on the land to be used in association with the business premises (the easternmost of the two areas) other than between the hours of 0730 and 1800 Mondays to Fridays and 0730 and 1300 on Saturdays and at no time on Sundays or Public Holidays (Reason - To protect the amenities of occupiers of nearby properties).

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 (Residential Development in Group Villages), HG10 (Housing Design) and EM7 (Expansion of Existing Firms)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise: impact on character of the area; highway safety; dangers to children; and residential amenity.

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

South Cambridgeshire Local Plan 2004

Cambridgeshire and Peterborough Structure Plan 2003

Planning file Refs: S/0104/06/F, S/1920/04/F, S/1166/97/F, S/0432/88/F, S/1823/85/F, S/0893/81, S/1702/79/F, S/1251/78/O, S/1458/76/F, S/0480/74/F, S/0682/71/D, S/0571/71/O, S/0255/71/O, C/69/452 and C/67/160/D.

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	5 th April 2006
AUTHOR/S:	Director of Development Services	

**S/0329/06/O – Harston
Dwelling – Land r/o 37 London Road for Mrs D A Phillips**

**Recommendation: Approval
Date for Determination: 19th April 2006**

Site and Proposal

1. This 0.17 hectare application site is located on the north east side of London Road and comprises an orchard that forms part of the rear garden area to No.37 London Road, a two storey detached dwelling.
2. The application, submitted on 22nd March 2006, seeks outline consent for the erection of a dwelling on the site. The means of access to the site forms part of the application with details of siting, design and landscaping reserved for further consideration. The plans show the provision of a 5 metre wide access for 10 metres into the site, after which the driveway narrows to a width of 3.1 metres. The access would be a total length of some 75 metres. The access would be shared by the existing property and proposed new dwelling. The density of the development equates to 6 dwellings/hectare.
3. The application is accompanied by a planning statement which states that the existing nature of the development along London Road, namely at Nos. 55 and 67, sets a precedent for backland dwellings. It is considered that such development can be incorporated into the village with minimal impact upon the character and amenities of the area.
4. A traffic assessment has also been submitted with the application. This states that the required 2.4 metre x 120 metre visibility splays can be provided, and that the access is wide enough to cater for two dwellings.

Planning History

5. There is no planning history relating to the application site, although there have been recent applications of relevance in the vicinity:
6. **S/1499/04/F** – An application to erect two houses and garages on land at the rear of No.41 London Road following the demolition of the existing dwelling was refused partly for the reason that the form of the development, together with the creation of a large gap in the frontage, was considered to be out of keeping with the linear character of the area.
7. **S/0899/03/F** – An application to erect two dwellings at No.51 London Road (one frontage dwelling following the demolition of the existing and one to the rear) was approved.
8. **S/1604/02/F** – An application for the replacement of a bungalow on this existing backland plot with a two storey dwelling was approved.

Planning Policy

9. Harston is identified within **Policy SE4** of the South Cambridgeshire Local Plan 2004 ("The Local Plan") as a Group Village. In such locations, Policy SE4 states that residential development up to a maximum of 8 dwellings will be permitted providing the site does not form an essential part of village character, and development is sympathetic to the historic interests, character, and amenities of the locality. Exceptionally, development may consist of up to 15 dwellings if this would make the best use of a brownfield site. All developments are expected to provide an appropriate mix of dwelling size, type and affordability.
10. **Policy P1/3** of the County Structure Plan 2003 stresses the need for a high standard of design and a sense of place which corresponds to the local character of the built environment.
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;
 - d. Be out of character with the pattern of development in the vicinity.
12. **Policy DP/5** of the Local Development Framework Submission Draft 2006 relates to cumulative development and states that development will not be permitted where it:
 - a. Forms part of a larger site where there would be a requirement for infrastructure provision if developed as a whole;
 - b. Would result in a piecemeal, unsatisfactory form of development;
 - c. Would prejudice development of another site adjacent or nearby.

Consultations

13. **Harston Parish Council** objects to the application stating:

"Such back-land development is not what we wish to see. It is quite out of character and would, we feel, encourage other residents in this area to climb on the band wagon; a precedent has not, we feel, been set by the rear of 55 and 67 London Road for the reasons given in Mr & Mrs Glynn's letter (No. 39 London Road) a copy of which we have. We fully support their objections and urge your refusal of this application."
14. The **Chief Environmental Health Officer** raises no objections subject to a condition restricting the hours of use of power operated machinery being attached to any consent in order to minimise noise disturbance to neighbours.
15. The comments of the **Local Highways Authority** will be reported verbally at the Committee meeting.
16. The comments of the **Trees and Landscape Officer** will be reported verbally at the Committee meeting.
17. The comments of the **Cambridgeshire Fire and Rescue Service** will be reported verbally at the Committee meeting.

Representations

18. Letters have been received from Nos. 35 and 39 London Road. The main points raised are:
- a. No.35 has no objections in principle to a single dwelling;
 - b. The development would result in the loss of trees. As many trees as possible should be retained in order to preserve the character of the area;
 - c. Any consent should be limited to a single storey dwelling, sited well away from the boundaries and with no habitable rooms facing towards No.39's boundary – in order to minimise overlooking and overshadowing of No.39;
 - d. The driveway should be of low noise construction given its proximity to the boundary with No.39;
 - e. There is no precedent for backland development in the area as the sites at Nos. 55 and 67 have been established plots for many years, whilst the house recently approved at the rear of No.51 adjoins the two existing backland sites;
 - f. If approved, the application could result in further piecemeal development which would result in a series of private driveways to the detriment of the traditional streetscape of London Road;
 - g. The driveway should be 3.7 metres wide to facilitate fire appliance access.

Planning Comments – Key Issues

19. The key issues to consider in the determination of this application are:
- a. Impact upon the character of the area;
 - b. Affect upon the amenities of adjoining residents;
 - c. Impact upon trees;
 - d. Highway safety.
20. The site lies inside the village framework. Harston is designated within the Local Plan as a Group Village where residential development is acceptable in principle providing development is sensitive to the character of the area and the amenities of local residents.
21. The site is located on the north eastern side of London Road which has a linear character. To the south-east of the site are three backland plots to the rear of Nos. 51, 53/57 and 59-65 London Road, these plots being occupied by substantial detached two storey dwellings set within spacious gardens and served by narrow, informal accesses serving just one or two dwellings. In each of the above cases, the backland dwellings are set behind frontage properties and are therefore not conspicuous in the street scene. The recently refused application at No.41 London Road was considered to be unacceptable as the proposal sought to demolish the frontage dwelling and erect two properties set well back from the road. The creation of this large gap in the frontage together with the views this gap would afford to the proposed development was considered to represent a form of development out of keeping with the character of the area.

22. The current application proposes to retain the existing two storey dwelling, No.37 London Road, and to erect a dwelling on part of the spacious garden area to the rear. By retaining the existing dwelling, there would be no change to the linear character of London Road and I am satisfied, given the retention of the existing property together with the distance of the proposed backland plot from the main road, that a dwelling can be accommodated on this site, in principle, without being prominent in the street scene or resulting in harm to the character of the area.
23. With regards to the impact of the proposed access upon the amenities of occupiers of Nos. 37 and 39 London Road, there is approximately 7 metres between No.37 and the boundary with No.39, which, at this point, consists of a 1.8 metre high close boarded fence. No.37 has a secondary dining room window and glasshouse/porch in its southern side elevation whilst, in the northern side elevation of No.39, are bedroom and lounge windows on the ground floor and a first floor bathroom window. I am satisfied that there is sufficient width, in this case, to accommodate the access (normally a minimum of 3.7 metres is required for backland plots to enable access for fire engines) and to retain/provide appropriate treatments on both side boundaries, to avoid undue noise disturbance to both adjoining properties from the use of the access. I would concur with the comments made by No.39 that the choice of materials are important and this should be conditioned as part of any planning permission.
24. It has been argued that, if approved, the application would set a precedent for further backland plots thereby resulting in piecemeal development and an inefficient use of the land to the rear of Nos. 37-47 London Road. Whilst I concur with this view, the development of this land as a whole would necessitate the demolition of one of the frontage dwellings and the creation of an estate road. Such a form of development would be out of keeping with, and harmful to, the character of the area, whereas individual plots served by a narrow access reflects the character of existing backland development on this side of London Road.
25. The comments of the Local Highways Authority in respect of the highway safety implications of the proposed access have not been received to date.
26. A number of trees would need to be removed in order to accommodate the access whilst any dwelling, regardless of its siting, would result in the loss of orchard trees. I am presently awaiting the Trees Officer's comments in respect of whether any of the trees are of sufficient quality to render the development unacceptable in principle.

Recommendation

27. Subject to no objections being raised by the Trees and Landscape Officer and Local Highways Authority, approval:
 1. Standard Condition B (Reason - B);
 2. Sc1a, b and d – Reserved Matters of the siting, design, external appearance and landscaping (Rc1);
 3. Sc5b – Surface water drainage details (Rc5b);
 4. Sc5c – Foul water drainage details (Rc5c);
 5. Sc5 – Details of materials to be used for the access (Reason – To minimise noise disturbance to neighbouring properties);

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).
7. Highway conditions regarding visibility splays, width of access (5m for distance of 10m) and minimum width thereafter of 3.7m to accommodate a fire appliance. (Rc10 - 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)
 - **South Cambridgeshire Local Plan 2004: SE4** (Development in Group Villages) and **HG11** (Backland Development)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity;
 - Highway safety;
 - Impact on trees;
 - Impact on character of area.

General

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

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

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- LDF Submission Draft 2006
- Planning application references: S/0329/06/O, S.1499/04/F, S/0899/03/F and S/1604/02/F

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

REPORT TO: Development and Conservation Control Committee
5th April 2006**AUTHOR/S:** Director of Development Services

**S/2160/05/F – Haslingfield
One Dwelling (Revised Design) (Part Retrospective) at Plot 2, 1 Butler Way for Vona
Enterprises Ltd**

**Recommendation: Approval
Determination Date 6th January 2006**

Site and Proposal

1. The site lies off a cul-de-sac, Butler Way, a narrow road with narrow footpaths. It forms one half of a larger plot for 2 dwellings. Three other properties, two bungalows and a chalet dwelling, are also accessed from Butler Way.
2. To the south, approximately 30m away from the back edge of the site, lies a two storey property, No. 10 Church Street with windows at ground and first floor level in its northern elevation, facing the site.
3. To the south east of the site lies The Vicarage, a Grade II Listed Building. There are two further Listed Buildings to the north east approximately 25-40m from the site.
4. The full planning application, received on 11th November 2005, proposes to revise the design of a single house already granted planning permission and erect a single detached garage to the side. The proposal is part retrospective as the dwelling, as revised, is currently under construction.
5. The application has formally been amended three times since submission with the final amendment received in February 2006 to revise the internal layout and further revise the positions of windows and doors and to exclude the garage proposed in the application as originally submitted.
6. The proposed dwelling is detached and approximately 7.2m in height, set back from the road by 5.5m. The essential differences between the approved dwelling and that revised by this application are that the eaves height at the rear of the dwelling has been increased, the internal layout has been altered to provide an additional first floor habitable room and the position of windows and doors has been changed. The differences are explained more fully below.

Approved dwelling	Application dwelling as amended
Ridge height: 7.2m Eaves height front: 2.7m Eaves height rear: 2.5m	Ridge Height: 7.2m Eaves height front: 2.5m Eaves height rear: 3.2m
Footprint: 88.2m ²	Footprint: 88.2m ² (siting unchanged)
Ground floor layout: Kitchen, living room, dining room, study, WC	Ground floor layout: Kitchen, living room, dining room, family room, utility, WC
First floor: 3 bedrooms, bathroom and en-suite	First floor: 3 bedrooms, bathroom and study
Front elevation ground floor: dining room	Front elevation ground floor: dining room,

hall and study windows	hall and family room windows
Front elevation first floor: 2 bedroom windows and landing rooflight	Front elevation first floor: 2 bedroom windows and landing rooflight
Rear elevation ground floor: door, kitchen window and French doors to living room	Rear elevation ground floor: door, kitchen window and French doors to living room
Rear elevation roofslope: 5 rooflight windows – bed, bed, bath, bath, en-suite. The two habitable room windows will look towards the rear of No. 10 Church Street.	Rear elevation roofslope: 5 rooflight windows – bed, bed, study, study, bath. One each of the bed and study windows are high level, therefore two habitable room windows will look towards the rear of No. 10 Church Street.
East elevation: ground floor WC window, first floor blank.	East elevation: ground floor blank, obscure glazed en-suite window at first floor.
West elevation: blank	West elevation: ground floor WC window, and utility room door.
Western boundary: 3.2m wide access and parking area, 1.8m wide planting strip	Western boundary: 4.3m wide access and parking area, 0.7m wide planting strip
Parking for 3 cars and turning	Parking for 3 cars and turning

Planning History

7. The original chalet bungalow, now demolished was granted approval in 1964.
8. In March 2004 planning permission was granted in Outline for the erection of two dwellings (on plots 1 and 2) following the demolition of the existing bungalow – matters of siting, design, means of access and landscaping were reserved.
9. In July 2004 a full planning application was withdrawn for two 4 bedroom dwellings approximately 7.5m in height with each having a footprint of approximately 106m² and 112m² on plots 1 and 2 respectively.
10. In February 2005 planning permission was approved for two 3 bedroom dwellings, approximately 7.2m in height with each having a footprint of approximately 85.1m² and 88.2m² on plots 1 and 2 respectively.
11. In October 2005 a planning application was withdrawn for a dwelling and garage (revised design) on plot 2.

Planning Policy

Cambridgeshire and Peterborough Structure Plan 2003 (the Structure Plan) Policy P1/3 – Sustainable Design in Built Development.

11. This policy stresses the need for a high standard of design and a sense of place which responds to the local character of the built environment, amongst a whole host of other sustainability considerations.

Structure Plan Policy P7/6 – Historic Built Environment

12. Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.

South Cambridgeshire Local Plan 2004 (the Local Plan) Policy SE4 – List of Group Villages

13. Haslingfield is listed as a Group Village

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

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

14. Development may exceptionally consist of up to 15 dwelling, if this would make the best use of a brownfield site.
15. All development should provide an appropriate mix of dwelling size, type and affordability.

Local Plan Policy HG10 – Housing mix and design.

16. 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.
17. 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.

Local Plan Policy EN30 – Development in Conservation Areas

18. The District Council will require that applications for planning permission for development in Conservation Areas or affecting their setting, be accompanied by sufficient details to allow the impact of the proposals to be assessed. This must include drawings or other pictorial material which illustrates the proposed buildings in their context, and in most cases outline applications will not be acceptable. 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.

Local Plan Policy EN28 – Development within the Curtilage or Setting of a Listed Building.

19. Where it appears that proposals would affect the curtilage or wider setting of a Listed Building, the District Council will require the submission of sufficient illustrative and

technical material to allow its impact to be clearly established. 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, wellbeing 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.

Consultation

20. **Haslingfield Parish Council (initial submission)**

Recommends refusal

“We feel that the addition of a garage represents an over-development of a small site and is unacceptable. Some of the upstairs rooms on the south side have changed from a 1-window bathroom to a 2-window study – this represents a loss of privacy for neighbours on that side. Therefore the rooflights should be raised further up the roof or obscure glazed.

With regard to the proposed new double doors and windows on the west elevation, we feel that the double doors are unnecessary. However we understand that the building is not being built according to the plans, so we find it difficult to discuss the issue.”

21. **Haslingfield Parish Council (first amendment)**

Recommends refusal

“We feel that the roof lights should be raised further up the roof above eye-line to prevent loss of privacy to 10 Church Street.”

22. **Haslingfield Parish Council (second amendment)**

Recommends refusal

“We still require the rooflights to be raised to protect the privacy of neighbours at the rear.”

23. **Haslingfield Parish Council (third amendment)**

“We are still concerned that the two larger rooflights to the rear of the property are low. We understand that workmen can be seen from waist up working in the rooms.”

24. **Conservation Manager**

“No objection to amendment to house – however, garage will compromise the adjacent tree and should therefore be avoided.”

25. **Chief Environmental Health Officer**

No objections subject to safeguarding conditions to control disturbance to neighbours during the period of construction.

26. **Trees and Landscape Officer**

Concerned about impact of garage on a mature tree in the garden of No. 10 Church Street.

Representations

27. Twelve letters of objection have been received, six from the occupiers of 4 Butler Way and six from the occupiers of 2 Butler way. The points of objection are summarised below (comments related to the garage have not been included since this no longer forms part of the application):
28. Construction is well underway and the works are not in accordance with the approved plans. Conditions on the approved permission have not been complied with.
29. Excessive scale and footprint and out of keeping with the pattern of development in Butler Way – will impact on the street scene.
30. Four parking spaces should be provided for a four bedroomed house. Added parking and manoeuvring problems with extra vehicles due to extra bedroom.
31. Driveway is too wide – space for planting along the fence with No. 2 has been reduced.
32. Overbearing impact on No. 2 and noise through the manoeuvring of vehicles along the driveway.
33. Drainage problems.
34. Loss of privacy to front of No. 4 and its garden and to the front of No. 2 and its garden – breach of Human Convention on Human Rights, Article 8.
35. New openings in the west elevation facing No. 2 Butler Way can be seen above the fence level from No. 2's living room window and will result in a loss of privacy.
36. Gateposts have been installed 4m apart. A five barred gate would not be appropriate in this location.
37. Loss of privacy to No. 10 Church Street from rear facing rooflights.
38. Adverse impact on Conservation Area and Listed Buildings.
39. Inappropriate design.
40. Garden is not deep enough for a property of this size.
41. Vegetation has been removed from the site.
42. Increased eaves height at the rear.
43. WC now to be in the west elevation. This faces No. 2 and will harm amenity.

Planning Comments – Key Issues

44. Since planning permission for the erection of a dwelling on this plot is extant, the key issue to consider in this application are the proposed revisions to the proposal. I have not addressed the objections relating to the principle of erecting a dwelling on this site

or other matters that have already been considered and are approved. It is regrettable that the developers have decided to go ahead with the development before gaining consent but this fact is not material to the consideration of this application.

45. The overall size and height of the dwelling is broadly the same. The internal layout has achieved a further habitable room at first floor which may be used as a fourth bedroom.
46. Due to amendments to the position of rooflights in the rear roofslope, there remain only two windows that afford views towards the rear of No. 10 Church Street at a distance of approximately 38m (back to back). I do not therefore consider there to be any material increase in loss of privacy to this property. In addition these windows are positioned away from a swimming pool in the rear garden of No. 10 which was also the case in the approved scheme. A mature tree in the garden to No. 10 also helps to prevent direct views over the swimming pool. The Parish Council has raised this as an objection but I note that it did not object to the two windows that backed onto No. 10 Church Street in the previous application. The amendments follow negotiations to ensure that the number of openings serving habitable rooms in the rear roofslope that afford views out has not been increased from that approved i.e. two.
47. Objections have been received in relation to the western site boundary in that the revised access area is increased in width and there is a reduced area for planting. I share these concerns particularly as it is my view that to help assimilate the dwelling into the street scene the boundaries should be softened as far as possible. In that regard I consider there should be something approaching 2m in which to plant on this boundary. This can be controlled by condition.
48. A glazed door and window are now to be inserted into the western elevation which will be visible from the front window to No. 2 Butler Way. The door serves a utility room and the window a WC. I therefore consider it reasonable to require these windows to be obscure glazed and to require that no further openings are permitted without planning permission.
49. Objectors have referred to gate posts having been erected. These are not shown on the plans and do not form part of this proposal. Boundary treatment will be considered by condition. Permitted development rights have been removed for the erection of gates walls and fences as part of the approved scheme and it is suggested that they should also be removed from this proposal. Any unauthorised development that causes harm can be considered for enforcement action.
50. The revision in the roof profile by raising the eaves height at the rear will have a small affect on No. 2 by increasing the size of the gable wall facing that property. This is minimal though and offset by the ridge moving back as a consequence. I do not therefore consider that the impact on No. 2 of this change is unacceptable.
51. With regard to the inclusion of a study, which will effectively increase the number of bedrooms to four, I do not consider this to be an overdevelopment of the plot since the dimensions of the dwelling remain largely the same as approved. I note the objection regarding insufficient parking. The dwelling will have three spaces. This is in excess of the parking standards contained within the Local Plan and is in my view more than adequate to serve a four-bedroom property.

Recommendation

52. Approval as amended by letter dated 24th January 2006 and plans reference AD/2/11B, AD/2/1D and AD/2/10C and subject to the following conditions:
1. Within 28 days from the date of this Decision Notice, details of the materials to be used for the external walls and roof shall be submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.
(Reason - To ensure that the development is not incongruous in accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004.)
 2. Within 28 days of the date of this Decision Notice, details of the finished floor levels of the building in relation to ground levels shall be submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.
(Reason - To ensure that the height of the buildings is well related to ground levels and is not obtrusive in accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004.)
 3. Within 28 days of the date of this Decision Notice, a scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. This shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.
(Reason - To enhance the quality of the development and to assimilate it within the area in accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004.)
 4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the dwelling or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
(Reason - To enhance the quality of the development and to assimilate it within the area in accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004.)
 5. Within 28 days of the date of this Decision Notice, details of the materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas, shall be submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.
(Reason – To protect the visual quality of the area in accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004.)
 6. Notwithstanding the approved plans, the driveway and parking areas shall not be constructed or the dwelling occupied until a plan has been submitted to and approved

in writing by the Local Planning Authority showing a revised layout for the car parking and driveway areas. The parking area to the west of the dwelling and the point of access onto Butler Way shall not exceed 3m in width. The revised parking and access areas shall be carried out in accordance with the approved details prior to the dwelling being occupied, thereafter maintained and shall not thereafter be used for any purpose other than the parking of vehicles.

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

7. Within 28 days from the date of this Decision Notice, details of the design and materials to be used for the external windows and doors shall be submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.
(Reason - To ensure that visually the development accords with neighbouring buildings and respects the visual quality of its surroundings in accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004)
8. Within 28 days from the date of this Decision Notice, precise details of both the existing provision for surface water drainage and foul sewage disposal and the proposed method of surface water drainage and foul sewage disposal shall be submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.
(Reason - To ensure satisfactory drainage of the site and satisfactory disposal of foul sewage from the site).
9. No power operated machinery shall be operated on the premises during the period of construction, before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions.
(Reason – To minimise noise disturbance to adjoining residents during construction.)
10. No further windows, doors or openings of any kind shall be inserted in the south, east or west elevations 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 the adjoining properties in accordance with Policies SE4 and HG10 of the South Cambridgeshire Local Plan 2004.)
11. The first floor window in the south elevation of the dwelling shown serving a bathroom and the first floor window in the east elevation shown serving an en-suite on plan nos. AD/2/11B and AD/2/10C and the glazed element of the door and the window in the west elevation, hereby permitted, shall be fitted and permanently maintained with obscured glass.
(Reason - To safeguard the privacy of occupiers of the adjoining properties in accordance with Policies SE4 and HG10 of the South Cambridgeshire Local Plan 2004.)
12. Notwithstanding the provisions of Regulations 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order), the following classes of development more particularly described in the Order are expressly prohibited in respect of the property unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf:-

- i) PART 1, (Development within the curtilage of a dwellinghouse, all classes
- ii) PART 2, (Minor operations), Classes A (erection of gates, walls or fences)

(Reason - To safeguard the character of the area and to ensure that additions or extensions which would not otherwise require planning permission do not overdevelop the site with consequent harm to the setting of the Conservation Area, nearby Listed Buildings and the visual quality of the street scene in accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004).

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P1/3** (Sustainable design in built development) and **P7/6** (Historic Built Environment);
 - **South Cambridgeshire Local Plan 2004: SE4** (List of Group Villages), **HG10** (Housing Mix and Design), **EN30** (Development in Conservation Areas), **EN28** (Development within the Curtilage or Setting of a Listed Building)
2. The proposal is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity including overlooking issues
 - Highway safety
 - Visual impact on the locality
 - Impact upon setting of adjacent Conservation Area and nearby Listed Buildings

Background Papers: the following background papers were used in the preparation of this report: Planning Files reference S/2160/05/F, S/2002/04/F, South Cambridgeshire Local Plan 2004, Cambridgeshire and Peterborough Structure Plan 2003.

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

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee

5th April 2006

AUTHOR/S: Director of Development Services

**S/2290/05/F – Haslingfield
House (Revised Design) (Part Retrospective) at Plot 1, 1 Butler Way for Vona
Enterprises Ltd**

**Recommendation: Approval
Determination Date 24th January 2006**

Adjacent Conservation Area

Site and Proposal

1. The site lies off a cul-de-sac, Butler Way, a narrow road with narrow footpaths. It forms one half of a larger plot for 2 dwellings. Three other properties, two bungalows and a chalet dwelling, are also accessed from Butler Way.
2. To the south, approximately 30m away from the back edge of the site, lies a two storey property, No. 10 Church Street with windows at ground and first floor level in its northern elevation, facing the site.
3. The site lies adjacent to the Haslingfield Conservation Area, the boundary of which runs along the eastern boundary of the site where there is a footpath to the church. To the south east lies The Vicarage, a Grade II Listed Building. There are two further Listed Buildings to the north east approximately 25-40m from the site.
4. The full planning application, received on 29th November 2005, proposes to revise the design of a single house already granted planning permission. The proposal is part retrospective as the dwelling, as revised, is currently under construction.
5. The application was amended in February 2006 to revise the internal layout and further revise the position of windows and doors.
6. The proposed dwelling is detached and approximately 7.2m in height, set back from the road by 5.5m. The essential differences between the approved dwelling and that revised by this application are that the internal layout has been altered to provide an additional first floor habitable room and the position of windows and doors has been changed. The differences are explained more fully below.

Approved dwelling	Application dwelling as amended
Ridge height: 7.2m Eaves height front: 2.8m – 3.5m Eaves height rear: 3.4m	Ridge Height: 7.2m Eaves height front: 2.4m (roof overhang extended across front) Eaves height rear: 3.1m
Footprint: 85.1m ² (82.8m ² not including roof overhang)	Footprint: 88.2m ² (82.7m ² not including roof overhang) (siting unchanged)
Ground floor layout: Kitchen, living room, dining room, study, WC	Ground floor layout: Kitchen, living room, dining room, family room, utility, WC
First floor: 3 bedrooms, bathroom and	First floor: 3 bedrooms, bathroom and

en-suite	study
Front elevation ground floor: dining room hall and study windows	Front elevation ground floor: dining room, hall, family room and WC windows
Front elevation first floor: 2 bedroom windows and landing rooflight	Front elevation first floor: 2 bedroom windows and landing rooflight
Rear elevation ground floor: door, kitchen window and French doors to living room	Rear elevation ground floor: door, kitchen window and French doors to living room
Rear elevation roofslope: 5 rooflight windows – bed, bed, bath, bath, en-suite. The two habitable room windows will look towards the rear of No. 10 Church Street.	Rear elevation roofslope: 5 rooflight windows – bed, bed, study, study, bath. One each of the bed and study windows are high level, therefore two habitable room windows will look towards the rear of No. 10 Church Street.
East elevation: blank	East elevation: door to utility room, blank at first floor
West elevation: ground floor WC window, first floor blank	West elevation: ground floor blank, first floor obscure glazed WC window
Eastern boundary: Existing planting to be retained	Eastern boundary: Majority of existing planting has been removed and a 2m high close boarded fence erected.
Parking for 3 cars	Parking for 3 cars

Planning History

7. The original chalet bungalow, now demolished was granted approval in 1964.
8. In March 2004 planning permission was granted in Outline for the erection of two dwellings (on plots 1 and 2) following the demolition of the existing bungalow – matters of siting, design, means of access and landscaping were reserved.
9. In July 2004 a full planning application was withdrawn for two 4 bedroom dwellings approximately 7.5m in height with each having a footprint of approximately 106m² and 112m² on plots 1 and 2 respectively.
10. In February 2005 planning permission was approved for two 3 bedroom dwellings, approximately 7.2m in height with each having a footprint of approximately 85.1m² and 88.2m² on plots 1 and 2 respectively.

Planning Policy

Cambridgeshire and Peterborough Structure Plan 2003 (the Structure Plan) Policy P1/3 – Sustainable Design in Built Development.

11. This policy stresses the need for a high standard of design and a sense of place which responds to the local character of the built environment, amongst a whole host of other sustainability considerations.

Structure Plan Policy P7/6 – Historic Built Environment

12. Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.

South Cambridgeshire Local Plan 2004 (the Local Plan) Policy SE4 – List of Group Villages

13. Haslingfield is listed as a Group Village

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

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

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

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

Local Plan Policy HG10 – Housing mix and design.

14. 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.

Local Plan Policy EN30 – Development in Conservation Areas

15. The District Council will require that applications for planning permission for development in Conservation Areas or affecting their setting, be accompanied by sufficient details to allow the impact of the proposals to be assessed. This must include drawings or other pictorial material which illustrates the proposed buildings in their context, and in most cases outline applications will not be acceptable. 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.

Local Plan Policy EN28 – Development within the Curtilage or Setting of a Listed Building.

16. Where it appears that proposals would affect the curtilage or wider setting of a Listed Building, the District Council will require the submission of sufficient illustrative and technical material to allow its impact to be clearly established. 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, wellbeing 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.

Consultation

17. **Haslingfield Parish Council (initial submission)**
“We would like the roof windows at the rear to be raised above eye-level in order to minimise the impact on 10 Church Street.”
18. **Haslingfield Parish Council (amended plans)**
Recommends refusal
“We remain concerned about the low height of some of the roof windows at the rear as in Plot 2, especially given that there is a path running along the eastern boundary of the property. We understand that the Conservation team has recommended a wire fence with hedging along the eastern boundary. This would be more appropriate in this vicinity.”
19. **Conservation Manager**
“House – no objections to alterations
Fence – a solid (close boarded) fence will create an unfortunate corridor along the path edge.

I would suggest that the path edge should remain planted by:
 - a) Planting new hedge species along the whole edge of the path
 - b) Chain link (or other open) fence to extent of the parking area – i.e. to within 2 metres of rear elevation (as shown). This will enable a hedge to establish while retaining security.
 - c) Close boarded fence set within boundary by at least 1 metre to enable hedgeline to establish on the path side, while creating private space to rear garden”.
20. **Chief Environmental Health Officer**
No objections
21. **Trees and Landscape Officer**
“No comment”.

Representations

22. Two letters of objection have been received from the occupiers of 4 Butler Way. The points of objection are summarised below:

In relation to the application as originally submitted

23. This proposal increases the number of bedrooms from the approved 3 to 4. This exacerbates the overdevelopment of the plot and argues an increase in occupancy with all the necessity for increased parking spaces.
24. Alteration in roof profile increases the overshadowing of No. 2 Butler Way.
25. All planting along the footpath on the eastern boundary has been removed bar one holly tree and a cotoneaster. The church footpath would be overlooked by double doors leading from a breakfast room and by a utility room door and window.
26. Windows and doors in the elevation running parallel with the church footpath will harm the rural and secluded aspect of the footpath.
27. A downstairs lavatory window has been repositioned from the side to the front of the property. "We strongly object to the downstairs lavatory of the proposed property on plot 1 facing the main garden of 4, Butler Way. The distance between the proposed lavatory window and our garden is only 12 metres".
28. Previous objections of overdevelopment, loss of privacy and quiet enjoyment of property, insufficient parking and detrimental impact on street scene all still stand.

Additional points in relation to the amended plans

29. Loss of privacy is a breach of European Convention on Human Rights, Article 8.
30. Building is already underway.
31. A 2m-high fence has been erected on the boundary with the church footpath. The fence does not follow the property boundary and does not allow sufficient space on the footpath side for planting. Any planting here will encroach on the footpath.

Planning Comments – Key Issues

32. Since planning permission for the erection of a dwelling on this plot is extant, the key issue to consider in this application are the proposed revisions to the proposal. I have not addressed the objections relating to the principle of erecting a dwelling on this site or other matters that have already been considered and are approved. It is regrettable that the developers have decided to go ahead with the development before gaining consent but this fact is not material to the consideration of this application.
33. The overall size and height of the dwelling is broadly the same and some details of design such as smaller barge boards on the front projecting gable are to be welcomed. The internal layout has achieved a further habitable room at first floor which may be used as a fourth bedroom.
34. Due to amendments to the position of rooflights in the rear roofslope, there remain only two windows that afford views towards the rear of No. 10 Church Street at a distance of approximately 38m (back to back). I do not therefore consider there to be any material increase in loss of privacy to this property. The Parish Council has raised this as an objection but I note that it did not object to the two windows that backed onto No. 10 Church Street in the previous application. The amendments follow negotiations to ensure that the number of openings serving habitable rooms in the rear roofslope that afford views out has not been increased from that approved i.e. two.

35. The Parish Council and the occupiers of No. 4 Butler Way have objected to the revised eastern boundary treatment. I share this concerns and note the comments of the Conservation Manager. I therefore consider that it will be necessary to revise this boundary in accordance with the suggestions of the Conservation Manager. A specifically worded condition could address this concern.
36. With regard to the objections of the occupiers of No. 4 Butler Way I consider the revised proposal will not have any greater impact on the street scene or the amenity of neighbours from that approved. The WC window in the front of the dwelling will not impact on the amenity of the occupiers of No. 4 in any material way. A new beech hedge is proposed on the front boundary, the window will be obscure glazed and the distance is such that no reason for refusal would be justified.
37. The revision in the roof profile including a lowering of the eaves height cannot further overshadow No. 2 Butler Way.
38. With regard to the inclusion of a study, which will effectively increase the number of bedrooms to four, I do not consider this to be an overdevelopment of the plot since the dimensions of the dwelling remain largely the same as approved. I note the objection regarding insufficient parking. The dwelling will have three spaces. This is in excess of the parking standards contained within the Local Plan and is in my view more than adequate to serve a four-bedroom property.

Recommendation

39. Approval as amended by plans reference AD/2/30A, AD/2/31A and AD/2/32A and subject to the following conditions:
 1. Within 28 days from the date of this Decision Notice, details of the materials to be used for the external walls and roof shall be submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.
(Reason - To ensure that the development is not incongruous in accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004.)
 2. Within 28 days of the date of this Decision Notice, details of the finished floor levels of the building in relation to ground levels shall be submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.
(Reason - To ensure that the height of the buildings is well related to ground levels and is not obtrusive in accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004.)
 3. Within 28 days of the date of this Decision Notice, a scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. This shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.
(Reason - To enhance the quality of the development and to assimilate it within the area in accordance with the requirements of Policies P1/3 and P7/6 of the

Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004.)

4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the dwelling or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
(Reason - To enhance the quality of the development and to assimilate it within the area in accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004.)
5. Within 28 days of the date of this Decision Notice, details of the materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas, shall be submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.
(Reason – To protect the visual quality of the area in accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004.)
6. Notwithstanding the approved plans, the dwelling, hereby permitted, shall not be occupied until a scheme of boundary treatment for the eastern site boundary has been submitted to and approved in writing by the Local Planning Authority and completed in accordance with the approved details in so far as they relate to hard landscaping. The hard landscaping shall thereafter be maintained. Any planting contained within the approved details shall be carried out in the first planting and seeding seasons following the written approval of the details and any trees or plants which within a period of five years from this date die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
(Reason - To enhance the quality of the development and to assimilate it within the area in accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004.)
7. Within 28 days from the date of this Decision Notice, details of the design and materials to be used for the external windows and doors shall be submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.
(Reason - To ensure that visually the development accords with neighbouring buildings and respects the visual quality of its surroundings in accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004)
8. The dwelling, hereby permitted, shall not be occupied until space has been laid within the site for the parking of 3 cars in accordance with the details contained within plan no. AD/2/101 and that area shall not thereafter be used for any purpose other than the parking of vehicles.

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

9. Within 28 days from the date of this Decision Notice, precise details of both the existing provision for surface water drainage and foul sewage disposal and the proposed method of surface water drainage and foul sewage disposal shall be submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.
(Reason - To ensure satisfactory drainage of the site and satisfactory disposal of foul sewage from the site).
10. No power operated machinery shall be operated on the premises during the period of construction, before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions.
(Reason – To minimise noise disturbance to adjoining residents during construction.)
11. No further windows, doors or openings of any kind shall be inserted in the south or west elevations 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 the adjoining properties in accordance with Policies SE4 and HG10 of the South Cambridgeshire Local Plan 2004.)
12. The first floor window in the south elevation of the dwelling shown serving a bathroom and the ground floor window in the north elevation shown serving a WC and the first floor window in the west elevation shown serving a WC on plan nos. AD/2/30A and AD/2/31A, hereby permitted, shall be fitted and permanently maintained with obscured glass.
(Reason - To safeguard the privacy of occupiers of the adjoining properties in accordance with Policies SE4 and HG10 of the South Cambridgeshire Local Plan 2004.)
13. Notwithstanding the provisions of Regulations 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order), the following classes of development more particularly described in the Order are expressly prohibited in respect of the property unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf:
 - i) PART 1, (Development within the curtilage of a dwellinghouse, all classes
 - ii) PART 2, (Minor operations), Classes A (erection of gates, walls or fences)

(Reason - To safeguard the character of the area and to ensure that additions or extensions which would not otherwise require planning permission do not overdevelop the site with consequent harm to the setting of the Conservation Area, nearby Listed Buildings and the visual quality of the street scene in accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004).

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P1/3** (Sustainable design in built development) and **P7/6** (Historic Built Environment);
 - **South Cambridgeshire Local Plan 2004: SE4** (List of Group Villages), **HG10** (Housing Mix and Design), **EN30** (Development in Conservation Areas), **EN28** (Development within the Curtilage or Setting of a Listed Building)
2. The proposal is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity including overlooking issues
 - Highway safety
 - Visual impact on the locality
 - Impact upon setting of adjacent Conservation Area and nearby Listed Buildings

Background Papers: the following background papers were used in the preparation of this report: Planning Files reference S/2290/05/F, S/2002/04/F, South Cambridgeshire Local Plan 2004, Cambridgeshire and Peterborough Structure Plan 2003.

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

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th April 2006
AUTHOR/S: Director of Development Services

S/2504/04/F - Impington
Erection of 11 Houses, 2 Flats and Garages Following Demolition of Existing Dwellings (15-17 Mill Road), 15-17 Mill Road, Land R/O 13-23 Mill Road and R/O 17-23 Highfield for Hogger Homes Ltd

Recommendation: Delegated Approval
Date for Determination: 11th March 2005

Up-Date

1. This application, for the erection of 11 houses and 2 flats, was reported to the Development and Conservation Control Committee on 2nd February 2005 - item 5.
2. As an up-date to the Agenda, officers reported the following:
 - i) The applicants would prefer the surface water solution to cross land to the west of the site and, in that respect, had already spoken to agents for the landowner.
 - ii) The Environment Agency had confirmed that it would be happy to accept the usual surface water condition with a Section 106 Agreement ensuring the longevity of the system.
 - iii) An email from the Land Drainage Manager was read out explaining that "There are some downstream properties that flood during severe rainfall events. Further detailed analysis is required to assess the situation. The developer's agents should demonstrate that the proposal will not pose an increased flood risk to downstream properties. It should also demonstrate that the new development itself will not be subjected to an unacceptable risk of flooding".
 - iv) The Chief Environmental Health Officer had requested a restriction on machinery times during construction and an informative if piled foundations were to be used.
 - v) The Local Highway Authority had asked for some minor design adjustments to the access roadway, plus a Northern Corridor Area Transport Plan (NCATP) contribution of £37,506.00.
3. After much discussion on the matter of surface water drainage, including a proposal that the draft Section 106 Agreement should be referred back to Members to discuss further, a delegated approval was agreed, subject to the prior signing of a Section 106 Agreement, the actual Minute stating:
4. **S/2504/04/F - Impington**

5. **Delegated Approval**, for the reasons set out in the report from the Director of Development Services, subject to the prior completion of a Section 106 Agreement to include NIAB as a party, and requiring a commuted sum relating to maintenance of Awarded Watercourse 164, the provision of a surface water drain from the site to the public drain, a contribution towards the provision of school places, and an element of affordable housing, and Conditions including ones relating to working hours and surface water drainage, and limiting deliveries to being on-site. Members also resolved that the requirements of the draft Section 106 Agreement should be agreed by a Working Party consisting of the Chairman and Vice-Chairman of the Development and Conservation Control Committee, the local Members and the District Council's Drainage Manager.
6. The Working Party has met and was agreeable to the satisfactory solution put forward by the Developer and his agents.
7. However, it has been noticed by County Council officers that there is no mention of the NCATP contribution in the draft 106; this should be rectified.

Recommendation

8. The Resolution and Minutes of the 2nd February 2005 Committee be adjusted to include the payment of a NCATP contribution of £37,506.00.

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/2504/04/F

Contact Officer: Jem Belcham – Area Planning Officer
Telephone: (01954) 713252

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee5th April 2006**AUTHOR/S:** Director of Development Services

**S/0116/06/F - Histon
Erection of 63 Bedroom Care Home, Chivers Way
for Carebase Ltd**

**Recommendation: Approval
Date for Determination: 25th April 2006**

Site and Proposal

1. Site on the northern side of Chivers Way, immediately before the Chivers factory. There are office buildings opposite and former car park (see PLANNING HISTORY below) to the north. Chivers Way, accessed via Station Road, serves the Vision Park office development as well as the Chivers factory.
2. The site area is 0.33ha.
3. The full application, received 24th January 2006, proposes the erection of a 63 bedroom care home. The building will be arranged on three floors with kitchen, store rooms, laundry, plant room and staff rest room in the roof space. Elevations will be brick and render with a tiled roof; eaves height will be 7.8m with an overall ridge height of 12.4m. (The 3 storey offices opposite have an eaves height of 9.5m and ridge height of 11.4m).

Planning History

4. The site, together with the former car park to the north, and the offices opposite, was part of the original Chivers Jam factory. In developing a more modern factory further back into the site, this area was retained as factory offices (opposite), staff shop/amenity/reception/security (application site) and staff car park (to the rear). With the factory being reorganised several years ago the offices were retained/redeveloped as additional office floorspace by a development company.
5. An application for 57 houses on the application site **and** the former car park was refused in February 2004 and subsequently dismissed on Appeal; the fundamental reason being Kay Hitch Way was inadequate for access.
6. Following this decision the land was divided into two, the car park section being offered to Bovis Homes for a 46 bed retirement home, and the application site to Carebase Ltd for a nursing home. The former has been refused and an Appeal lodged against the decision.
7. An earlier scheme by Carebase for an 80 bed nursing home was withdrawn last year prior to a refusal, based on over-development, being issued.

Planning Policy

South Cambridgeshire Local Plan

8. **Policy SE2** lists Histon and Impington as a Rural Growth Settlement.
9. **Policy SG9** states that residential care homes will be permitted where:-
 - a) Design is in keeping with surrounding properties;
 - b) Boundary treatment provides privacy and visual amenity;
 - c) Neighbours privacy is protected;
 - d) Safe and convenient access;
 - e) Parking as per Council's standards;
 - f) Adequate local services.
10. **Appendix 7/1**, Standards for Car Parking Provision, requires 1 space per 3 bedspaces i.e. 21 spaces.

Consultation

11. **Histon Parish Council** objects, stating:
 - a) Overdevelopment with a number of infrastructure constraints:
 - Inadequate car parking
 - Strain on local medical services
 - b) Although it might well offer opportunities for local employment, very likely that a great number of staff will be from outside the village and require to travel by their own transport. This will have parking and transport implications.
 - c) Have not assessed the need for such a facility within the community, particularly now that the 85 bed Etheldred House facility is already coming on-stream this year.
 - d) Unsuitability as a care home - a factory site operating 24 hours a day. Potential of light and smell and noise pollution - do not consider site to be appropriate for a residential home.
 - e) Flooding and drainage issues remain unaddressed. Parish Councils' dossier (September 2005) provided as part of this submission.
12. The **Environment Agency** does not wish to comment directly, the site being outside the flood zone of the nearby watercourse.
13. The comments of the **Land Drainage Manager** will be reported verbally.
14. The **Chief Environmental Health Officer** has no comments other than to ask that the building is protected from noise from the nearby road/rail/industrial premises. A condition will require such details to be submitted and agreed.
15. The **County Archaeologist** has requested a condition requiring an archaeological investigation prior to development.
16. The **Local Highway Authority** refers to the fact that Chivers Way is not an adopted highway. In the interests of permeability/integration it is suggested that a footpath link should be provided through the adjacent site to Kay Hitch Way. The 16 parking

spaces are considered inadequate and, although reference is made to staff cycling, there is no cycle rack provision.

17. **Cambridgeshire Fire and Rescue Service** has advised that additional water supplies for fire fighting are not required.

Representations

18. A resident of Poplar Road to the north is concerned that the size of the 'flood field' may be decreased. (NB: The application site does **not** affect the existing surface water storage facility which is on the adjacent site to the north). The neighbour is also concerned that a three storey building will affect their view, suggesting that it should be two storey.
19. Another resident of Poplar Road refers to the risk of flooding. They also mention access problems with Kay Hitch Way, but **this** scheme is accessed off Chivers Way. Reference is also made to the length of time needed for an appointment at the local doctors' surgery.
20. A resident of Kay Hitch Way objects as the three storey building will overlook their property and block their view as it is bad enough with all the high trees around the estate. Noise will be a problem to residents, access on Kay Hitch Way is a problem, as if flooding.
21. Agents on behalf of Premier Foods plc, owners of Chivers factory, have registered concerns relating to a care home being close to a factory as the 16 spaces appear inadequate, the factory operates 24/7 and there is a significant amount of external lighting around the factory/loading bays, with the amount of traffic generated by the factory, especially HGVs, safety of the residents will be an issue.
22. The occupier of one of the small office units opposite the site objects for reasons of overdevelopment, and inadequate parking. Reference is also made to noise, smell and traffic from the factory and considers it to be an undesirable site for such a facility. Histon and Impington Village Society feels that there is already sufficient accommodation for elderly people in the village, there will be an increase in traffic and that not all staff will be recruited from the village.
23. Councillor Mason has written objecting to the proposal as a comprehensive flood risk assessment has not been submitted. The site drains to the adjacent balancing pond and ultimately to the Award Drain 164. There have been local instances of flooding with the lagoon filling up in 40 minutes with properties both upstream and downstream being flooded.

Planning Comments – Key Issues

24. The various issues relevant to this application are (i) suitability of site, (ii) overdevelopment and size of building, and its effect on neighbours, (iii) access, traffic and parking provision, (iv) need and other facilities in the village (v) flooding and drainage.

(I) Suitability

Whilst recognising that the site chosen is, perhaps, rather unusual for a nursing home, it is obviously considered suitable by the applicants who will be aware that it is adjacent to a factory which operates 24/7 and is served by articulated vehicles. The

Chief Environment Health Officer has asked for a condition to ensure the building is protected from noise.

(ii) Overdevelopment

The earlier scheme for the 80 bed home was considered to be too big for the site and poorly laid out in respect of the site's boundaries. Before a refusal could be issued the application was withdrawn.

This scheme reduces the number of bedrooms by 17 which, in turn, reduces the footprint of the actual building. Being a more simple floor-plan and sited further back into the site, the building is less obtrusive in the street. At the same time there is more space for landscaping.

Neighbours will not be affected, those in Poplar Road who expressed concern are some 100.0m away (with a development site in between), and those in Kay Hitch Way approximately 65.0m distant. The closest building will be the new 3-storey office block on the opposite side of Chivers Way.

(iii) Access, traffic and parking

Chivers Way, whilst a private road, represents an attractive approach through a landscaped business park; the factory entrance lies beyond the application site. Traffic generated will be relatively low. Maximum staffing will be during the daytime with 14-18 persons on duty. There will be shift changes at 8.00am - 2.00pm, 2.00pm - 8.00pm and 8.00pm - 8.00am. Part-time care assistants are not limited to the above shift changes.

Visiting will be at weekends and/or evenings and should not conflict with any commercial traffic.

Sixteen parking spaces have been provided; the SCDC standards require 21. Revised plans showing this number have been received, which also show provision of 10 covered cycle racks.

(iv) Need and other facilities

I have been advised by the South Cambridgeshire Primary Care Trust that the age profile generated by planning applications is not a material consideration in determining an application and that it is the responsibility of the P.C.T. to ensure that all residents have access to general practice facilities and to ensure practices are funded appropriately to enable this.

(v) Flooding and drainage

As this site lies **outside** the Environment Agency's flood plain, the Agency is not directly involved. The applicants have, nevertheless, prepared a Flood Risk Assessment for the site and this has been referred to the Land Drainage Manager for his comments. No fundamental objection is expected as the building proposed is smaller than that which has been demolished and there is also a large percentage of the site put to garden - previously it was all building or car parking areas. Confirmation has been requested from the agent that the site will connect through with the existing surface water sewers into the adjacent lagoon. It has been confirmed that the applicant has rights to discharge into the balancing pond and will pay 50% of the maintenance cost.

25. For the above reasons I am satisfied that the scheme is acceptable and that the previous concerns have been overcome.
26. Approval is recommended.

Recommendation

27. Approval, as amended by the revised plans showing the additional parking and confirmation from the Land Drainage Manager that surface water disposal is not a problem.
 1. SC'A' - RC 'A';
 2. SC51 - Landscaping Scheme, RC51;
 3. SC52 - Implementation of landscaping scheme, RC52;
 4. The use of Redland Double Roman tiles, colour Farmhouse Red, is specifically excluded from this consent. No development shall be commenced until an alternative tile and colour has been agreed; the development shall be carried out in accordance with the agreed details. RC 5(a)(ii)
 5. SC66 - Archaeological investigation, RC66;
 6. No development shall be commenced until details of the fencing/railings on the north-eastern boundary of the site have been submitted to and approved in writing by the Local Planning Authority, RC60;
 7. SC29 - Noise attenuation 'protect the proposed care home from noise from traffic, the adjacent factory and the Guided Bus', RC29;
 8. + any conditions requested by the Land Drainage Manager.

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** (Rural Growth Settlement)
 - HG9** (Residential Care Homes)
 - Appendix 7/1** (Standards for Car Parking)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Flooding
 - Drainage
 - Overlooking and loss of privacy
 - Unsuitable site
 - Already sufficient accommodation in village
 - Inadequate infrastructure

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

- South Cambridgeshire Local Plan 2004
- Planning Files S/1559/03/F, S/1878/05/F, S/1916/05/F and S/0116/06/F

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

REPORT TO: Development and Conservation Control Committee 5th April 2006
AUTHOR/S: Director of Development Services

S/0323/06/F - Linton
Erection of Dwelling & Garage & Erection of Replacement Garage for
Existing Dwelling for Mr & Mrs J Chamberlain

Recommendation: Delegated Approval
Date for Determination: 18th April 2006

Site and Proposal

1. The application site is a 0.23 acres/0.095 hectare plot of land located to the rear of, and formerly part of the garden area to No 7 Bakers Lane. The site is adjacent to the public footpath which runs along the western side boundary, and a side garden area of No 22 Crossways. To the west is No 22 Crossways, a bungalow with an existing double garage to the front elevation. The sitting out area and garden of 22 Crossways are to the south of the property. No 22 Crossways has 2 bedroom windows and a porch to the north elevation, a side door and 2 windows serving utility and kitchen facing the application site. To the east of the site is Barhams, Bakers Lane, a single storey dwelling set approximately 6m from the application site. Barhams has a kitchen window, front door, study room window and a high-level studio/bedroom window facing the site. The land rises up towards a Listed Building, Tosca Cottage, to the north. The rear garden of Tosca Cottage is long and it has a number of mature trees and fencing on the rear boundary.
2. The full application, registered on 21st February 2006, proposes the erection of dwelling and garage at land adjacent 22 Crossways and a replacement garage for the existing dwelling at 22 Crossways. The proposal seeks to erect a 6.9-7m high four-bedroom red brick, black board and plain tile dwelling and a double garage at the south end of the site. The existing garage at No 22 would be demolished to form an access from Crossways leading to the new dwelling across the public footpath. A replacement garage for No 22 would be located to the side garden. A Pine tree and two Cypress trees are on the west boundary of the site and they would need to be removed to accommodate the access and the new dwelling. The proposed dwelling would be a minimum of 6m from the boundary with Tosca Cottage, and 3m from the boundary with Barhams.
3. The proposed development represents a density of 10.5 dwellings per hectare.

Planning History

4. **S/1860/05/F** – planning application for erection of dwelling and garage and erection of replacement garage for existing dwelling, was refused. (January 2005 Committee) on the grounds that the size and bulk of the proposed dwelling would be overbearing when viewed from Barhams, contrary to Policy SE2 of the Local Plan.
5. **SC/0597/68/O** – planning application for 2 dwellings and garages at land rear of Bakers Lane (including Barhams, Nos 7 and 8 Bakers Lane and the application site of the current proposal), was refused.

Planning Policy

6. **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.
7. **Policy P7/6** of the Structure Plan 2003 states Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.
8. **Policy SE2** of the South Cambridgeshire Local Plan 2004 identifies Linton as a Rural Growth Settlement and states, in part, that residential developments will be permitted on unallocated land within village frameworks providing the development would be sensitive to the character of the village, local features of landscape and ecological importance and the amenities of neighbours.
9. **Policy SE8** of the Local Plan 2004 outlines the presumption in favour of residential developments within village frameworks.
10. **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.
11. **Policy EN 28** of the Local Plan aims to protect the setting, wellbeing and attractiveness of Listed Buildings.

Consultation

12. **Linton Parish Council** recommends refusal and makes the following comments:

“Councillors continue to have concerns regarding the lack of information of the roof height in respect to the neighbouring properties; councillors request that Listed Buildings Officer visit the site to ensure that the proposed dwelling does not dominate Tosca Cottage; councillors re-iterate their previous concerns regarding retention of the hedge height and other comments made on the original application; this application is contrary to Policy SE2 of the Local Plan 2004 which states that residential development will only be permitted on unallocated land within Linton where the development would be sensitive to the amenities of neighbours.”
13. **Conservation Manager** considers that, although the revised design will result in the new dwelling moving closer to the boundary with Tosca Cottage, it will be approximately 6m compared to approximately 9.4m on the previous scheme. It is his view that it remains a significant distance from the Listed Building having considered that there is an existing mature treed boundary and a new, large garage recently constructed by Tosca Cottage between the main dwelling Tosca Cottage and the proposed dwelling at 22 Crossways.
14. It is considered that the revised location for the dwelling would not adversely impact on the setting of the Listed cottage if the hipped gable to the front elevation were repeated on the rear gable. It is important to ensure that the construction of the new dwelling and the retaining walls do not harm the trees forming the boundary with Tosca Cottage. Recommendation: delegated approval/ refusal to obtain revision to gable.

15. **The Chief Environmental Health Officer** raises no objection in principle although does express concerns about potential noise disturbance to residents during the construction period. As such, it is recommended that conditions restricting hours of use of power operated machinery be applied to any planning consent and requiring details of method for construction of any driven pile foundations and preventing burning of waste on site.
16. **Trees and Landscape Officer** raises no objections. The Pine and Cypress to be removed are not of sufficient quality to warrant a reason for refusal.
17. **County Council's Definitive Map Officer** – comments are awaited. The following comments in respect of the previous application (ref. S/1860/05/F) are taken into account:

The County Council's Definitive Officer has no objection and makes the following comment and recommends informatives to be included on the decision notice if approved.

- a. Adequate visibility should be provide on both sides of the public footpath;
 - b. The public footpath must be clearly delineated from the access and there must be some restrictions on the land to ensure that vehicles crossing the right of way stop for pedestrians;
 - c. Pedestrians using the public footpath would have right of way over the vehicles using the access; and
 - d. The Country Council requires that the developers tarmac the footpath to improve conditions for members of the public and this should be discussed with the Area Rights of way Officer.
18. **Ramblers Association** comments that
 - a. The surface of the footpath should not be unduly disturbed by increased traffic during building work;
 - b. No materials should be stored/dumped on the right of way; and
 - c. Any footpath signs should not be affected during building work.

Representations

19. Residents at Barhams, Bakers Lane object to the proposal:
 - a. The new proposal is no different from the previous scheme apart from the changes in the positions of some windows, and adjustment to the siting of the dwelling;
 - b. The proposed dwelling remains totally out of context, in terms of the height and size, to the surrounding properties that will completely dominate Bakers Lane and properties in the surrounding area;
 - c. The plans appear to be ambiguous as to the exact positioning and form a misleading picture of both the scale and position;
20. Objections to the previous proposal remain:
 - a. Loss of residential amenity interests;
 - b. French doors and window on the eastern block look directly to study/office, entrance and kitchen/utility/dining area;
 - c. The outlook of Barhams will be dominated by the 6-7m high dwelling and 5m high garage;

- d. The proposal is out of character with properties in Bakers Lane, Horseheath Road and Crossways;
- e. Loss of property value; and
- f. Safety issues on using the public footpath with an access for cars going to/ from the application site.

21. Residents at Tosca Cottage object to the proposal:

- a. The proposal would result in overlooking with the new dwelling moving closer to the rear boundary of Tosca Cottage;
- b. Overdevelopment and affect the setting of Tosca Cottage; and
- c. They would support a single storey dwelling on the site.

Planning Comments – Key Issues

22. The key issues in relation to this application are the residential amenity interests to the occupiers at Barhams, Bakers Lane, as stated in the refusal reason on the previous application; the impact on the wider setting of the listed building in connection with the change of position of the proposed dwelling; and access for the new dwelling across the public footpath.

The amenity of neighbours

23. The ground level at the northern end of the proposed dwelling would be reduced from 100.617 ODN to 99.0m ODN (it was 99.450m ODN in the previous scheme) and the finished floor level would be 99.150m ODN (it was 99.60m ODN in the previous scheme). The ridge height of the east wing is reduced from 6.5m to 6.1m. The resultant reduction in overall height of the east wing, compared with the refused scheme, would therefore be 0.85 metre. Due to the further cut around the site to create a platform for the new dwelling and the garage, and the reduced ridge height on the east facing structure, this proposal is not considered to seriously harm the amenities of Barhams, Bakers Lane, through being unduly overbearing in terms of its mass when viewed from the kitchen/dining, study windows and the high-level studio/bedroom window in the front elevation.

24. The revised scheme also includes few changes to the windows and openings. There will be no first floor windows in the side elevation facing Barhams. I do not consider that the proposal would result in any serious overlooking of Barhams. I consider that the proposal is acceptable in terms of the residential amenities of Tosca Cottage through overlooking subject to the imposition of condition on the rooflights which light a bedroom and bathroom in the north elevation.

The impact on the setting of the Listed Building

25. A cross section has been provided with the submitted plans that sets out the relative levels for the new dwelling and garage in comparison with the existing ground level. This illustrates that the new dwelling would be set lower than the existing ground level. The Conservation Manager considers that the proposal will have no adverse impact on the setting of the adjacent Listed Building subject to the receipt of an amendment to change the blank rendered gable on the rear elevation to a hipped gable. The applicants' agent agrees to submit revised drawings.

Character and appearance of the area

26. The properties in the locality are a mix of designs and sizes. The proposed dwelling would be 6.1-7m high to the ridge and 2.5m high to the eaves with a length of 17.2m of the west gable and 9m of the east gable. I do not consider that the proposed development would detract from the character and appearance of the area. Given

that the new dwelling will be set on a lower ground level, it is my opinion that the proposal will not be detrimental to the street scene when viewed from the public footpath and Crossways.

Access to the new dwelling across the public footpath

27. Adequate visibility on both sides of the public footpath has been shown on the plans. The vehicle-pedestrian visibility provided is considered acceptable (this can be secured by condition) and the County Council's Definitive Map Officer has no objections to the previous proposal. I do not consider that the use of this access across the public footpath would materially harm the safety on the use of the public footpath. Informatives could be added to any consent to cover the concerns of the Definitive Map Officer and Ramblers Association.

Recommendation

28. Subject to agreement on a revised design of the gable in the rear elevation, delegated approval subject to the conditions:
1. Standard Condition A – Time limited permission, 3 years. (Reason A).
 2. SC 51 – Landscaping (RC 51).
 3. SC 52 – Implementation of landscaping (RC 52).
 4. SC 60 – Details of boundary treatment (RC 60).
 5. SC 5 – the materials to be used for the external walls and roof (RC 5ai & aii)
 6. No further windows, doors, openings of any kind shall be inserted at first floor level in any elevation of the development, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning authority in that behalf. (RC 22).
 7. The first floor velux windows in the north elevation of the building, hereby permitted, shall be permanently fixed and maintained with obscured glass. (Reason – To safeguard the privacy of occupiers of the adjoining property, No.28 Tosca Cottage, Horseheath Road).
 8. No power operated machinery shall be operated on the premises during the period of demolition and 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).
 9. The vehicular access shall remain ungated. (RC – In the interests of highway safety.)
 10. Visibility splays as shown on plan 05020-03A (splay lines indicated) shall be provided before the dwelling, hereby permitted, is occupied and thereafter maintained. (Reason – In the interests of highway safety).
 11. The finished floor level of the dwelling hereby permitted shall be 99.150m ODN as shown on 05020-04. (Reason – To ensure that the height of the building is well related to ground levels and is not obtrusive).

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
Policy P1/3 (Sustainable Design in Built Development)
Policy P7/6 (Historic Built Environment)
 - **South Cambridgeshire Local Plan 2004:**
Policy SE2 (List of Rural Growth Settlements)
Policy SE8 (Resident Development within the Village Frameworks);
Policy HG10 (Housing Design); and
Policy EN28 (Development within the Curtilage or Setting of a Listed Building)
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 interests, impact upon the character and appearance of the area, impact on the setting of the Listed Building, and impact on the public footpath.

General

1. 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.
2. Pedestrians using the public footpath would have right of way over the vehicles using the access and vehicles crossing the right of way must stop for pedestrians.
3. The County Council requires that the developers tarmac the footpath to improve conditions for members of the public. This should be discussed with the Area Rights of Way Officer, John Cooper (tel: 01223 718401) before works commence.
4. There must be no encroachment onto the width of the public footpath, which has a legally recorded width of 4ft.
5. The footpath must remain open and unobstructed at all times. Building materials must not be stored on it, and contractors' vehicles must not be parked on it (it is an offence under s.137 of the Highways Act 1980 to obstruct a public right of way). If the developers feel that the safety of the public will be compromised by the development they must seek to temporarily divert or stop up the public footpath by contacting Gary Wesley, Streetworks Coordinator at 01354 753814.
6. No alteration to the surface of the footpath is permitted without the consent of the County Council. It is an offence to damage the surface of a public right of way under s.1 of the Criminal Damage Act 1971). If the applicants intends to run services under the footpath they must contact Gary Wesley at the County Council to organise the temporary closure/diversion of the public footpath.
7. The public footpath crossing the site shall be retained on its existing alignment and delineated from the access. The applicant is advised to erect warning notices to alert pedestrians of traffic crossing the footpath.

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/0323/06/F, S/1860/05/F and SC/0597/68/O

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee5th April 2006**AUTHOR/S:** Director of Development Services

**S/0049/06/F – Longstanton
Mobile Home (Renewal of Period Consent S/1422/03/F)
at Mill View Farm for PJ Hansberry.**

**Recommendation: Refusal with Enforcement Action
Date for Determination: 9th March 2006**

Update

1. At the 1st March 2006 Committee meeting (Item 24) members resolved to refuse this application with enforcement action to commence by the end of the year. Prior to the March Committee meeting the applicant had been invited to comment on the findings of Acorus, the Council's agricultural consultant. These comments were received by officers after the Committee meeting and, given their content, were considered material to the determination of the planning application. The Decision has not been issued.

Further Representations

2. The applicant has raised the following comments:
 - a) He believes that planning policies do not exclude successive renewals of planning permission for temporary mobile homes.
 - b) He does not consider that he was made fully aware of the policy regarding successive extensions of consent for mobile homes and quoted a letter from the Authority which accompanied the 2001 consent which reads "At the end of the 2 year period for which permission is being given, you will need to demonstrate that you can clearly meet the financial test as well as show that the enterprise is financially viable. If not officer support cannot be given for further renewals." He goes on to state that, according to the Planning Inspectorate Journal (Issue 21), regarding the functional test as far as temporary agricultural dwellings are concerned, there is no stated requirement for the need to relate to a full-time worker. Also, Annexe 1 (PPS7: Sustainable Development in Rural Areas) does not contain a definition of viability and so far as temporary dwellings are concerned does not require that the agricultural unit must be economically viable in order for temporary consent to be granted. He considers this to mean that once the functional test is met, and the enterprise is financially viable, support will be given for a renewal, and considers that the history of previous consents demonstrates such.
 - c) Statement regarding the development of the business – includes comments that flooding occurs on the land during heavy rainfall (the applicant attributes this to the neglect of the disused rail track adjacent and expects that this problem will be overcome in the near future with the proposed guided bus) and cites the health of his partner as a contributory factor (a supporting statement from his partner's doctor, Dr Amure of Over, was enclosed with the letter).

- d) He considers that no observation in the original Acorus report supports the recommendation of refusal.
- e) The mobile home is the applicant's sole residence and has been for the last 15 years. He realises now that he may not be able to rely on renewals as an option for the future. He considers that he would require an additional consent to afford him the necessary time to get a consultant to prepare an appraisal of the business and submit an application for a permanent dwelling, at the same time as maintaining the nursery, including the installation of a new irrigation system.

Consultation

- 3. **Acorus** (acting in the capacity formerly undertaken by the County Farms Manager) comments, in respect of the applicant's latest submission that "current policy in PPS7 states that successive extensions to temporary permissions should not normally be made and I consider that in view of the length of temporary consent and numerous renewals, that the situation should now be rationalised.
- 4. I therefore consider that the applicants should be invited to submit an application for a permanent dwelling which would be considered against criteria one to five of paragraph three of Annex A PPS7. In particular, any application would need to demonstrate that there is an existing functional need for a full time worker to be resident on site and that the business is financially sound. In terms of meeting the financial test the business would have to show that it could support one full time worker together with the cost of providing the dwelling.
- 5. I note the comments put forward by the applicant in their letter dated 23rd February 2006, which highlights problems from flooding and personal medical circumstances and whilst I would not concur to any substantial renewal of temporary consent, renewal for a limited period could be an option in order to facilitate the submission and consideration of any ensuing application for permanent accommodation."

Planning Comments – Key Issues

- 6. Further to the comments raised in my report to Committee of the 1st March 2006 I do not consider that the circumstances or the information presented by the applicant have materially altered such as to affect the consideration of consent for the siting of the mobile for an extended period time. In essence, in light of the policy in PPS7, members are considering the merits of allowing a further temporary period of consent for the mobile home to allow the applicant to submit a planning application and evidence to support the principle of a permanent dwelling upon the site to support the agricultural activity of the holding.
- 7. The applicant appears to be mistaken in his assessment of planning policy regarding consent for mobile homes. The approval of temporary structures on a permanent basis is contrary to the proper planning of the area as they do not contribute positively to, and usually detract from, the character and appearance of the area.
- 8. In light of Policies HG16 and HG18 of the Local Plan consent for temporary mobile homes is therefore usually only granted where the Authority considers that an applicant requires the opportunity to demonstrate that a new agricultural enterprise can support a residence on the site, both financially and functionally. The Authority is, in essence, allowing an applicant the opportunity to use the site on a residential basis temporarily to provide greater evidence, or otherwise, of the need for a permanent

agricultural dwelling on the site, in accordance with the criteria laid out in Paragraph 3 of Annexe A of PPS7 and Local Plan Policy HG16.

9. The applicant has had a significant period of time to establish the holding and demonstrate that it is capable of meeting the various tests to determine whether it is capable of supporting a permanent residence on the site. My recommendation to members is to refuse the application for a further renewal of consent, on the basis of the advice laid out in PPS7 and Policy HG18, and to delay enforcement action to remove the temporary mobile home for a period of 9 months to allow the applicant sufficient time to submit an application for a permanent dwelling and for its determination. Should any subsequent application for a permanent dwelling on the site be successful then the period for compliance of an enforcement notice could take account of the period of the period necessary to implement the permission.

Recommendation

10. Refusal with enforcement action delayed for 9 months for the following reasons:
1. Consent has been renewed for the mobile home repeatedly since 1991, with a view to the applicant growing the business in order to demonstrate that the holding can support a permanent dwelling on the site and comply with the criteria outlined in Paragraph 3 of PPS7 Annex A 'Permanent Agricultural Dwellings'. Paragraph 13 of PPS7 states that authorities should not normally grant successive extensions to a temporary permission over a period of more than three years, nor should they normally give temporary permissions in locations where they would not permit a permanent dwelling. The applicant has failed to demonstrate to the satisfaction of the District Council that a functional need exists for a dwelling on the enterprise and that financially the enterprise can support a permanent dwelling.
 2. A further renewal of consent for the mobile home would therefore be contrary to Policies HG16 and HG18 of the South Cambridgeshire Local Plan 2004 and to advice contained within PPS7 Annexe A Paragraphs 3 and 13.

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
- Draft Local Development Framework 2006
- Planning file Refs: S/0049/06/F, S/1422/03/F, S/1287/01/F, S/1095/98/F, S/2056/94/F, S/0464/91/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee5th April 2006**AUTHOR/S:** Director of Development Services

**S/0055/06/F – Longstanton
4 Houses (Revised Design) at Plots 27, 32, 41 and 42, Phase 2
at Home Farm, Longstanton for George Wimpey East Anglia Ltd.**

**Recommendation: Approval
Date for Determination: 10th March 2006**

Site and Proposal

1. This site, which forms part of the larger housing scheme known as Phase 2, Home Farm, relates to four of the approved residential plots within the George Wimpey section of the estate. The plots are located on four corners within the residential estate. Adjoining development will be 2-storey dwellings with associated garages/carports.
2. This full application, registered on 13th January 2006, seeks permission to amend the details of the house types on the four plots to provide four 2 storey dwellings in the place of the approved part 3-storey and part 2½-storey dwellings which originally formed part of the approved Phase 2 scheme for 153 dwellings. The proposal will not result in an increase in the overall number of houses within the development.

Planning History

3. Reserved Matters consent was approved under reference **S/2069/04/RM** for the erection of 153 dwellings and ancillary works on the site known as Phase 2, Home Farm, Longstanton. This consent is being implemented. This consent followed on from the original outline consent for the Home Farm site as a whole, **S/0682/95/O**, which granted consent for 500 dwellings as well as a bypass, business park, recreation ground extension, village green including land for local shop and surgery, open space, landscaping and associated infrastructure.
4. Planning application **S/1846/04/F** for the balancing pond and scheme of ditch widening to serve the Home Farm development is being re-determined following the issue of a Consent order quashing a permission.

Planning Policy

5. The site is within the village framework.
6. The site forms part of the 21 hectare area of land allocated for some 500 dwellings on land north of Longstanton in South Cambridgeshire Local Plan 2004 **Policy HG5**.
7. The principles of development are encapsulated in **Policy Longstanton 1** of the Local Plan 2004. The supporting text at Paragraph 67.17 states: "The District Council has granted outline planning permission for residential, employment and recreation uses, which includes the provision of a development related bypass. The bypass between Hatton Road, Over Road and Station Road would provide access to Over or

Willingham and onto Fenland without passing through the village. The District Council considers that the provision of the bypass is crucial for the village and therefore allocated a larger area for a housing estate than would otherwise be appropriate. In this instance there is no requirement for affordable housing as set out in **Policy HG7** because of the need to ensure the provision of the bypass and other community facilities such as a village green, shop and surgery”.

8. 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 the scheme should be informed by the wider character and context of the local townscape and landscape and schemes should achieve high quality design and distinctiveness, avoiding inflexible standards and promoting energy efficiency.
9. Local Plan 2004 **Policy CS3** states that The development of sites where drainage to a public sewer is not feasible, will not be permitted if proposed alternative facilities are considered inadequate and would pose an unacceptable risk to the quality or quantity of ground or surface water, pollution of local ditches, watercourses or sites of ecological importance. In proposals for development, the presumption is for drainage to a public sewer to be provided wherever possible. If this is not feasible, a package sewage treatment plant should be pursued. Only where it can be clearly demonstrated that neither of these options is feasible will a system incorporating septic tank(s) be considered.
10. Local Plan 2004 **Policy CS5** states that Planning permission will not be granted for development where the site is liable to flooding, or where development is likely to: (1) increase the risk of flooding elsewhere by materially impeding the flow or storage of flood water; 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 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 which would not damage interests of nature conservation.
11. Structure Plan 2003 **Policy P6/3** requires 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.
12. Structure Plan 2003 **Policy P6/4** requires that all new development will be expected to avoid exacerbating flood risk locally and elsewhere by utilising water retention areas and other appropriate forms of Sustainable Drainage Systems (SuDS) for the disposal of surface water run-off.
13. Draft Local Development Framework 2006 **Policy NE/8** reiterates the advice contained within policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 and policies CS3 and CS4 of the South Cambridgeshire Local Plan 2004 which seek to protect the quality of ground and surface water.

Consultation

14. **Longstanton Parish Council** recommends that the application is refused on the following grounds:
- a) The failure of the developers to provide information and reach agreement regarding the Public Open Space required by the outline consent for the Home Farm development. This is considered a clear failure to meet the terms of the outline consent and therefore the Parish Council is clear that no development should be approved at this time on these grounds alone.
 - b) The application should be submitted on Ordnance Survey plans. The Parish considers the plans submitted make it difficult to adequately locate the proposed dwellings in their surroundings.
 - c) Even though the planning inspector has indicated that homes in excess of 500 may be approved on the entirety of the Home Farm site, there was no specific ruling regards numbers in Phase 2. It would be unwise to approve plans for a small section of one phase without a view to: the total number of homes across the entire Home Farm development; the distribution of homes across the site, and in particular affordable housing; the distribution of housing styles; the affect of the housing provision with respect to fit with the existing community, in order to satisfy PPG3; impact upon area and percentage of area of public open space; impact upon drainage; prior provision of the balancing pond. The pond is needed to mitigate flood risk and no homes should be approved until the pond is in operation; foul water drainage – Anglian Water has stated previously that any more than 88 homes on Home Farm would require sewage improvements. No further approvals should be granted until foul drainage is improved; amenity use provision – a higher density of houses must require provision of some amenity use land that, unlike Phase 1, does not have a sunset clause and must be offered at rates affordable to likely amenities. Higher densities would require the provision of a new community centre and additional land for shops etc.
15. **Environment Agency** comments “the Agency objects to the proposed development on the grounds that details in respect of surface water and foul water drainage have not been submitted. The previously approved surface water drainage strategy for the Home Farm development has not been completed. The proposed development would be at risk of flooding and would increase the risk of flooding to existing property.”

Representations

16. None

Planning Comments – Key Issues

17. 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 of the development on the environment
- (a) The impact of the development upon the amenity of nearby dwellings***
18. The dwellings proposed are located on an almost identical footprint to those previously approved under the existing Reserved Matters consent for the Phase 2

development, S/2069/04/RM. The main differences between the house types relate to the height and design of the houses. The approved dwellings were part three storey and part two and half structures, designed on an 'L-shaped' footprint, whereas the proposed alternatives are two storey dwellings on the same 'L-shaped' footprint. The windows and doors in the proposed house types are very similar to the position of those in the approved house types and so it is unlikely that the proposed house types will result in undue harm to the neighbouring plots. Indeed with the proposed reduction in the overall scale and mass of the house types it may well follow that the proposal will result in a decreased impact on the adjacent plots by virtue of less shadowing.

19. With regards to the impact on housing mix and design, the proposals, whilst different in physical scale and form, still represent large, detached house types. The house types currently consented for these plots are 5 bedroom dwellings, whereas the proposed dwellings contain 4 bedrooms. The overall housing mix on the site therefore remains largely unaltered.

(b) The impact of the development upon on the environment

20. The proposal would not result in an increase in the number of dwellings approved within the Phase 2 development, or the overall number of dwellings on the Home Farm site as a whole. The scheme simply proposes the redesign of the house types to be built on four of the plots within the approved estate.
21. As such it would not be a material consideration of the current application to consider the impact of the development upon the provision of public open space, community facilities or housing densities as these have previously been considered at the time of the Reserved Matters consent for the Phase 2 development as a whole.
22. With regards to the impact of the development on surface water, foul water and flooding the applicant's have stated that they intend to connect the dwellings to the methods approved for the estate as a whole under the terms of S/2069/04/RM. Although the surface water drainage strategy for the Home Farm development has not been completed, it would not be a matter that could be controlled overall by this application given that the applicant's could still implement the previous house types consented under the earlier application, subject to the conditions of the outline consent for the Home Farm development and the later reserved matters application for Phase 2. However, the details required by conditions on the Home Farm development as a whole, and the Phase 2 site in particular should be carried over to ensure that suitable methods of surface and foul water disposal are carried out in accordance with the details of the earlier consents. Other conditions are also recommended below to reflect the conditions imposed by the outline and reserved matters applications for the whole Home Farm site in regard to as access, noise attenuation and domestic services.

Recommendation

23. Approval with conditions

Recommended conditions

1. SCA (3 Years) – RCA
2. SC5 – the materials to be used for the external walls and roofs of the dwellings (Reason – to ensure that the development is not incongruous and to

ensure that the development relates visually to dwellings approved on Phases 1 and 2)

3. SC21 – no doors, gates or other means of enclosure shall be erected across the front of the car ports on the plots unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf. (Reason – to ensure that parked vehicles do not obstruct either the carriageway or footway in the interest of highway safety.)
4. No development shall commence until the phased scheme for the disposal of foul and surface water drainage required by condition 9 of planning consent S/0682/95/O has been submitted to, approved in writing by the Local Planning Authority and implemented in accordance with such approved scheme. (Reason – To ensure a satisfactory method of foul and surface water drainage to reduce the risks of flooding and pollution to the water environment.)
5. The dwellings, hereby permitted, shall not be occupied until the access road and footpaths necessary to serve the dwellings shall have been completed to base course level. (Reason – In the interests of highway safety.)
6. (a) The dwellings, hereby permitted, shall not be occupied until there shall have been produced to the Local Planning Authority either a certified true copy of an undertaking in standard terms given to Anglian Water Services Limited (“AWSL”) by or on behalf of the owners and occupiers of the whole of the site the subject of the application reference S/0682/95/O relating to public sewer requisition under section 98(1) of the Water Industry Act, 1991 or any statutory modification or re-enactment thereof for the time being in force which may be required by AWSL ancillary to any requisition for the provision of a public foul sewer to be used for the drainage of dwellings to be constructed on the site, or written confirmation of AWSL that no such undertaking is required pursuant to any such requisition.

(b) The dwellings, hereby permitted, shall not be occupied until there has been produced to the Local Planning Authority written confirmation by AWSL that it has provided or shall provide adequate sewer treatment works capacity to enable the dwellings to be connected to the public foul sewer as and when they are ready for occupation.

(Reason – to ensure the implementation of the approved scheme of foul drainage.)

7. All works (except works which form part of a dwelling) which form part of the approved scheme under Condition 13 (c) of planning permission reference S/0682/95/O (protection of proposed dwellings from noise) shall be completed before the dwellings, hereby permitted, are occupied. (Reason – to protect residents from traffic noise on the Longstanton By-pass.)
8. Save with the written consent of the Local Planning Authority all pipes, fibres, wires and cables required by statutory undertakers and all other appropriate bodies including cable T.V. operators shall be placed underground or suitably concealed locations. (Reason – in the interests of visual amenity.)

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Draft Local Development Framework 2006
- Planning file Refs: S/0055/06/F, S/2069/04/RM, S/1846/04/F, and S/0682/95/O

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee5th April 2006**AUTHOR/S:** Director of Development Services

**S/0303/06/F – Melbourn
Replacement Bungalow and Garage, Greenlow Bungalow, Royston Road for
C R and LG Walls**

**Recommendation: Refusal
Date for Determination: 17th April 2006**

Site and Proposal

1. Greenlow Bungalow is a modest property that sits behind a frontage of a mature hedge the other side of which is Royston Road. The property's curtilage extends back into the undulating landscape with a relatively open boundary to the northeast. The bungalow itself is in a dilapidated condition and has several similarly such dilapidated outbuildings to the rear. The site falls outside of the Melbourn village framework. The closest property is a residential property with commercial kennels that sits the other side of a disused field to the south west of the application site.
2. This full application, received on the 20th February 2006, proposes to demolish the existing dwelling and replace it with a lower 'stealth fighter' shaped dwelling further back within the site. The proposed dwelling has barn like elevations facing the northeast and northwest and has large glazed element to the rear facing a garage that also forms part of the application.

Planning History

3. Planning consent was granted under **S/0569/04/F** for a replacement dwelling that had a 40% increase in floor area in excess of that of the original dwelling but was considered to be compliant with the criteria of HG15 in relation to its scale, height and impact upon the countryside.

Planning Policy

4. South Cambridgeshire Local Plan 2004 **Policy HG15** 'Replacement Dwellings in the Countryside' states that replacement dwellings in the countryside will be permitted where they are in scale and character with the dwelling they are intended to replace and would not materially alter the impact of the site on the surrounding countryside.

Consultation

5. **Melbourn Parish Council** recommends that the application be approved.

Representations

6. One letter of support from the owner/occupier of 'Greenlow House and Kennels', Royston Road, who believes that the new plan will be better suited in character to the area. They are also pleased that the application offers a reduction in height and volume and is set further back behind the boundary hedge. This proposal will have

less impact on the area than the existing property and less than the recently approved replacement plan.

Planning Comments – Key Issues

7. The existing bungalow is in a state of dilapidation and is of no architectural or historic merit. Its proximity to the frontage of the site means that its long ridgeline is a dominant feature above the hedge when viewed from Royston Road. Although the proposed replacement dwelling is lower in height and set further back within the site than the existing and approved replacement dwelling Members need to consider whether the new bungalow is in scale and character with the dwelling it is intended to replace (the original bungalow) and whether the replacement dwelling would materially alter the impact of the site on the surrounding countryside.

Scale and Character

8. Although consent was granted in 2004 for a replacement dwelling that was both taller and of a greater volume than the original dwelling this latest proposal needs to be considered against the original dwelling and not the approved replacement. It is recognised that the height of the new dwelling is approximately one metre lower than the existing bungalow (3.8m and 4.8m respectively). This lower height will reduce the cubic volume of the proposed dwelling, though it will still be greater than that of the original dwelling and the already approved dwelling. In the Agent's report it is stated that the proposed dwelling will have a lower cubic volume than the previously approved scheme. This assertion is incorrect and it would appear to be based on the fact that the calculations of the cubic volume of the proposed dwelling do not take into account the space below the eaves, which on the southern elevations is quite substantial. To compare the dwellings the original has a floor area of approximately 72 square metres compared with 97 m² (approved dwelling) and 213 m² (proposed dwelling). In terms of cubic volume the figures are approximately 240 m³ (original dwelling), 393 m³ (approved dwelling) and 597 m³ (proposed dwelling).
9. In the supporting text of policy HG15 a maximum enlargement figure of 15% of the volume of the original dwelling is stated for replacement dwellings in the countryside. It should be recognised that the Council has already compromised on this figure with the previous planning consent. In terms of the floor area of the proposed dwelling it will result in a floor area and cubic volume increase well in excess of 100% of those of the original dwelling. In the calculations made by the applicant the existing outbuildings are taken as being part of the existing dwelling. The wording of HG15 clearly refers to the original dwellings; therefore I do not consider that the volume of existing outbuildings should be included for the purposes of HG15.
10. Although the proposed dwelling will be larger and set further back within the site there are no issues surrounding loss of neighbour amenity due to the distance between the dwelling and the nearest residential property. As with the earlier application a garage is proposed to the rear of the dwelling. The scale and location of the garage is not considered to be unacceptable and there is no objection to this part of the application.
11. The internal layout of the proposed dwelling is designed in such a way to allow the movement of a wheelchair between rooms and furniture. The reason for this design is due to the fact that the applicants provide respite care for their nephew, who has cerebral palsy and lives nearby. I recognise that the proposed dwelling will only have three bedrooms and is designed with a disabled child in mind, however the dwelling will not be his main accommodation and although the dwelling would make life easier for him and his respite carers, there is no requirement for such a dwelling in the

countryside. Therefore the personal circumstances behind the application are not considered to outweigh the requirement to comply with local planning policy.

12. If members were minded to approve this application and circumstances were to change, then the internal layout of the property could easily be altered either prior to construction (by way of an amendment) or at some future date and additional bedrooms could be created without the need to extend the property. Although it is not believed that this will be the case Members should understand that the floor area of the proposed dwelling would easily lend itself to the accommodation of more than three bedrooms. Such an internal change could also be aided by the infilling of the spaces under the eaves on the southwest and south east facing elevations, which would not necessarily require the specific consent of the Local Planning Authority.

Impact of the site on the surrounding countryside

13. There is no objection to the use of the proposed materials. Although the proposed dwelling will be lower than the original and approved dwellings the increased floor area and design of the dwelling means that the bulk of the overall proposed development will be greater. This is due to the fact that it has long elevations extending along the two site boundaries that are most open to public views. The front boundary of the site is relatively well screened by a mature hedge, which was to be retained by way of a condition attached to the previous approval, and there is no proposal to remove this vegetation. By setting the property further into the site it will become more visually prominent by virtue of the open nature of the northeast boundary of the site, although it is recognised that as part of the proposal it is proposed to cut the dwelling into the landscape and to provide additional planting.
14. It should be noted that there are benefits to this proposal over the previously approved scheme in terms of the view from the front of the site, due to the lower height of the dwelling and the fact that the proposed garage will be located to the rear of the property. The applicants also state that they will be using building materials that will allow greater heat retention and that their vehicular movements will be reduced as a result of the proposed dwelling. However the floorspace increase, cubic volume increase and scale of the proposed dwelling bear little semblance to the original modest dwelling. Therefore the application is not considered to comply with policy HG15 of the Local Plan

Recommendation

15. Refusal

Reasons for Refusal

The proposed replacement dwelling would be contrary to policy HG15 of the South Cambridgeshire Local Plan 2004 as it bear little semblance to the scale of the modest dwelling that it is intended to replace by virtue of the fact that its floor area and cubic volume would both be in excess of 100% of those of the original dwelling and its bulk of built development would materially alter the impact of the site on the surrounding rural landscape when viewed from the northeast.

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/0303/06/F and S/0569/04/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee5th April 2006**AUTHOR/S:** Director of Development Services

S/0157/06/F - Great and Little Chishill
Conversion of Barn, Outbuildings and Stables into Dwelling With Carports And Storage Buildings. Erection of Fences and Gates, Rectory Farm, for Mr and Mrs J Barton

Recommendation: Delegated Approval
Date for Determination: 23rd March 2006

Departure Application**Site and Proposal**

1. Rectory Farm, Little Chishill is located to the south of St Nicolas's Church. It comprises a Grade II Listed Farmhouse with a range of agricultural buildings to the south. The buildings are set slightly back from and above the level of the lane. Opposite the site is a pair of cottages. The site is screened from the lane by existing planting.
2. This full application, registered on 31st January 2006, proposes the conversion of a Grade II Listed 18th Century weather boarded barn, and a range of linked stable buildings and cart lodge, to a 4-bedroom dwelling. The single storey stable building and cart lodge are linked to a brick and flint barn adjacent the listed farmhouse. This barn is included within the application site although it does not appear to form part of the conversion scheme. It is however proposed to replace the existing corrugated roof with a slate roof. I have written to the applicant's agent requesting details of the proposed use of this building.
3. Open car parking is provided within the scheme for two cars. New post and rail fencing is proposed to provide an enclosed courtyard on the west side of the buildings and garden land between the buildings and the lane to the east.
4. The application is accompanied by a structural report and a planning statement. The relevant sections of the latter are attached at Appendix 1.

Planning History

5. Listed Building consent was granted for the proposed conversion under delegated powers on 6th March 2006 (**Ref: S/0156/06/LB**).
6. Planning consent was granted for the conversion of the northern barn to residential use in 1991 (**Ref: S/0478/81/F**). That consent included a link to the main barn but was not implemented.

Planning Policy

7. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 (“The County Structure Plan”) restricts development in the countryside to that which can be demonstrated to be essential in a particular rural location.
8. **Policy EN22** of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) states that in granting consent to alter a Listed Building, the District Council will impose such conditions in respect of matters of detail, construction methods, the protection of the building and the timing of works as may be necessary to protect the character of that building, especially insofar as the retention or reinstatement of traditional features or materials are concerned.
9. **Policy EN26** of The Local Plan states that in judging applications for planning permission to change the use of Listed Buildings the Council will consider whether or not the existing use can continue with reasonable utility or life expectancy; whether or not all other options for less damaging uses have been explored, including the outcome of any attempts at disposing of the building at a fair market price; whether or not 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; and whether or not the proposal would harm the setting and amenity of adjacent buildings.
10. **Policy EN28** of The Local Plan seeks to ensure that the curtilage or wider setting of a Listed Building is not harmed.
11. **Policy SE8** of The Local Plan states that residential development outside village frameworks will not be permitted.
12. **Policy RT10** of The Local Plan states that the District Council will support the conversion of buildings to holiday accommodation subject to specified criteria.
13. There are no policies in the approved Development Plan that specifically support the conversion of rural buildings to a residential use.
14. **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 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.
15. 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; The need to preserve, or the desirability of preserving, buildings of historic or architectural importance or interest, or which otherwise contribute to local character.
16. **Policy HG/8** of the Local Development Framework Submission Draft 2006 states that planning permission for conversion of rural buildings for residential use will generally

not be permitted. Planning permission will only exceptionally be granted where it can be demonstrated, having regard to market demand and planning considerations, that it is inappropriate for any suitable employment use and, that it is inappropriate for employment with residential conversion as a subordinate part of a scheme for business re-use.

17. Any conversion must meet the following criteria: The buildings should be structurally sound; should not be of a makeshift nature and have not been allowed to fall into such a state of dereliction and disrepair that any reconstruction would require planning permission as a new building; the buildings are capable of re-use without materially changing their existing character or impact upon the countryside; the form bulk and general design of the buildings are in keeping with their surroundings and; perform well against sustainability issues highlighted by Policy DP/1.
18. Any increase in floor area will not be permitted except where it is necessary for the benefit of the design, or in order to better integrate the development with its surroundings. Future extensions of such buildings will not be permitted. Incidental uses such as car parking and storage should be accommodated within any group of buildings, or on well related land where landscaping can reduce the visual impact of the new site.
19. Development must be in scale with the rural location. Residential uses must be located close to local services and facilities, and in an accessible location with a choice of means of travel, including non-motorised modes. The cumulative impact of the conversion of a number of buildings on adjoining sites or the local area will also be considered.

Consultation

20. **Great and Little Chishill Parish Council** recommends approval.
21. The **Conservation Manager** comments that the proposed conversion is considered to be able to be achieved without extensive alterations or extensions to the building. The building is not in an economic use and a new use will secure the long-term future of the building.
22. Whilst it is noted that the building has not been marketed, in this location it is accepted that a residential use would be more compatible than a commercial use with the adjacent land uses. The site is also only accessed via a narrow country lane.
23. The proposals are considered to accord with policy EN22/EN26/EN28 and it is therefore recommended that the proposals be supported.
24. The **Chief Environmental Health Officer** requests that conditions be attached to any consent restricting the hours of operation of power driven machinery during the period of conversion, and requiring an investigation of the site to establish the nature and extent of any contamination together with any remedial works. An infomative should be attached to any consent regarding bonfires or the burning of waste on site during the period of conversion.
25. I have asked for further comments on the relationship of the proposed dwelling to the existing surrounding agricultural use/buildings.

26. The **Environment Agency** requests conditions requiring the submission of schemes or foul and surface water drainage, and ground contamination investigation. It also requests that various informatives are attached to any consent.
27. The **Building Control Section** comments that the preliminary report submitted with the application suggests that major or complete reconstruction is not required. The report does not clarify the extent of repair and concealed areas and raised external ground levels could increase the repairs required. Substantial roof strengthening to support tiling will be required. An appropriate condition to deter a possible more economic radical repair/demolition approach could be an appropriate safeguard.

Representations

28. None received.

Planning Comments – Key Issues

29. The key issues to be considered with this application are whether there are any material considerations that outweigh the general presumption against residential development in the countryside and, if that is the case, whether the proposal complies with Conservation policies in the approved development plan. In addition it is necessary to consider whether the proposed change of use would have an adverse effect on the visual character of the surrounding countryside and neighbour amenity.
30. Although the Local Development Framework will contain a policy concerning the residential use of rural buildings I do not consider that it can be given any significant weight at the present time.
31. The application has been advertised as a departure from the development plan because it proposes residential development in the countryside (Local Plan Policy SE8). The buildings are worthy and capable of retention and have not been used for agricultural purposes for several years. I am content that it is appropriate to try and find an alternative use. I am satisfied that, due to the location and access, the buildings would not lend themselves to a commercial use, although I have asked the applicant whether a conversion to holiday lets has been considered.
32. The Conservation Manager has raised no objection to the proposal and Listed Building consent for the proposed conversion works has already been granted.
33. The application is accompanied by a structural report and the Building Control Section has confirmed that the conversion works can be carried out without requiring major or complete reconstruction, although conditions are suggested.
34. I have asked the Chief Environmental Health Officer to comment further on the compatibility of a residential use of these buildings given the proximity of the on going agricultural use of the site, with particular reference to the relationship to the modern farm building which is sited within 5m of the southern elevation of the listed barn.
35. I am satisfied that the scheme will not have an adverse visual impact on the surrounding countryside provided that existing planting on the east boundary is retained and enhanced where necessary and adequate planting of other boundaries. I am also of the view that the proposal will not have an adverse impact on the amenities of neighbouring properties.

36. I do not consider that approval of the application would significantly prejudice the implementation of the policies and proposals of the approved Development Plan. I do not therefore consider that it would be necessary to refer it to the Secretary of State.

Recommendation

37. Subject to the further comments of the Chief Environmental Health Officer and response of the applicant's agent to the letter querying the proposed use of the brick and flint barn that consent be granted subject to the following conditions.

1. Standard Condition A – Time limited permission (Reason A);
2. Sc51 – Landscaping (Rc51);
3. Sc52 – Implementation of landscaping (Rc52);
4. Sc60 – Details of boundary treatment – all boundaries (Rc60);
5. Sc5f – Details of materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas
6. Sc22 – No windows at first floor level in the east elevation of the development (Rc22);
7. Surface water drainage details;
8. Foul water drainage details;
9. Ground Contamination Investigation
10. Withdrawal of PD rights
11. SC22 – No Further Openings
12. Restriction of hours of use of power operated machinery during the construction process
13. Submission of detailed scheme of conversion works.

+Informatives

Environment Agency and Chief Environmental Health Officer informatives.

Reasons for Approval

1. Although the proposal is not in accordance with Policies P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 Plan and SE8 of the South Cambridgeshire Local Plan 2004, it is considered that the re-use and conversion of the existing traditional buildings would achieve the objectives of Government Guidance in Planning Policy Guidance 7, "The Countryside: Environmental Quality and Economic and Social Development."
2. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Refs: S/0156/06/LB and S/0157/06/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee5th April 2006**AUTHOR/S:** Director of Development Services

S/0045/06/F Melbourn
Erection of 16 Houses and 4 Flats Including 5 Affordable Dwellings Following
Demolition of Former Research and Development Buildings, Cambridge House, Back
Lane for Camstead Ltd And Cambridge Antibody Technology Ltd

Recommendation: Delegated Approval

Date for Determination: 13th April 2006

Site and Proposal

1. This full application, registered on 12th January 2006 proposes the erection of 16 houses and 4 flats (including 5 affordable dwellings) following the demolition of former research and development buildings on a 0.649ha site at the junction of Back Lane and High Street, Melbourn.
2. The existing buildings are located towards the eastern end of the site, with a large open car parking area at the western end. The site abuts directly onto High Street along part of its north boundary and for the remainder it is to the rear of two houses in High Street and the side of a house in The Lawns Close. To the east the site abuts the rear gardens of properties in The Lawns Close and an area of vacant land. Along the northern section of this boundary the ground level of the site is significantly below that of The Lawns Close. To the south the site abuts Back Lane. At the east end of the Back Lane frontage there is a bank with planting on top, which is part within the public highway. In parts the bank is in excess of 2m in height. The existing vehicular access to the site is towards the west end this frontage. Opposite the site in Back Lane are three detached houses which are on a raised bank above the level of the application site. To the rear of these houses is the PA Consulting site. The site tapers towards the west boundary where there is some planting within the site although there is more substantial planting beyond, on highway land.
3. The application comprises 2 x one-bedroom flats; 2 x two-bedroom flats; 2 x two - bedroom houses; 6 x three-bedroom houses; 3 x four-bedroom houses and 4 x five-bedroom houses. The one and two-bedroom flats and the two-bedroom terraced house are proposed as affordable dwellings. This represents 25% of the total number of dwellings to be built. The density of the development is 30.8 dph.
4. The proposal is for a single point of access towards the west end of the Back Lane frontage, to maximise visibility. The proposed roadway serving the development runs to the rear of existing houses in High Street.
5. As originally submitted the layout plan proposed 5 detached houses with rear gardens facing the High Street frontage. The existing hedgerow along that frontage was shown to be trimmed and retained. Three of those properties were two and a half storey properties. Proposed amendments to the scheme retain five dwellings in this part of the site but two of the detached houses become a pair of semi detached dwellings and only one of these dwellings is now a two and a half storey property.

6. As originally submitted the affordable dwellings, in the form of the four flats and attached two-bedroom dwelling were positioned in the northeast corner of the site of the site, adjacent to existing properties in The Lawns Close. The proposed amended drawings relocate the affordable dwellings to the southeast corner, backing onto Back Lane and the vacant land to the northeast. They are replaced in the northeast corner by two detached houses.
7. In addition along the Back Lane frontage are two pairs of houses and two detached dwellings. All plots have vehicular and pedestrian access via the Back Lane access.
8. The site is relatively flat at the western end but there is a significant change in level at the eastern end where the site is below that of the adjacent houses in The Lawns Close. The bank along part of the Back Lane frontage continues for a distance into the site and some re-grading work is proposed to provide garden land to the proposed dwellings in this part of the site.
9. A footpath is shown from the proposed site entrance that links to an existing footpath at the southwest corner of the site, that continues onto High Street.
10. The site is within the village framework and adjoins the Conservation Area in the northeast corner.
11. The application is accompanied by a Planning Statement, a brief Design Statement, a Tree Survey, a Traffic Statement, Ecology Walkover Survey, brief Drainage Statement, an executive summary of a geotechnical survey and a Marketing Report, all of which can be viewed as part of the background papers and will be displayed at the meeting.

Planning History

12. Any planning history relates to the use of the site for employment purposes. Planning consent was granted in August 1998 for the use of the site for purposes within Use Class B1(b) Research and Development) (**Ref S/0316/98/F**). There have been no applications on the site since 2000.

Planning Policy

13. **Policy SE2** of the South Cambridgeshire Local Plan 2004 ("The Local Plan") identifies Melbourn as a Rural Growth Settlement where residential development or redevelopment will be permitted on unallocated land within the village framework provided that the retention of the site in its present form is not essential to the character of the village; the development would be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours; the village has the necessary infrastructure capacity; and residential development would not conflict with another policy of the Plan, particularly policy EM8.
14. Development should be of 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.
15. **Policy HG7** of The Local Plan states that the Council will negotiate with applicants to secure the provision of accommodation to meet some of the continuing need for affordable housing in the District before it determines any planning application for residential development of more than 10 dwellings on land within the framework of a

village of more than 3000 population such as Melbourn. The affordable housing provision should represent approximately 30% of the total number of dwellings for which planning permission may be given, although higher or lower percentages may be agreed in the light of factors such as proximity to local services; access to public transport; the particular costs associated with the development; and whether the provision of affordable housing would prejudice other planning objectives warranting greater priority in the particular case.

16. **Policy HG10** of The Local Plan 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 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.
17. **Policy EM8** of The Local Plan states that the conversion, change of use or re-development of existing employment sites to non employment uses within village frameworks will be resisted unless the existing use is generating environmental problems such as noise, pollution or unacceptable levels of traffic or where it is demonstrated that the site is inappropriate for any employment use to continue having regard to market demand.
18. **Policy EN30** of The Local Plan requires that development in Conservation Areas or affecting their setting should preserve or enhance the special character or appearance of those areas.
19. **Policy P7/6** of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") seeks to protect the historic built environment.

Consultation

20. **Melbourn Parish Council** recommends approval. " We feel that the location of the affordable housing flats block will cause unnecessary traffic usage along the full length of the road. Consideration should be given to relocating this at the 'west end' of the development. The existing hedgerows on the High Street and into Back Lane are old and well established and need protection both during and after development."
21. Comments on the amended drawings will be reported at the meeting.
22. The **Local Highway Authority** accepts the visibility splays provided, however, the junction should comprise radii of 6.0m. It is recommended that the site and block plan be fully dimensioned. The Highway Authority is not convinced that a footway running west along Back Lane linking into High Street is all that necessary and questions where the pedestrian desire line is likely to be.
23. Comments on the amended drawings will be reported at the meeting.
24. The **Chief Environmental Health Officer** requests conditions restricting the hours of operation of power driven machinery during the period of construction and requiring an investigation of the site to be undertaken prior to the commencement of any development to establish the nature and extent of any contamination of the site. Informatives should be attached to any consent regarding the use of driven pile foundations and the requirement for a Demolition Notice.

25. **Cambridgeshire Archaeology** requests a condition requiring that the site the subject to a programme of archaeological investigation prior to any consent.
26. The **Chief Financial Planning Officer, Cambridgeshire County Council** confirms that in this particular case education capacity is available in the local area. A contribution is not therefore sought by the County Council.
27. The **Environment Agency** requests conditions requiring a scheme for the provision and implementation of ground contamination investigation, assessment and remediation, and a scheme for surface water drainage. It also puts forward a list of informatives to be attached to any consent.
28. The **Conservation Manager** concludes that the proposed residential development is inappropriate for this site and would seriously compromise both key site characteristics and become a significant imposition on the appearance and amenity of the village. The proposal would appear to be in conflict with key policies relating to employment protection and development within villages and presents a poor design layout which compromises the very features it is trying to retain. He is therefore of the opinion that the development should be reused.
29. If residential development of this site is to be supported it would need to be of a less intense nature which strengthened both the Back Lane and High Street landscape features, as well as the junction planting area. Clearly any such development would need to directly address Back Lane and incorporate the bank into the frontage of any development. Given the above the Conservation Manager suggests that any residential development of this site would need to be reduced in numbers, incorporate green space, public art and affordable housing as a minimum.
30. Comments on the amended drawings will be reported at the meeting.
31. The **Trees and Landscapes Officer** comments that any existing established regenerated Ash and Sycamore trees should be retained and not removed. The location of these trees in relation to the proposed footprint of plot 1 is just within the acceptable criteria of BS 8837.05. It is essential that the existing levels are not changed within the appropriate root protection areas of trees T1 to T12 with particular reference to T1 (Field Maple). Similarly T14 (Norway Maple) is just within the BS standard in relation to the footprint of Plot 8. The existing planting along High Street is essentially Blackthorn and is a very important foil between the site and the main road. The reference to 'trim and manage' needs to be qualified. The structural and visual integrity of the hedge must be retained.
32. If approved conditions should be attached in relation to tree protection, the submission of landscaping scheme.
33. Comments on the amended drawings will be reported at the meeting.
34. The comments of the **Development Officer** have been sought and will be reported to the meeting.

Representations

35. Letters have been received from six adjoining properties commenting on the original scheme.

36. The occupier of No 167 High Street is concerned that the road for the garages will border his property both the east and south sides which could cause aggravation in terms of noise from cars driving past, car doors slamming, garage doors banging and possibly children playing football or using skateboards in the area. There is also the possibility of the fence being knocked and damaged. If there is no alternative to the current plan it is suggested that a 1.8m high brick wall is erected either in place of the fence or butting up to it. This would serve both to reduce noise and give additional protection.
37. The occupier of No 169 High Street expresses similar concerns about the proposed road. It is pointed out that when the current building was operational the roadway at the rear of the site was a delivery route and was only ever used by a few vehicles a week and never during evenings or weekends. The proposed roadway will open up a security issue at the rear of the property. The road should be re-sited and a 1.8m high brick wall built on the other side of the boundary fence with substantial landscaping of tall evergreens to help stem the noise and protect security and privacy. In addition it is pointed out that the foul drain from No167 connects into the foul drainage on the application site through the proposed Plots 5 and 15.
38. The occupiers of No 6 The Lawns Close queries why the proposed flats are being built so near an existing quiet residential area when it is a large site with no surrounding properties and residents that would oppose this build. Was this site chosen to hide the build away so as not to spoil the view of the site? There is concern about the level of noise that will be generated by the number of residents within the flats and the use of the car park to the flats, which runs alongside the garden of No6. It would be more obvious to have one or two houses in this location, which would be more in keeping with surrounding properties.
39. The occupiers of No 5 The Lawns Close asks why more houses are needed in a village that is becoming over populated. Every piece of land is being developed without thought to people that have lived in the area for a long time. The proposals will result in the loss of an employment site. How can a change of use be given when the site was for light industrial use only?
40. Will the surgery be able to cope with more people? There is a water shortage and yet more houses are proposed and on a flood plain. What about the water pressure and sewerage. Questions are asked as to how far the proposed properties are from the boundary of No 5 and how can they be not to be intrusive and cut out light? What are affordable houses and rented? Why can't the affordable housing be at the beginning of the estate and the two storey executive houses at the rear of The Lawns Close.
41. There is concern about noise and there should be no building work or noise before 8am or after 5pm and no weekend working. There should be no loud music, shouting or abusive language.
42. There is concern about noise pollution and dust pollution when the existing buildings are demolished, and whether they contain asbestos. The height of the boundary fence should be increased and a wall built to protect existing properties. What contamination has been found on the site?
43. The occupiers of No 4 The Lawns Close is concerned that noise levels will increase from the previous light industrial use. There is concern that the proposed siting of the affordable housing will cause the highest volume of traffic and noise for all the existing homeowners. The properties having the greatest density should be

positioned backing onto Back Lane or High Street where there are no existing properties.

44. The occupiers of No 3 The Lawns Close comment that the estate is a very quiet residential area and the site has always been occupied by light industrial companies with no problems of noise. The erection of 20 dwellings on the site is going to result in a considerable increase in noise levels within the area. There are similar concerns to those expressed above in respect of the demolition of the existing building, the position of the proposed affordable houses, and the need for a boundary fence. It is again asked that restrictions be placed on the hours of working.
45. Any comments on the amended scheme will be reported to the meeting

Planning Comments – Key Issues

46. The key issues to be considered with this application are whether the proposed redevelopment of this site for residential use complies with the criteria set out in Policy EM8 of the Local Plan; whether the proposal complies with Policy SE2 (including neighbour amenity) and HG10 of the Local Plan; whether the proposal provides affordable housing in accordance with Policy HG7 and; whether the proposal preserves or enhances the character of the adjacent Conservation Area (Policy EN30).
47. Policy EM8 encourages of the retention of existing employment sites in villages. Information on marketing has been supplied with the application. The application site has been marketed as an employment site from October 2002 until October 2005 and the guide price dropped during that period. No buyer has been found within that period, which is well in excess of the 12-months suggested in the Local Plan. I am content that the requirements of Policy EM8 have been addressed in this instance and that in principle an application for the redevelopment of the site for residential use can be considered.
48. The site is bordered by residential development on three sides. I do not consider that the retention of the site in its present form is essential to the character of the village. Policy SE2 of the Local Plan requires development to be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours.
49. As originally submitted I do not consider that the scheme met this part of the criteria of Policy SE2. The revised scheme proposes a number of changes, which may enable me to alter this view. The access roadway remains as originally submitted, the point of access to the site being dictated by highway considerations. Although this results in the roadway passing close to the rear boundaries of existing houses in High Street, the repositioning of the affordable housing to the south east corner of the site means that the intensive use of the roadway and parking areas at this point is reduced from that originally proposed. There is space to provide some planting between the proposed roadway and the rear of properties in High Street and a condition can be imposed requiring appropriate boundary treatment, which could take the form of a brick wall.
50. The introduction of two detached houses in the northeast corner of the site and the relocation of the affordable dwellings to the southeast corner provides for an improved relationship to adjoining properties. Detailed levels and sections will be provided for this part of the site due to the difference in ground levels between the

site and existing properties. This will enable officers to ensure that the relationship of the proposed development with adjacent dwellings is satisfactory.

51. Levels and sections are also to be provided for the Back Lane frontage to show how the existing bank is to be re-graded. The existing planting on the bank will be retained and it is proposed to erect a 1.2m high 'hit and miss' fence on top of the bank, behind the trees, as a means of the boundary treatment to the rear gardens of the proposed houses backing onto Back Lane. I am of the view that these details will help to address some of the concerns of the Conservation Manager about the treatment of this frontage.
52. The erection of 20 dwellings is within the scale of development allowed for Melbourn under Policy SE2 of the Local Plan and there have been no objections from statutory undertakers in terms of infrastructure provision. Conditions will be attached to any consent requiring the submission of schemes for foul and surface water drainage, and an investigation of the site to assess any contamination and put forward remedial works if required.
53. The density achieves the minimum 30dph required by Policy SE2. A reduction in the number of units would result in the density dropping below that figure. The housing mix was agreed by officers prior to the application being submitted. Although the Local Development Framework seeks to change the mix of dwellings that should be sought I consider that little weight can be given to the proposed change at this stage given that objections to that policy have been received and taking into account the length of time that this site has been the subject of informal discussions with officers.
54. Revisions have been made to the detailed elevational treatment of a number of the proposed dwellings and the comments of the Conservation Manager on these changes will be reported at the meeting. The number of two and a half storey dwellings has been reduced and a pair of houses introduced into the High Street frontage. I consider that the approach is likely to be considered more appropriate than the original submission.
55. Although formal comments are awaited I am aware that during informal discussions prior to the submission of the application the number and mix of affordable units was agreed with the Development Officer. Although Policy HG7 states that the number of affordable dwellings provided should be approximately 30% it states that that higher or lower percentages may be agreed taking into account a number of factors including development costs. It is my understanding in this case the provision of 5 affordable dwellings, 25% of the scheme, has been accepted by the Development Officer having taken into account development costs, which in this case will include demolition any decontamination works. Although the Local Development Framework seeks to increase this percentage I consider that little weight can be given to the proposed change at this stage given that objections to that policy have been received and taking into account the length of time that this site has been the subject of informal discussions with officers.
56. The comments of the Trees and Landscapes Officer will be incorporated into the revised scheme. It is important to ensure that existing planting within the site is safeguarded and enhanced, particularly on the High Street and Back Lane frontages.
57. Conditions will be attached to any consent restricting the hours of operation of power driven machinery during the period of demolition and construction works. There will be an informative on any consent reminding the applicants of the need for a

Demolition Notice which will deal with the issue of any asbestos within the existing buildings.

58. A scheme of 20 dwellings does not require the provision of open space under approved Development Plan policies. Although the Local Development Framework seeks to reduce that threshold I consider that little weight can be given to the proposed change at this stage given that objections to that policy have been received and taking into account the length of time that this site has been the subject of informal discussions with officers.
59. The applicants attention will be drawn to the existence of the foul drain pointed out by the occupier of 169 High Street. The site is not within a flood plain. Boundary treatment will be controlled by condition.
60. The applicant will be required to enter into a Section 106 Agreement to secure the provision of affordable housing. The agreement, which can be required by condition, can also deal with the provision of public art.

Recommendation

61. Subject to the response to the consultation on the amended drawings and the satisfactory resolution of any outstanding issues, that delegated powers be given to approve the application as amended subject to safeguarding conditions. Conditions will include a requirement for the applicant to enter into a Section 106 Agreement securing the provision of affordable housing. I will seek delegated powers to refuse the application if the above cannot be achieved by the determination date of 13 April.

Informatives

62. Informatives to be attached from the Chief Environmental Health Officer and Environment Agency

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P7/6** (Historic Built Environment);
 - **South Cambridgeshire Local Plan 2004: SE2** (Development in Rural Growth Settlements),
 - **HG10** (Housing Mix and Design) and **EN30** (Development in/adjacent to Conservation Areas)
 - **HG7** (Affordable Housing on Sites within Village Frameworks)
 - **EM8** (Loss of Employment Sites in Villages)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity including noise disturbance and overlooking issues
 - Highway safety
 - Visual impact on the locality
 - Impact upon setting of adjacent Conservation Area
 - Loss of Employment 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 Application Ref S/0045/06/F

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

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee5th April 2006**AUTHOR/S:** Director of Development Services

S/0282/06/F – Meldreth**Erection of Dwelling to Replace Existing Dwelling and Outbuildings to be Demolished on Completion, 'Corner View' 1 Stone Lane for Mr and Mrs R Searles****Recommendation: Refusal****Date for Determination: 13th April 2006**Members will visit the site on 3rd April 2006.**Site and Proposal**

1. Stone Lane consists of a group of large detached properties all of which fall outside of the Meldreth village framework. The existing dwellinghouse is a relatively tall redbrick building of no particular merit, which sits in a very prominent location within the lane. Aside from the main two-storey part of the dwellinghouse there are several single storey lean-to elements and a detached washroom building. The rest of the property's curtilage was until recently heavily overgrown with a collection of trees, bushes and weeds. As well as the property and its curtilage the applicants also own the land to the north and east of the site, which is populated by numerous mature trees. To the northeast of the site the highway of North End runs adjacent to the aforementioned land.
2. This full application, received on the 16th February 2006, proposes to demolish the existing dwelling and replace it with a larger chalet style dwelling with dormer windows and a balcony in an area of the curtilage to the north of the footprint of the existing property. In addition to the new dwelling there will also be a new vehicular access to the site and turning area to the front of the proposed replacement dwelling.

Planning History

3. None

Planning Policy***South Cambridgeshire Local Plan 2004***

4. **Policy HG15 'Replacement Dwellings in the Countryside'** states that replacement dwellings in the countryside will be permitted where they are in scale and character with the dwelling they are intended to replace and would not materially alter the impact of the site on the surrounding countryside.

Consultation

5. **Meldreth Parish Council** recommends that the application be approved as the councillors believe that the development would enhance the location and make a significant improvement to visibility at the sharp corner within Stone Lane.

6. **Comments of the Local Member – Councillor van de Ven**

7. Councillor van de Ven believes that the proposed dwelling would be proportionately balanced to neighbouring houses and in a much better position than the existing one, it would also offer numerous advantages from a sustainability viewpoint. The Local Member notes that the existing house is a poor basis for an extension and feels strongly that the application should be supported.
8. **Chief Environmental Health Officer** has no objection to the application but has requested that conditions be attached to any consent granted limiting the hours of operation of power operated machinery.

Representations

9. One letter of support from the owner/occupier of 'Brookside', 4 Stone Lane, who believes that the demolition of the existing dwelling will improve visibility in the lane. Support is also given to the new entrance, which will provide a passing point, and the fact that the new dwelling is of an environmentally friendly design and will not overlook any of the existing properties is also mentioned. It is pointed out that all the other properties in Stone Lane have received planning permission to extend.

Planning Comments – Key Issues

10. Before the submission of this application planning officers entered into pre-application discussions with the applicants and it should be acknowledged that the proposed dwelling has been reduced in size from the scheme first seen by officers. The existing dwellinghouse is of no architectural or historic merit and enjoys a proximity to the highway of Stone Lane that is not in keeping with the physical relationships of the surrounding properties. Planning officers have never been adverse to the relocation of any replacement dwelling within the site. Notwithstanding the size of the surrounding properties the main issues for members to consider are whether the replacement dwelling is in scale and character with the dwelling it is intended to replace and whether the replacement dwelling would materially alter the impact of the site on the surrounding countryside.

Scale and Character

11. Although the existing dwelling is two-storey with limited room in the roofspace, more than half of its modest footprint is made up of single storey elements. Overall the footprint of the existing property (including the detached outhouse) is approximately 78 square metres, compared to a footprint of approximately 124 square metres for the replacement dwelling. This disparity distorts even further when the floor area is taken into consideration with the existing dwelling having a floor area of approximately 119 square metres (not including the space within the roof) compared to a figure of approximately 288 square metres for the replacement dwelling, well in excess of double the floor area of the existing property.
12. In the supporting text of policy HG15 a maximum enlargement figure of 15% of the volume of the original dwelling is stated for replacement dwellings in the countryside. As no elevations of the existing dwelling have been provided it has not been possible for officers to accurately calculate the dwelling's volume. However based on the figures for the footprint and floor area increase it is evident that the figure of 15% of the volume of the original dwelling will be greatly exceeded.

13. Although number 1 Stone Lane is surrounded by larger properties it should be noted that these properties have been extended and were not subject to the Council's replacement dwellings in the countryside policy. The current policy for the extension of dwellings in the countryside (HG13) is more generous in permitted volume increase than HG15 (Replacement Dwellings in the Countryside). Moreover the extensions of the other properties in Stone Lane were permitted under the policies of previous development plans, which were even more generous than policy HG13.
14. Officers are not of the opinion that the existing dwellinghouse's style should be replicated and there is no objection to the replacement dwelling on design grounds. Moreover the impact of the development upon the amenities of the occupiers of the surrounding properties is considered to be acceptable. Notwithstanding the increase in the size of the replacement dwelling its greater depth, width and proximity to North End means that it will significantly alter the impact of the site on the surrounding countryside.

Impact of the site on the surrounding countryside

15. Although lower than the existing property (approximately 0.3 metres) the proposed dwelling will still represent a two storey bulk of built development with a width of 14.1 metres. Any beneficial visual impact of the low eaves will be lost as a result of the six dormer windows that will extend out from the front and rear roof slopes.
16. The new position of the replacement dwelling will be nearer to North End than the existing property and sit further back from Stone Lane. At present the existing dwelling is well screened from the North End by virtue of its position within the site and its distance from the highway. By locating the replacement dwelling nearer to North End it will become a visual feature in the rural landscape, where at present there is no built development. The applicants have stated that they are willing to landscape the site and such a scheme would be possible given that they also own the surrounding land. However any landscaping scheme would take several years to mature and would take even longer to screen the 7.8 metre high dwelling. Even though the replacement dwelling would have its gable end facing North End its angle within the site and width would make it visually prominent. Again although the dwelling will be taken back from the frontage with Stone Lane it will still result in a two storey building with a first floor width of 14.1 metres replacing a two storey dwelling with a first floor width of only 5.8 metres. Notwithstanding the relocation of the dwelling this increase in width of first floor development will have a significant visual impact upon the rural landscape.
17. The new access to the site is recognised as being beneficial to the environment of Stone Lane and the environmental qualities of the proposed replacement dwelling are recognised as being beneficial to the global environment through reduced emissions of CO₂. However planning officers do not consider these aspects of the application sufficiently beneficial to override local planning policy. The applicants' agent and the letter of support both refer to the size of the other properties in Stone Lane. However when considering such replacement dwellings in the countryside policy HG15 refers to the existing dwelling and based on this fact the application fails to comply with the policy on all grounds.

Recommendation

18. Refusal, for the following reason

The proposed replacement dwelling would be contrary to policy HG15 of the South Cambridgeshire Local Plan 2004 as it would materially alter the impact of the site on the surrounding rural landscape by virtue of the width and bulk of first floor accommodation that together with its height and proximity to North End would make it a more visually dominant feature within the landscape when viewed from both Stone Lane and North End. Moreover the scale of the replacement dwelling bears little semblance to the modest property that it is intended to replace. Although lower than the existing dwelling the greater width and floor area of the replacement dwelling means that it would have a greater visual impact upon the countryside, an impact that would be further exacerbated by its proximity to North End.

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

- South Cambridgeshire local Plan 2004
- Planning File Ref: S/0282/06/F

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee5th April 2006**AUTHOR/S:** Director of Development Services

**S/1867/05/F – Papworth Everard
Change of Use to Hand Car Wash (Retrospective)
at Former Shell Garage, Cambridge Road (A428), for H. Tafa**

**Recommendation: Approval
Determination Date: 2nd December 2005**

Site and Proposal

1. The former Shell Petrol Filling Station lies on the northern side of Cambridge Road (A428 Trunk Road), approximately 80m to the west of the Caxton Gibbet roundabout at the junction of the A428 and A1198. On the opposite side of Cambridge Road is a Shell Petrol Filling Station and a Little Chef Restaurant. The site measuring 0.34 hectares retains its petrol canopy and kiosk, and ceased operation as a petrol filling station around 1991. A low security fence has been erected along the road frontage.
2. The full application, received on 30th September 2005, seeks retrospective approval for a change of use to a hand car wash. The hand washing occurs under the existing petrol canopy, with the existing kiosk used as an office, staff room and toilet. The site has a separate vehicular entrance and exit off Cambridge Road.
3. The canopy on the site has been painted bright yellow with the words "Hand Car Wash" hand painted in blue lettering, on the eastern and western elevations. Part of the existing kiosk has also been repainted in yellow.
4. The agent has stated in a covering letter submitted with the application that the peak time for this type of business is between 11am and 12.30pm. The site is expected to clean a car every 8-10 minutes, that is 8 cars per hour. The site is of sufficient size to allow 'car stacking' within the site. The sight of a queue normally discourages customers because of obvious delay, however my client intends to have a mobile sign positioned at the entrance instructing clients not to queue on the highway. Between two and four employees would be on site, subject to demand. The opening hours would be 8am to 7pm Monday to Saturday and 9am to 5pm on Sunday. Subsequent discussions with the former site manager have revealed that the business closed at 9.30pm at the latest.
5. The agent adds that all "drainage will be contained within the existing drainage system which discharges into a three stage petrol/oil interceptor, it is intended to install a Kargester Bio-Disc sewerage treatment plant. Existing system connects to the foul sewer via a three-stage petrol/oil interceptor.
6. All cleaning materials would be kept in a secure store to prevent any spillage entering the drainage system."

Planning History

7. Outline planning permission for a petrol filling station on this site was given in 1965, with detailed planning permission granted in 1966 (Ref: **C/0858/64/O** and **C/0642/66/D** respectively). Redevelopment of the filling station was approved in 1986 (**S/0168/86/F**). Since the closure of the petrol filling station, the following planning applications have been received.
8. Temporary planning permission was given for a mobile catering unit in January 1993 (Ref: **S/1730/92/F**).
9. Planning permission was refused for a change of use to used car sales in July 1997 (Ref: **S/1271/97/F**) for the following reasons:
10. "The site is located within open countryside in an Area of Best Landscape. The use of the site for the storage and eventual sale of second hand cars would represent a visually unacceptable form of development within this countryside location and would consequently have an adverse effect on the landscape quality of the adjoining landscape, which the Area of Best Landscape Designation seeks to protect, contrary to Policy C1 of the South Cambridgeshire Local Plan 1993 and Policy SP12/2 of the Approved Structure Plan 1995. Moreover the proposed use would be contrary to Policy SP12/1 of the Structure Plan, which restricts development in the countryside to uses which require a countryside location.
11. The proposed use would result in an increase in right turning traffic across this busy stretch of the A428 Trunk Road on the approach to the roundabout junction where slowing traffic requires maximum driver concentration, the use would therefore be detrimental to highway safety".
12. Duplicate planning applications **S/1821/01/F** and **S/1822/01/F** for the erection of a restaurant, with associated car parking and landscaping were withdrawn in April 2002.
13. The use of the site for a car wash commenced in September 2005.
14. It is noted that planning permission was given for a change of use to hand car wash (retrospective) at the former Q8 Petrol Filling Station, Cambridge Road, Croxton on 24th May 2005; with change of use to hand car wash (retrospective) also given for the former Service Station, A14 East of Swavesey Interchange, Junction 28 Swavesey on 8th June 2005 (Ref: **S/0612/05/F** and **S/0814/05/F** respectively).

Planning Policy

15. The site lies within the Countryside.
16. Government Planning Policy Statement 7: Sustainable Development in Rural Areas (**PPS7**) does not contain specific policies concerning road side sites but generally encourages the reuse of existing buildings in rural areas, subject to no adverse impact on the countryside.
17. **PPG 13** "Transport" aims to reduce the growth in the length and number of motorised journeys.
18. **Policy P1/3** of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") requires a high standard of design for all new development that responds to the local character of the built environment.

19. **Policy P2/6** of the County Structure Plan states that sensitive small-scale employment development in rural areas will be facilitated where it contributes to one or more objectives, including enabling the re-use of existing buildings and enabling the re-use of vacant, derelict or under-used land within villages.
20. **Policy P8/1** of the County Structure Plan encourages the use of sustainable transport policies in Local Plans. This policy states that “in rural areas there may be instances where small-scale development which is provided for under **Policies P2/6, P3/4 and P5/5**, is unable to be located in an area which is or can be made highly accessible to public transport. In such circumstances, developments should be located and designed so far as possible to meet the remaining requirements of this policy.”
21. **Policy P7/4** of the County Structure Plan and **EN1** of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) seek to protect areas from development which would adversely affect the character and appearance of the local landscape.
22. **Policy EM10** of the Local Plan 2004 states that “outside village frameworks planning permission will be granted for the change of use and conversion of rural buildings to employment use providing that:
 1. The buildings are of permanent and substantial construction and are capable of conversion without major or complete reconstruction;
 2. Conversion does not lead to dispersal of activity on such a scale as to prejudice town and village vitality;
 3. The form, bulk and general design of the building both before and after conversion are in keeping with their surroundings;
 4. The buildings are capable of re-use without materially changing their existing character or impact upon the surrounding countryside;
 5. Safe and satisfactory vehicular access can be provided together with adequate space within the curtilage to accommodate ancillary requirements such as car parking and lorry manoeuvring without significant detriment to the setting of the building and the landscape within which it is located; and
 6. The scale and frequency of traffic generated by the proposal can be accommodated on the road system without undue adverse effects.”
23. **Policy TP1** of The Local Plan aims to promote more sustainable transport choices, to improve access to major trip generators by non-car modes, and to reduce the need to travel, especially by car.

Local Development Framework Submission Draft 2006

24. Development Control **Policy DP/1** (2006) states that development will only be permitted where it is demonstrated that it is consistent with the principles of sustainable development, as appropriate to its location, scale and form. It outlines various criteria to assess the sustainability of proposed development, including making efficient and effective use of land by giving priority to the use of brownfield sites.
25. Development Control **Policy DP/2** (2006) outlines that all new development must be of high quality design, appropriate to the scale and nature of the development. It outlines criteria, which define what is meant by high quality design. This includes preserving or enhancing the character of the local area.

26. Development Control **Policy DP/3** (2006) outlines requirements for new development within the district.
27. Development Control **Policy (ET/8)** largely repeats the advice of **EM10** of the current Local Plan.

Consultation

28. **Papworth Everard Parish Council** – Raises no objection to this retrospective application providing that:
 - a) “Highways are satisfied with the safety aspects of the entrance/exit arrangements from/to the A428; and
 - b) Appropriate signage is non-illuminated and of a reasonable height and size (i.e. not visible cross-country from the adjacent villages), and is confined to the area immediately adjacent to the site.
29. **Caxton Parish Council** – Recommendation of refusal. “Caxton Parish Council is aware that there previously was a petrol station on the same site, but the A428 is a much busier road now and carries traffic which travels at a higher speed. The exit so close to a roundabout is considered unsafe.”
30. **Elsworth Parish Council** – No recommendation. No comments made.
31. **Councillor Daphne Spink** – Recommendation of refusal. A traffic impact assessment was prepared for the previous planning application, which was turned down by the Committee. “I have seen several near misses there and with the advent of duelling to that roundabout, I think it would be another hazard. Not a day goes by that we do not have shunt accidents”.
32. **Highways Agency** – As the application will not adversely affect the A428 trunk road at this location, the Highways Agency does not intend to issue a direction and would not wish to comment further on the application.
33. **Environment Agency** – No objection subject to the use of a condition regarding disposal of vehicle washwater and trade effluent.

Representations

34. None received.

Representations by Agent

35. The authorised use of the site as a petrol filling station with twelve filling positions, could generate over 200 traffic movements per hour. The proposed use, with an estimated 8 vehicles washed per hour, would generate a significant lower level of traffic than the authorised use.

Planning Comments

36. The key issues for consideration in the assessment of this application are the suitability of this use in a rural location, the visual impacts of the change of use on the visual amenities of the Countryside and impacts on highway safety. It is noted that planning permission is not required for the repainting of the canopy and kiosk. The signage painted on the canopy is not a material consideration in the assessment of this application, as it would be subject to a separate application for advertisement consent.

Suitability of Use in Rural Location

37. Structure and local planning policies, in addition to Government guidance are supportive of the reuse of existing buildings in rural locations. The proposal does not involve the erection of new buildings and structures, and requires a road-side location due to its dependency on passing trade for business.
38. It is noted that the use of the site as a petrol filling station ceased over twelve years ago and no appropriate long-term use for the site has since been found. If the hand car wash use is refused, the site is in danger of becoming vacant and derelict.
39. I am of the view that the proposal represents an appropriate use for a brownfield site in a rural location. It is also noted that planning permission has been given for other hand car wash sites in rural locations.

Character and Appearance

40. As stated previously, the colour of the petrol canopy and the signage painted on this canopy do not require planning permission (although the signage does require advertisement consent) and hence are not materially considerations in the assessment of this application.
41. The proposed use as a hand car wash is of modest scale and involves the reuse of existing buildings and structures on the site. The use as a hand car wash by itself will have no additional impact on the visual amenities of the area than the former use of petrol filling station.
42. Security fencing on the site is approximately 1m in height and does not require planning permission.
43. Members will be aware of the difficulties in finding alternative uses for derelict petrol filling sites, and in this case the visual implications of the use are considered acceptable, particular given the petrol filling station appearance of the site and the existing commercial uses on the opposite side of Cambridge Road.
44. It is noted that verbal complaints have been received regarding the poor appearance of the site. This issue is being separately addressed by Council officers. I am of the view that it is not appropriate for planning permission for the change of use to be denied, on the grounds of activities, which are not directly related to the proposed use of hand car wash.

Traffic and Highway Safety

45. An independent traffic impact assessment by Highway Consultants, Atkins was commissioned by the Council, with findings released in March 2006. The findings of this study are attached in the Appendix. The study concluded that:
46. "Taking account of the accident record on this section of the A428 in the vicinity of the new car wash site, the Shell Petrol Filling Station and the Little Chef Restaurant it is felt that there are insufficient highway concerns to refuse the change of use of the obsolete Shell Petrol Filling Station".
47. The report also identifies suggestions for reducing the risk of potential conflicts, including the removal of existing signage within visibility splays, new signage on the site to encourage a one-way system through the car wash (it is noted that a one way system is indicated on the application plan) and removal of loose gravel within the eastern access.
48. Furthermore, it is noted that although the petrol filling station use ceased over 12 years ago, I am of the view that planning permission would not be required for the recommencement of this use on the site.
49. ADL Traffic Engineering Ltd. acting on the behalf of McDonald's Restaurants, previously stated in supporting documents for planning applications S/1821/01/F and S/1822/01/F) that the previous use of petrol station was expected to generate between 205-280 vehicle movements per filling bay during weekdays and between 250-300 movements per filing bay during weekends. As the former petrol station had 2 pump islands, equivalent to 4 filling bays, the site had the potential to generate up to 1120 movements per day on weekdays and 1200 movements on weekends.
50. It is noted that Cambridge Road (A428) and Ermine Road (A1198) are heavily used roads, subject to a national 60mph speed limit. The carriageway along the length of the A428 is marked as a clearway, and therefore a continuous white line marks the edge of the carriageway of the Trunk Road, except for a layby to the west of the site and accesses to existing commercial properties. It is noted traffic flow at the time of the site visit by Atkins was in the order of 30-40 mph approaching and exiting the A428/A1198 roundabout.
51. Based on the traffic estimates supplied by the applicant, it is estimated that the number of vehicles entering the site per day would be approximately 88. As the proposed use of hand car wash will generate a lower number of vehicular movements than the permitted use of the site as a petrol filling station, there is no indication that the proposed use would significantly affect the operation of the highway at this point.
52. It is expected that the business will be dependent on passing trade, as opposed to generating a large number of deliberate trips to the site by non-local residents. The proposed use is unlikely to generate a significant number of extra trips on the A428 that would not otherwise have taken place. It is noted that planning policies make allowances for small-scale development in rural areas that are not readily accessible by public transport and the nature of the use means that customers are unlikely to travel to the site by public transport regardless of its location.
53. There is sufficient room on site for the parking and manoeuvring of several vehicles, including customer and employee parking without impacts on highway safety.

Recommendation

54. Approval.

Conditions of Consent

The use, hereby permitted, shall cease unless, within a period of two calendar months from this Decision Notice, all vehicle wastewater and trade effluent arising from the proposal has been directed and discharged to a newly constructed watertight sealed cesspool, designed and constructed to the satisfaction of the Local Planning Authority.

Reason: to prevent the increased risk of pollution to the water environment.

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), **P2/6** (Rural Economy), **P7/4** (Landscape) and **P8/1** (Sustainable Development – Links between Land Use and Transport)
 - **South Cambridgeshire Local Plan 2004:** **EM10** (Employment in the Countryside), **EN1** (Landscape Character Areas) and **TP1** (Planning for More Sustainable Travel)
2. The proposal is not considered to be significantly detrimental to the following material considerations, which have been raised during the consultation exercise:
 - Highway Safety and Visual Impact on Countryside and Streetscene

Environment Agency Informatives

No foul sewerage or trade effluent, including cooling water containing chemical additives, or vehicle washing water, including steam cleaning effluent, shall be discharged to the surface water drainage system.

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

The applicant should be aware that the discharge of vehicle wash water/trade effluent to controlled waters may lead to prosecution under the Water Resources Act 1991.

All drums and small containers used for oil and other chemicals shall be stored in bunded areas which do not drain to any watercourse, surface water sewer or soakaway.

Facilities should be provided to ensure that waste oil/chemicals are stored and disposed in a manner that will not lead to pollution.

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

Other

The existing signage on the petrol canopy and highway verge does not form part of this planning application and a separate application for advertisement consent is required for its retention. No signs should be displayed on the highway verge/highway land.

It is the applicant's responsibility to ensure that the fencing does not encroach onto the Highway verge without the consent of the Highways Agency.

For the purposes of clarification, the application relates only to a change of use to hand car wash only. Planning permission would be required for any material change to the use of land, including storage for goods not associated with the hand car wash or vehicle sales.

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 Policy Statement No. 7: Sustainable Development in Rural Areas
- Planning Policy Guidance Note 13 – Transport
- Planning file Refs C/0858/64/D, C/0642/66/D, S/168/86/F, S/1730/92/F, S/1271/97/F, S/1821/01/F, S/1822/01/F, S/0814/05/F, S/0612/05/F and S/1867/05/F

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

REPORT TO: Development and Conservation Control Committee 5th April 2006
AUTHOR/S: Director of Development Services

**S/0151/06/F - Swavesey
Extension of Kennel Block and Conversion of Part of Cattery Building into
Staff Accommodation; Windmill Kennels and Cattery, Hale Road
for Mr P Morgan**

**Recommendation: Delegated Approval/ Refusal
Date for determination: 8th May 2006**

Departure Application**Site and Proposal**

1. The application relates to an existing kennels and cattery enterprise located in the rural area to the west of Swavesey. The business is sited within the curtilage of The Old Windmill, a grade II listed building, which is the applicant's dwelling. Access to the site is via Hale Road, an unmade private track and public footpath (No.7). Open countryside surrounds the site with the nearest residential properties situated some 170 metres to the east. The kennels are sited adjacent to the western boundary of the site and house approximately 20 dogs. The cattery is sited adjacent to the eastern boundary and provides accommodation for up to 20 cats.
2. The application, dated 9th January 2006 and completed by plans and certificate dated 9th March, proposes the erection of a single-storey extension to the existing kennel block to provide an additional 12 kennels. The extension will measure 13.0 metres deep x 10.5 metres wide. The appearance will match the existing. In addition, the applicant intends to erect accommodation for up to two staff within an extension to the separate cattery block. This extension, consented in 2002 for additional cattery accommodation, has been commenced but not completed, the roof and frame having been erected but no walls provided. The accommodation will have two bedrooms, living/dining room and a linked kitchen.
3. The accommodation is required to enable managerial supervision to be present on the site at all times. Statements from the applicant are included at [Appendix 1](#).
4. The southern part of the site fall within Flood Zones 2 and 3 (low/medium and high flood risk). Although indicative, the map shows Zone 2 to cover part of the existing cattery, the proposed staff accommodation and the proposed kennel extension.

Planning History

5. Planning permission for the establishment of the kennels and cattery was allowed on appeal in 1997 (**S/0545/97/F**). Details of the kennel and cattery buildings were approved in 1998 (**S/0086/98/F**). Permission for an extension to the cattery was granted in 2002 (**S/0512/02/F**). This extension has been commenced but not completed.

Planning Policy

Cambridgeshire and Peterborough Structure Plan 2003

6. **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.
7. **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.
8. **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.
9. **P6/4** (Drainage) – development will be expected to avoid exacerbating flood risk by using sustainable drainage systems for the disposal of surface water run-off.
10. **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

11. **SE8** (Village Frameworks) – Residential development outside frameworks will not be permitted. The supporting text states “Buildings associated with countryside uses (eg. farm buildings, houses subject to agricultural occupancy conditions or affordable housing schemes) are not normally included within the framework”.
12. **CS5** (Flood Protection) – planning permission will not be granted where the site is likely to increase flood risk unless it can be demonstrated that the effect can be overcome by appropriate alleviation and mitigation measures.
13. **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.
14. **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.

Local Development Framework Submission Draft (2006)

15. **ET/6** (Expansion of Existing Firms) – Development for the expansion of existing firms will be permitted within previously developed sites next to or very close to village frameworks. A firm or business will be considered as ‘existing’ if a significant element of its operation has been based in the Cambridge Area for a minimum of five years prior to the date of the planning application. Expansion will not be permitted where it consolidates a non-conforming use, or causes problems with traffic, noise, pollution, or other damage to the environment.

16. **HG/9** (Dwelling to Support a Rural-based Enterprise) – Development of a new permanent dwelling for agricultural or forestry purposes, or exceptionally for a rural-based enterprise, will only be permitted if it is demonstrated to the satisfaction of the District Council that:
1. There is a clear, existing functional need relating to a full-time worker or one who is primarily employed in agriculture;
 2. It relates to a well established agricultural unit (which has been established for at least three years, has been profitable for at least one of them, is currently financially sound, and have a clear prospect of remaining so);
 3. There are no suitable existing buildings available in the area;
 4. The conversion of appropriate nearby buildings would not provide suitable accommodation;
 5. No existing dwelling serving the unit or closely connected with it has either recently been sold off or in some way separated from it.

Where criterion (2) cannot, for the time being, be met, or it relates to a new farming activity on a well established unit, development of a temporary dwelling may be permitted for up to three years where all the other criteria above are met, and there is:

- a. Clear evidence of a firm intention and ability to develop the enterprise concerned;
- b. Clear evidence that the proposed enterprise has been planned on a sound financial basis;
- c. Clear evidence that the functional need cannot be fulfilled by another existing building on the unit or any existing accommodation.

The District Council will require a “Functional” and “Financial” test to be undertaken in accordance with PPS7 to demonstrate the above criteria have been met.

Where a new dwelling is permitted, this will be subject to a condition ensuring the occupation will be limited to a person solely or mainly working, or last working, in the locality in agriculture or forestry or a surviving partner of such a person, and to any resident dependants.

Consultations

17. **Swavesey Parish Council** – approval (no comments)
18. **Council’s Conservation and Design Manager** – While the extension and intensification of the business will have some impact on the listed mill, he considers that this will cause no greater detriment than existing. No objection.

19. **Council's Chief Environmental Health Officer** – He has visited the site and has discussed the proposals with the applicant. He was reassured that the potential for noise and disturbance from dogs kept at the kennels has been adequately addressed by the applicant. He has no objection to the proposal.
20. **Environment Agency** – Objection as the site is identified as being in an area isolated by flood zones 3 and 2 (high and medium flood risk). The proposed development may be at risk of flooding and may increase the risk of flooding to the existing property. Flood warning and evacuation procedures will need to be agreed as part of a flood risk assessment to reduce the risk of danger to life and employees, visitors and livestock.
21. **County Council Countryside Services Section and Ramblers Association** – no comments received in respect of the public footpath.

Representations

22. None received.

Planning Comments

Extension

23. The site lies in the rural area where there is a general presumption against new building. However, the operation of a kennel is a use which I consider to be essential to be located in the countryside so as to avoid noise disturbance to neighbouring properties. I consider that the proposal conforms with Policies P1/3 and P2/6. The extensions are modest in scale and will not unduly harm the appearance of the countryside or the setting of the listed building. The proposal conforms with Policy EN28.

Residential use

24. The establishment of a new residential unit in the countryside does not conform with Policy SE8, but as this business requires a countryside location, it is more appropriate to consider it in a similar way to an agricultural unit. Draft policy HG/9 refers to dwellings for rural-based enterprises. I consider that the applicant has demonstrated a clear need for the accommodation, that the business is well-established and is likely to remain so, and that the establishment of a temporary form of accommodation for a trial period is not warranted in this case. If approved, I recommend that a condition should be attached to tie the occupation to the business and The Windmill as a single planning unit.

Traffic

25. The likely traffic generation from the development is considered to be equivalent to that which would have been generated by the cattery extension, which has not been completed. The proposal is not likely to lead to additional traffic movements over those which would have resulted from the consented development.

Noise

26. The noise from additional barking dogs is not likely to be cause significant disturbance to neighbouring amenity in this case, as indicated by the Chief Environmental Health Officer.

Flood risk

27. The Environment Agency has required a flood risk assessment. At the time of compiling this report the applicant is arranging for a suitable flood risk assessment to be prepared. This is a fundamental aspect of the proposal which cannot be resolved by attaching a condition to any approval, for submission at a later time. I will advise Members of receipt of a FRA, if provided before the meeting, but in order for it to be determined within the statutory period it may be necessary for this application to be refused or withdrawn, and resubmitted with the appropriate information when it is available.

Recommendation

28. Subject to no objections being received from the public footpath consultees, delegated powers are sought to approve the application or refuse in the event of a suitable flood risk assessment not being received or not accepted by the Environment Agency before the statutory determination date (as amended by plans date stamped 13th March 2006). If approved, that this be subject to the following conditions:

1. Standard Condition A – Time limited permission (Reason A);
2. Sc5a – Details of materials for external walls and roofs (Rc5aii);
3. Sc51 – Landscaping (Rc51);
4. Sc52 – Implementation of landscaping (Rc52);
5. Sc60 – Details of boundary treatment (Rc60);
6. Occupancy limitation (Reason – To prevent the creation of an independent unit of accommodation in the rural area)
+ any conditions required by the Environment Agency

Informatives

Reasons for Approval

1. Although the proposed residential development in the countryside does not conform with Policy SE8 of the South Cambridgeshire Local Plan 2004, it is considered that the imposition of a condition linking its occupation to the existing established rural enterprise would render the proposal acceptable.

The development is considered generally to accord with the Development Plan and particularly the following policies in all other respects:

- **Cambridgeshire and Peterborough Structure Plan 2003:**
P1/1 (Approach to Development), **P1/2** (Environmental Restrictions on Development), **P2/6** (Rural Economy), **P6/4** (Drainage) and **P7/6** (Historic Built Environment).
- **South Cambridgeshire Local Plan 2004:**
CS5 (Flood Protection), **EM10** (Conversion of Rural Buildings and Future Extensions), **EN28** (Development within the Curtilage or Setting of a Listed Building).

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 and noise disturbance
 - Highway safety
 - Visual impact on the locality
 - Impact upon setting of the adjacent listed building
 - 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 files Ref. S/0151/06/F S/0512/02/F S/0086/98/F, S/0545/97/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th April 2006
AUTHOR/S: Director of Development Services

S/0345/06/F – Little Abington
Extensions to and Conversion of Agricultural Buildings into 4 Dwellings at
Ley Rectory Farm for Mr G Boswell

Recommendation: Refusal
Date of determination: 19th April 2006

Departure Application**Site and Proposal**

1. The application relates to a 0.4 hectare (1 acre) site containing a group of agricultural buildings constructed from brick, flint, boarding, corrugated sheeting and slate and a silo located to the north of Ley Rectory Farmhouse, a two-storey gault brick and slate dwelling. Corrugated sheeting agricultural storage buildings are located to the north. No.3 Hildersham Road, accessed from the farm access alongside Ley Rectory Farmhouse which also serves the application buildings, lies to the south east. The A1307 and Hildersham Road are to the southwest and southeast respectively.
2. This full planning application, registered on the 22nd February 2006, proposes to extend and convert an L-shaped range of buildings into 4 dwellings (2no. 3-bedroom units and 2no. 4-bedroom unit) and to demolish the remaining buildings and the silo within the site. An office would be provided within each of the units to facilitate working from home. It is also proposed to erect the new car ports and stores approved under reference S/0070/05/F for the dwellings. The density equates to 10 dwellings to the hectare.

Relevant Planning History

3. Planning permission for the conversion of this L-shaped range of buildings into 4 dwellings (3no. 3-bedroom units and 1no. 4-bedroom unit), the demolition of the remaining buildings and the silo within the site, the erection of new car ports and stores for the dwellings and the creation of a new farm access onto Hildersham Road was granted in October 2005 under reference **S/0070/05/F** following the completion of a S.106 Agreement requiring the payment of an affordable housing contribution of £16,000 (index linked) in lieu of on-site provision.
4. An application submitted in July 2004 to convert the buildings into 4 dwellings and erection of garaging was withdrawn (**S/1522/04/F**).
5. Planning permission for the change of use of farm buildings to Business Use (Class B1) and erection of agricultural building was granted in August 2002 (**S/0842/02/F**). The scheme also involved the creation of a new farm access onto Hildersham Road.

Relevant Planning Policy

6. The site is within the countryside as defined in the Local Plan 2004 and the Local Development Framework Submission Draft 2006.
7. 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.
8. Local Plan 2004 **Policy SE8** states that residential development outside village frameworks will not be permitted.
9. Local Plan 2004 **Policies HG7** and **HG8** relate to affordable housing and exceptions sites respectively.
10. Local Plan 2004 **Policy EM9** states that the District Council will support proposals for teleworking schemes which bring home and workplace physically together by conversion of rural buildings outside village frameworks provided there would be no adverse impact on residential amenity, traffic, character and the environment generally.
11. Local Plan 2004 **Policy EN1** states that planning permission will not be granted for development which would have an adverse effect on the character and local distinctiveness of Landscape Character Areas (the East Anglian Chalk Landscape Character Area in this instance).
12. Local Development Framework Development Control Policies Submission Draft January 2006 **Policy HG/8** relates to the conversion of buildings in the countryside for residential use and states:
 1. Planning permission for conversion of rural buildings for residential use will not generally be permitted. Planning permission will only exceptionally be granted where it can be demonstrated, having regard to market demand or planning considerations:
 - a. Firstly it is inappropriate for any suitable employment use; and
 - b. Secondly it is inappropriate for employment with residential conversion as a subordinate part of a scheme for business re-use.
 2. Any conversion must meet the following criteria:
 - a. The buildings are structurally sound;
 - b. The buildings are not of a makeshift nature and have not been allowed to fall into such a state of dereliction and disrepair that any reconstruction would require planning permission as a new building;
 - c. The buildings are capable of re-use without materially changing their existing character or impact upon the surrounding countryside;
 - d. The form, bulk and general design of the buildings are in keeping with their surroundings;
 - e. Perform well against sustainability issues highlighted by policy DP/1.

3. Any increase in floor area will not be permitted except where it is necessary for the benefit of the design, or in order to better integrate the development with its surroundings. Future extensions of such buildings will not be permitted. Incidental uses such as car parking and storage should be accommodated within any group of buildings, or on well related land where landscaping can reduce the visual impact of the new site.
4. Development must be in scale with the rural location. Residential uses must be located close to local services and facilities, and in an accessible location with a choice of means of travel, including non-motorised modes. The cumulative impact of the conversion of a number of buildings on adjoining sites or the local area will also be considered.
5. Residential conversion permitted as a subordinate part of a scheme for business re-use, will be secured by planning condition or agreement to ensure the occupation of the dwelling remains directly related to the operation of the enterprise. The dwelling part of the unit must be interdependently linked with the commercial part. A live-work unit should have a minimum of 40m² of definable functional workspace in addition to the residential element. Internal uses may be horizontally or vertically split. The workspace must be flexible, and capable of accommodating a range of employment uses.

Consultations

13. **Little Abington Parish Council** recommends approval stating “We note there is no provision within the scheme for affordable housing and would be interested to know if there is any possibility of a financial contribution towards affordable housing to benefit the village.”
14. **Chief Environmental Health Officer** raises no objections but recommends that conditions requiring a site investigation relating to possible ground contamination and appropriate remedial works, the times during the construction period when power operated machinery shall not be used unless in accordance with agreed noise restrictions and driven pile foundations be attached to any approval. He also recommends an informative stating that there shall be no bonfires or burning of waste on site without his permission be attached to any permission.
15. At the time of application S/0070/05/F, the **Environment Agency** raised no objections to the proposal but recommended that conditions relating to surface and foul water drainage were attached to any approval. It also made advisory comments and recommended that Anglian Water be consulted.
16. At the time of application S/0070/05/F, the **Anglian Water** was consulted but did not make any comments.
17. At the time of application S/1522/04/F, the **Local Highway Authority** raised no objections but commented that the existing access should serve the residential development only and an alternative access should be provided to cater for the agricultural traffic leaving the farm.

Representations

18. None received.

Planning Comments – Key Issues

19. The principle of converting these buildings into 4 dwellings was established by the granting of permission under reference S/0070/05/F and I consider that the principle of converting the buildings into residential use is supported by LDF Policy HG/8. Information submitted as part of application S/0070/05/F demonstrated that there was no prospect in the foreseeable future of letting these buildings as business units at a rental that would justify the associated conversion costs.
20. The differences between this scheme and the scheme approved under reference S/0070/05/F are that: it is now proposed to extend the main barn by providing a first floor over the existing single storey lean-to at the western end; a 14.7m x 7.8m x 5.2m high single storey extension is now proposed extending to the north from the western end of the main barn; and revisions are proposed to the approved external alterations to the buildings.
21. The main issues to consider in relation to this application are therefore:
 - a. Whether there is any justification for the proposed extensions to the buildings to justify setting aside the normal presumption that an increase in floor area will not be permitted; and
 - b. Whether the proposed external alterations maintain the rural character and appearance of the buildings.
22. A statement submitted as part of the application states that: the existing scheme is poorly planned and not well thought out, including the offices taking up large chunks of the living and dining rooms; and the removal of the silo and large barn to the north of those to be converted will visually open up the site from the open countryside to the west and A1307 to the southwest allowing views of the access and car ports. A photograph has also been submitted which purports to show the boarding and pantile roof barn/stables that stood where the proposed single storey extension is now proposed prior to the erection of the existing 1960s concrete frame building. I have considered these points but remain to be convinced that many of the points could not be satisfactorily addressed without proposing extensions of the scale proposed. Views of the access and car ports from the A1307 should be obscured by planting rather than a new 14.7m long 5.2m high single storey extension and I do not consider that the proposed increase in floor area is necessary for the benefit of the design, or in order to better integrate the development with its surroundings.
23. The approved scheme (S/0070/05/F) involved an irregular arrangement of openings. The current scheme, which involves a greater number and a more formal arrangement of openings, including more openings in the western elevation of the buildings, is not considered to satisfactorily maintain the rural character and appearance of the buildings with consequent harm to the visual amenities of the countryside.
24. Other matters, including the provision of a new farm access, could be secured by condition and, in relation to the comments of the Parish Council, any approval could be subject to the payment of a affordable housing contribution in lieu of on-site provision. However, whilst I consider that revisions to the approved scheme which maintain the rural character and appearance of the buildings could be supported, the current application is recommended for refusal.

Recommendation

25. Refusal

1. The proposed extensions to the buildings are not considered necessary for the benefit of the design, or in order to better integrate the development with its surroundings. In contrast, they would make the development more conspicuous and thereby detract from the visual amenities of the countryside. The proposal is therefore contrary to South Cambridgeshire Local Development Framework Development Control Policies Submission Draft January 2006 Policy HG/8(3), which relates to the conversion of buildings in the countryside for residential use and states that an increase in floor area will not be permitted except where it is necessary for the benefit of the design, or in order to better integrate the development with its surroundings; Cambridgeshire & Peterborough Structure Plan 2003 Policy P1/2, which states that development in the countryside will be resisted unless the proposals can be demonstrated to be essential in a particular rural location; and South Cambridgeshire Local Plan 2004 Policy EN1, which states that planning permission will not be granted for development which would have an adverse effect on the character and local distinctiveness of Landscape Character Areas (the East Anglian Chalk Landscape Character Area in this instance).
2. Furthermore, by virtue of the number of openings proposed, particularly in the west elevation of the buildings which can be readily seen from the A1307, and the formal arrangement of openings, the proposal is not considered to satisfactorily maintain the rural character and appearance of the buildings with consequent harm to the visual amenities of the countryside. The proposal is therefore contrary to South Cambridgeshire Local Development Framework Development Control Policies Submission Draft January 2006 Policy HG/8(2e), which relates to the conversion of buildings in the countryside for residential use and requires schemes to not materially change the existing character of buildings or their impact upon the surrounding countryside; and South Cambridgeshire Local Plan 2004 Policy EN1, which states that planning permission will not be granted for development which would have an adverse effect on the character and local distinctiveness of Landscape Character Areas (the East Anglian Chalk Landscape Character Area in this instance).

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
- South Cambridgeshire Local Development Framework Submission Draft January 2006
- Planning file Refs: S/0345/06/F, S/0070/05/F, S/1522/04/F and S/0842/02/F.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th April 2006
AUTHOR/S: Director of Development Services

S/0136/06/F - Great Shelford
Erection of House & Garage following Demolition of Existing House & Garage at
1 Woodlands Close for Mr P David

Recommendation: Approval
Date for Determination: 24th March 2006

Site and Proposal

1. No 1 Woodlands Close was originally a 2 storey detached house with an attached garage at the side, set back from Woodlands Close and set in a generous plot that measures 25m x 140m. Woodlands Close and Woodlands Road are characterised by a low density form of development set within a network of private roads and properties that are predominately large detached dwelling in extensive grounds. The spacing between the houses adds significantly to the pleasing appearance of this part of the village. Neighbouring property, No 2 Woodlands Close, is a 2 storey house. Planning consent (ref. S/1746/04/F) granted for extensions at No 2 includes a 2 storey side extension measuring 21m long on the first floor and 23m long on the ground floor, and 8.2m high to the ridge. No 9 Woodlands Road, to the west of the application site is a 3 storey house with an 'L' shape outbuilding to the front/side elevation.
2. The full application, registered on 27th January 2006, proposes to replace the original dwellinghouse and garage with a larger 2½ storey, 5 bedroom property. The original property was demolished. The density equates to 3 dwellings per hectare.

Planning History

3. S/1334/05/F – Planning permission was granted on 22nd September 2005 for erection of house and garage following demolition of existing house and garage. Condition 2a (the materials to be used for the external walls and roofs) and condition 5a, 5b, 5c, and 5e (details of measures for bat mitigation and conservation) have been complied with.
4. S/0331/05/F - Planning permission was granted for extensions
5. It is considered that recent planning applications in the locality are relevant to the consideration of this application:
 - S/1746/04/F – Planning permission granted for extensions at 2 Woodlands Close (decision was made at 3rd November 2004 Committee); and
 - S/0877/04/F – Planning application was refused for extensions and outbuildings at No 3 Woodlands Close (dismissed at appeal).

Planning Policy

6. **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.

7. **Policy SE2** of the **South Cambridgeshire Local Plan 2004** states in part that redevelopment will be permitted within the village frameworks of Rural Growth Settlements provided that the retention of the site in its present form is not essential to the character of the village, and the development would be sensitive to the character and amenities of the locality.
8. **Policy HG10** of the Local Plan states that the design and layout of residential development should be informed by the wider character and context of the local townscape and landscape.
9. **Policy EN5** of the Local Plan requires trees to be retained wherever possible in proposals for new development.
10. **Policy CS5** of the Local Plan states that planning permission will not be granted for development where the site is liable to flooding, or where development is likely to increase the risk of flooding unless the effects can be overcome by appropriate alleviation and mitigation measures and secured by planning conditions or planning obligation.
11. **Policy EN13** of the Local Plan states that planning permission will not be granted for development which could adversely affect, either directly or indirectly, the habitats of animal species which are protected by law unless the need for the development clearly outweighs the importance of conserving that habitat and the advice of English Nature is sought, and appropriate conditions may need to be imposed to facilitate the survival of individual members of the species; reduce disturbance to a minimum; and provide adequate alternative habitats to sustain at least the current levels of population.
12. **Paragraph 39.25** of the Local Plan states that in order to protect the low density character of the housing at Woodlands Road and Woodlands Close, there will be a general presumption against infill development in this part of the village.
13. **Great Shelford Village Design Statement** identifies that Great Shelford exhibits variety in diverse ways, which imparts distinct character to the village and the individual areas within it. That character and distinctiveness should be acknowledged, and development and change be mindful of it. It also states that the setting, the trees, open spaces and groups of buildings, as well as individual buildings, combine to give distinctiveness to parts of the village. These elements should be considered together and not in isolation.

Consultation

14. **Great Shelford Parish Council** recommends refusal and states that 'the Parish Council prefer the simplicity, clear cut lines and materials of the approved application and would like to see the design built, in preference to the over-detailed proposal'.
15. **Ecology Officer** confirms that bat mitigation measures have been submitted to satisfy the requirement of Condition 5 of the planning consent under reference S/1334/05/F. It is recommended that a condition ensuring the provision of development of a new bat roost /hibernacula constructed to a design and in a location agreed by the Council be attached to any planning consent.
16. **The Chief Environmental Health Officer** raises no objections in principle although does express concerns about potential noise disturbance to residents during the construction period. As such, it is recommended that conditions restricting hours of

use of power operated machinery requiring details of method for construction of any driven pile foundations and preventing burning of waste on site be attached to any planning consent.

- 17. **Trees and Landscape Officer** raises no objection.
- 18. **Environment Agency** raises no objection to the proposed development provided that development, including landscaping and ground raising, does not extend into the indicative floodplain.

Representations

- 19. None

Planning Comments – Key Issues

- 20. The key issue in relation to this application is the design and use of materials in relation to visual impact upon the street scene, and character and appearance of the area.
- 21. This application is submitted following an approval of the previous application for a replacement house and garage. This scheme has the following alterations compared with the previous applications under reference S/0331/05/F and S/1334/05/F:

Reference/Items	S/0331/05/F Extensions	S/1334/05/F Replacement dwelling	S/0136/06/F Replacement dwelling
Eaves Height	5m	5.3m	5.4 m
Ridge Height	8.9m	9.3m	9.5m
Width	19.4m	21.2m	21m
Length	8.5m	10.5m	10.5m
Other changes	-	<ul style="list-style-type: none"> • A ground floor side element (providing larder & wine store) is larger • A dormer window added to the front elevation • A chimney added at the east side elevation 	<ul style="list-style-type: none"> • Addition & alteration to windows/ doors • Revised design to the front elevation • Alteration to the roof design of the side element (serving larder and boiler room); revised chimney design at the west side elevation • Alteration to the design and materials of the garden room • Detailed design of the balcony and bay windows

- 22. I consider that the revised design of the scheme would not adversely affect the neighbouring properties.
- 23. I had some reservations regarding the previous scheme (under reference S/1334/05/F) that the proposal, by reason of its height, scale, design and proximity to the side boundaries would represent a cramped and dominant form of development that would not respect the spacious character at Woodlands Close and Woodlands Road and that it would be out of keeping with, and detract from, the character of the surrounding area. The previous proposal was approved by Members at the 7th September 2005 Committee.

24. The revised scheme incorporates an increase in the height of the dwelling by 0.2m, a revised design of the front elevation with a porch and roof lights to replace the triangular windows, and detailed design of the balcony and bay windows and fenestration. It is my view that these changes and alterations would be an improvement to the approved scheme and would not harm the visual amenity.
25. Samples of materials to be used for the external walls and roofs have already been considered on site by the case officer earlier this year and it is considered that the use of York handmade 'Old Clamp Blend' facing brick work and Keymer 'Elizabethan Handmade' clay roof tiles are acceptable and in keeping with the surrounding area.

Recommendation

Approval, subject to the following conditions:

1. Standard Condition A – Time limited permission (Reason A);
2. The external materials of construction for the building works hereby permitted shall be York handmade 'Old Clamp Blend' facing brickwork, and Keymer 'Elizabethan Handmade' clay roof tiles unless otherwise agreed in writing with the Local Planning Authority – RC 19
3. SC5f – Details of the materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas. (Reason - To ensure the satisfactory appearance of the development.)
4. SC51 - Landscaping (RC51)
5. SC52 – Implementation of landscaping (RC52)
6. No development shall take place until full details of measures for bat mitigation and conservation have been submitted to and approved in writing by the Local Planning Authority. Provision prior to demolition or alteration of existing buildings and the commencement of development of a new bat roost / hibernacula constructed to a design and in a location previously approved in writing by the Council; and

The works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the local planning authority

(Reason - To ensure the development does not adversely affect bats; to accord with the requirement of South Cambridgeshire Local Plan 2004 Policy EN13)
7. During the construction period, SC26 (0800, 0800, 1800, 1300) – RC26
8. SC21 – Withdrawal of permitted development (Part 1, Classes A (The enlargement, improvement or other alteration of a dwellinghouse) and B (The enlargement of a dwellinghouse consisting of an addition or alteration to its roof)) (Reason - To ensure that additions and extensions which would not otherwise require planning permission do not overdevelop the site, and in particular close the gaps between the dwelling and the site's side boundaries, with consequent harm to the character and appearance of the Woodlands Close/Woodland Road 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:**
Policy P1/3 (Sustainable Design in Built Development)
 - **South Cambridgeshire Local Plan 2004:**
Policy SE2 (List of Rural Growth Settlements);
Policy HG10 (Housing Design);
Policy EN5 (The Landscaping of New Development)
Policy CS5 (Flood Protection); and
Policy EN13 (Protected Species)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise: visual impact in the locality.

Informatives

The applicant's attention is drawn to the Environment Agency's letter dated 29th July 2005 (comments for planning reference S/1334/05/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 demolition and construction, there shall be no bonfires or burning of waste on site except with the prior permission of the District Council's Environmental Health Officer in accordance with best practice and existing waste management legislation.

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:

Cambridgeshire and Peterborough Structure Plan 2003

South Cambridgeshire Local Plan 2004

Great Shelford Village Design Statement

File references: S/0877/04/F, S/1746/04/F, S/0331/05/F, S/1334/05/F and S/0136/06/F

Contact Officer: Emily Ip – Planning Assistant
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th April 2006
AUTHOR/S: Director of Development Services

S/0743/05/F – Great Shelford
Extension and Conversion of Agricultural Buildings into Education Tutorial Centre and
Erection of Lawnmower Garage at Caius Farm, Shelford Bottom for Beechwood
Education Trust

Recommendation: Approval of Amendment
Date for determination: Not applicable

Amendment

1. Members may remember that they gave officers delegated powers to approve the above planning application at the Committee meeting on the 1st June 2005. The permission was issued on the 4th August 2005.
2. The northern part of this clunch and slate building was to be used as a school hall. However, subsequent to receiving permission, the applicant has discovered that, by removing the modern concrete floor in this part of the building and thereby having the 'ground floor' partly below ground level, accommodation can be provided over two floors in this part of the building without involving any further changes to the external appearance of the building. A letter and amended plans have been submitted and approval is sought for revisions to the internal layout of the building to include two floors in this part of the building. The accompanying letter states that the additional floorspace would be used to provide specialist facilities such as textiles and cookery rooms and to improve the office and library area whilst allowing flexibility for possible future increases in the number of pupils.

Consultations

3. **Great Shelford Parish Council** recommends refusal of the amendment stating that "We do not feel the proposed plans are acceptable in that they will lead to alterations to the existing openings to the building and to the internal wooden structure. We feel this part of the building should be retained as a single storey entity."
4. **Conservation Manager** has no objections to the amendment.

Representations

5. The occupiers of neighbouring properties were notified of the amendment but none has made any comments.

Officer Comment

6. I recommended approval of the original application because, whilst I would not normally consider that a countryside location was an appropriate location for a school in terms of reducing travel distances and dependence on the car, having regard to the importance of finding a new use for this important (though not listed) clunch building and the location of student's homes, this location would seem appropriate.

This amendment may lead to an increase in the number of students that can be accommodated at the school but as it would make the best use of this existing building, I do not consider that this is reason to refuse the amendment.

7. The Parish Council is concerned that the amendment will lead to further alterations to the building. However, the plans show that the approved openings can and will be used to provide light to both floors and the timber frame need not be compromised. Any further external alterations to the building would require a further planning application and, if Members are minded to approve this amendment, I would recommend that it is approved on the clear understanding that no further openings are required.

Recommendation

8. Approval of the amendment as shown on plans dated stamped 30.1.06.

Contact Officer: Andrew Moffat – Area Planning Officer
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee

5th April 2006

AUTHOR/S: Director of Development Services

**S/0057/06/RM - Stow-cum-Quy
Erection of 48 Dwellings Including 24 affordable Dwellings, Land at Main Street for
Croudance Homes Ltd**

**Recommendation: Delegated Approval
Date for Determination: 14th March 2006 (Major Application)**

Site and Proposal

1. Vacant site of 1.0349ha on the south-eastern side of Main Street with Herrings Close to the south west, open arable land to the south-east (green belt) and the former vicarage, a Grade II* Listed Building and its gardens to the north-east.
2. There are a group of mature trees, protected by a Trees Preservation Order, on the Main Street frontage. The Reserved Matters application, received 13th January, proposes the erection of 48 dwellings, comprising 24 market and 24 affordable.
3. The breakdown of the accommodation is:
 - i) Market -
 - 2 x 1 bed
 - 4 x 2 bed
 - 13 x 3 bed
 - 5 x 3 bed

24 total
 - ii Affordable -
 - 6 x 1 bed
 - 12 x 2 bed
 - 12 x 2 bed

24 total
 - ii) Overall -
 - 8 x 1 bed
 - 16 x 2 bed
 - 19 x 3 bed
 - 5 x 4 bed

48 total

History

4. Consent granted in 1997 for the front section of the site, the plot being allocated in the 1993 Local Plan. The same plot was refused consent in 2001 for reasons of lack of affordable housing and insufficient use of land.
5. At the September 2002 Committee, following a visit to the site, members were minded to approve two applications one for 16 dwellings, inclusive 50% affordable,

on the front section of the site, and “residential development”, inclusive 50% affordable, on the whole site.

6. Both applications were Departure from the Development Plan and, as such, were advertised and referred to Go-East for comment. The response from Go-East was that it did not wish to intervene and it was for the Council to determine the applications. Approvals were subsequently issued with a Section 106 covering the matter of affordable housing, together with the transfer of the land and trees at the front to the Parish Council.
7. As subsequent application for 50 houses was refused under delegated powers in July 2005 for the reasons that:

1. Policies of both the Cambridgeshire and Peterborough Structure Plan, 2003 and the South Cambridgeshire Local Plan, 2004 reinforced by Government advice contained in PPS1 “delivering Sustainable Development” and PPG3 “Housing”, aim to promote high quality designs, and living environments, in the layouts of new developments.

The submitted scheme fails to meet these aims in all respects in that the proposed scheme, which is urban in character, would result in a nucleus of high density development contrary to the loosely spaced linear form of the village. The layout is tight to all external boundaries of the site resulting in the loss of, or future loss of, existing trees, 2½ and 3 storey housing, the rear gardens of which are only 10.0m - 12.0m deep, - insufficient to protect the existing greenery and/or provide adequate structural landscape to this important countryside and green belt boundary. Inadequate space is provided within the site for other landscaping. Other important trees within the site will be lost or severely compromised.

Notwithstanding the above fundamental objections to the whole design approach taken in respect of the application, the un-dimensions road layout for the storage of residents’ wheelie bins, not for their convenient and safe collection.

2. The site is immediately adjacent the Vicarage, a Grade II* Listed Building. Policies of both the Cambridgeshire and Peterborough Structure Plan, 2003, and the South Cambridgeshire Local Plan, 2004, reinforced by Government advice in PPG15 “Planning and the Historic Environment” seeks to protect the character and setting of such important buildings.

The erection of a block of flats 11.8m high and 17.0m wide, sited only 1.5m off the treed boundary and within 12.0m of the Vicarage, would be contrary to the above aims, - a factor further compounded by the unsuccessful architectural approach to suggest a late nineteenth century villa, presumably in an attempt to compliment the Vicarage.

Notwithstanding the above, other planned development along the north-western boundary of the site, sited close to the boundary, will intrude into the setting of the Listed Building and detract from its character and appearance.

Policy

- i) **Cambridgeshire and Peterborough Structure Plan 2003:**
P1/3 Sustainable design in Built development
P7/2 Biodiversity
P7/6 Historic Built Environment.

- ii) **South Cambridgeshire Local Plan 2004:**
 - SE5** List in Infill Villages
 - HG9** Residential Care Homes
 - HG7** Affordable Housing on site within Village Frameworks
 - HG10** Housing Mix and Design
 - Appendix 7/1** Standards for car Parking Provision
 - RT2** Public Open Space
 - EN28** Development within the Curtilage or Setting of a Listed Building

Consultations

8. Stow-cum-Quy Parish Council states:

“The Council generally felt that the revised application was a significant improvement on the previous design. This submission would appear to have appreciate architectural merit

The layout and design are acknowledged to respond to the site respect the original vicarage.

The number of houses is still felt to be excessive, and the impact on the village will be considerable, particularly the inevitable increase in traffic. However, it is not considered desirable to have fewer but larger houses. There is a pressing need for small houses in Quy. All recently built individual or pairs of houses are substantial.

It has been recorded that 50% of all size houses will be “low cost”.

Traffic is a problem, particularly during the morning rush hour, often with queues of cars right through the village from the traffic lights by the church to Colliers Lane. This development is going to exacerbate the problem. If the houses are built with no alteration to the existing road layout, the traffic problem will be much grater and last much longer. Residents of Herrons Close will be further adversely affected by cars from the new estate queuing to join Stow Road.

It has been requested that the junctions of Stow Road/Main Street/Herrons Close could be combined to a single junction with a roundabout. This would help to reduce the problem and have an additional advantage of contributing to reducing traffic speed through the village at quite periods of the day. Could the developer be asked to provide this?

Parking on the site is clearly inadequately, and the Council are concerned that cars will be parked along the new roads, but also Main Street, and probably elsewhere. This would not be acceptable.

There remains uncertainly about the new houses, is included. This will tend to encourage children to play on the new roads, which will be busy, and will be crowded with parked cars.

It was felt that some of the large houses, through centrally located, were out if scale. Similar sized houses are less dominating because the top floor is incorporated in the roof.

Convenient space for refuse and recycling bins does not seem to have included for all the houses. This is important, or they will tend to be left out. This results in untidy and unsanitary conditions.

Reassurance is required that the infrastructure will tolerate this development. Sewage is already a problem, and a sewer run below the site. Will the electricity service have sufficient capacity, and will a new sub-station be required.

The Council would be able to support this application if a number of houses were to be omitted. This would release space for additional parking, play areas, bin storage and would help to reduce the impact of traffic on the village.

The Parish Council would be prepared to take over responsibility of any additional open spaces if they can be planned as, either an extension to the front area already agreed or a separate block, subject of course to agreement and a further commuted sum being paid".

9. **The Local Highway Authority** has no objections to the amended drawing No. 046/10 rev A which overcomes its earlier comments.
10. **The Environment Agency** has no comments other than to ensure the disposal of surface and foul water is satisfactory. (NB - this would have been conditioned on the outline application.)
11. **Swaffham Internal Drainage Board** advises that, although the site is outside the district boundary, it actually drains into the district. No objections are raised to the use of soakaways for the entire development; if another system is proposed the Board should be re-consulted.
12. **English Heritage** has commented on two issues, firstly the frontage buildings and their relationship to the Vicarage, and secondly the remainder of the site o the gardens of the Vicarage.
 - i) **The Vicarage** "As regards the frontage buildings which will create a 'street scene' in combination to the Vicarage the reduction in scale of Building A is welcomed..., as long as the buildings do not challenge the Vicarage" Other points are made regarding the fenestration, and other details of the building. The block of flats, on the other side of the estate road, is set well back from the road which reduces its impact, but the 3 rooflights should be omitted and a stained glass window should be introduced into the blind arch on the street elevation.
 - ii) **The Gardens** The layout would be improved if the estate road could be curved towards the boundary with the Vicarage to create and area of breathing space". The traditional fans in the designs of the houses remains unsuccessful.
13. **Cambridgeshire Fire and Rescue Service** has not replied to the consultation.
14. **The General Works Manager**, SCDC states that all plots have adequate rear access for bin storage but there are some private drives where the distances bins will have to be pulled are in excess of 25.0m. To facilitate the turning of the RCV, the turning head at the top of the cul-de-sac will need to be provided with 6.0m kerb radii.
15. **The Conservation Manager** has no objections to the scheme insofar as it affects the setting of the Vicarage, stating:

"The revised design of units adjacent the Vicarage is more modest which will not visually compete with the status and character of this important historic building. The revised design has an improved relationship with the Vicarage which will not diminish

the architectural status of the Vicarage in the village as a whole, helping retaining its dominance in the streetscape.”

There is criticism at the apparent lack of a landscape plan and the treatment of the outer boundaries of the site, the lack of public open space and lack of public art provision.

16. **The Trees and Landscape Officer** is of the view that, whilst this scheme is preferable to the previous, the following issues remain:
- a) The proximity of the access at the entrance of the site will compromise the line tree (T4). Can the road be moved? Can the footpath be deleted? If not, can it be “no dig” construction?
 - b) Plots 23-25 should be moved 2.0m further away from the boundary to afford the Sycamore (T36) adequate clearance.
 - c) I agree that the 2 horse-chestnuts (T49 and T50) can be removed.
 - d) Various car-parking areas should be of “no dig” construction.
 - e) The multi-stemmed Elm adjacent Plot 37 (T17) should be retained.
 - f) Conditions are needed for tree protection and landscaping.

Representations

17. A letter on behalf of the corner of the Vicarage objects to the proposal for the reasons:
- a) Even though the numbers of dwellings has been reduced by two, it remains contrary to policies HG10 and EN28 of the Local Plan (Housing mix and design and setting of Listed Buildings) and the aims of PPG15.
 - b) The block adjacent the Vicarage has been substantially reduced whereby it is now at odds with the Vicarage and the flats at plots 43-48.
 - c) Overlooking from plots 3, 4 and 5.
 - d) Noise and disturbance from parking area
 - e) The applicants have made no attempt to contact my client to discuss the development.
 - f) It does seem strange that large open spaces and green areas have been provided on the opposite side of the site adjacent 7 Main Street, but not against my client's property.
 - g) Visibility splays appear inadequate and will entail the cutting back of vegetation which overhangs the highway.
 - h) Local difficulties of both foul and s.w. drainage
 - i) Too dense a development

Four residents of Herrings Close adjacent have objected for the reasons:

- a) Density too high
- b) Not enough parking spaces
- c) Too small gardens for many properties and lack of public open space
- d) Lack of buffer between new and existing properties
- e) Removal of tree on boundary
- f) Development does not benefit the community
- g) Will take away village and community spirit

- h) Additional traffic would create gridlock
- i) Support the need for new housing, and particularly the need for Affordable houses, but not crammed on every possible site
- j) The reduction to 4% does little to alter the scheme
- k) Still over the 30 houses approved for the site, and will represent a 15% increase in the number of dwellings in the village
- l) The gas tank could create problems of Health and Safety
- m) Lack of school provision and access to school
- n) Noise and pollution from traffic

A letter on behalf of the farming company which owns the land to the rear asks for a high and solid barrier on the rear boundary to prevent the risk of trespass and rubbish dumping.

Planning Comments – Key Issues

18. Whilst this is a Reserved Matters application, various issues have been raised by consultees and neighbours which are:

- (i) Density
- (ii) Effect on Listed Building
- (iii) Traffic
- (iv) Lack of infrastructure
- (v) Lack of public open space
- (vi) Boundary treatment/landscaping
- (vii) Parking

(i) Density. The overall density is 46.3dpha. Whilst accepting that this is high, Members should look at the overall housing mix, and especially note that, of the 48 houses, only five are to be 4-bedroomed. From experience of other housing developments, this is a very low percentage. It is imperative to look at the scheme itself, its layout and overall design, not just as to whether or not a specific number is right or wrong.

When the outline application was submitted, reference was made by the agent that, with a site area of just over 1ha, a scheme of 30+ could be achieved to reach the Government's **minimum** standard.

(ii) Effect on Listed Building. Both English Heritage and the Conservation Manager have no objections to the group of buildings immediately adjacent to the vicarage, although the former has raised several points of detail to improve the appearance of the building. It has also been suggested that the estate road should be "curved round" to run closer to the vicarage garden to maintain an element of open space.

The alignment of the road is partly dictated by the route of a public sewer which crosses the site; if diverted closer to the boundary of the vicarage it would increase noise and disturbance to the occupiers of the vicarage.

(iii) Traffic. During the peak morning rush hour traffic on the main road through the village, traffic queues back from the Quay interchange/Traffic lights as far as the crossroads in the centre of the village. In the other direction it queues on the Newmarket Road back as far as the Prince Albert Public House.

Vehicles from the planned 48 new dwellings will add to this problem but the Local Highway Authority has not raised objections to the amount of traffic generated and, if taken as a percentage of the traffic already on the B1102, it would be infinitesimal. The local view is that the junction of the B1102, Main Street and Herrings Close should be re-planned and re-aligned to incorporate either a mini-roundabout(s) and/or traffic lights.

Such a solution is not justifiable bearing in mind the fact that the site already has the benefit of a planning consent.

(iv) Lack of infrastructure. Although the village does have a shop/Post Office and three public houses, there is no village school. The County Council, as Education Authority, has not asked for a contribution towards extra school places.

Neither Anglian Water nor the Environment Agency have objected for reasons of inadequate drainage.

(v) Lack of Public Open Space. The mature trees on the frontage of the site, and the land associated with them, is to be transferred to the Parish Council under the 106 Agreement. This had an area of 162m².

The current layout proposes plots 43-48, a block of flats, to be set further back into the site on the south-western corner and the Developer is offering part of the space in front, which abuts the open space containing the trees, to the Parish Council. This is an additional 178m², making a total of 340m².

No additional public open space (P.O.S.) was requested at the time of the outline application. Policy RT2 asks for 60m² of P.O.S. per dwelling for schemes of 21+ houses. For this scheme, as submitted, we should be asking for 24 x 60.0m (1440m²) of P.O.S. If this area were to be provided, plots would be lost, whereby there would undoubtedly be less than 21 market houses. The additional 4 houses would, in themselves, require 4 x 60m² = 240m² of P.O.S. That offered, plus that covered by the 106 agreement, amounts to 340m².

In the circumstances, I feel that this is sufficient, albeit not ideal.

(vi) Boundary treatment/landscaping. No landscaping scheme has been submitted in detail, albeit indicative areas for planting have been shown.

The important countryside boundary, south-east, has been re-planned since the previous refused scheme, whereby houses **front** onto a 5.0m planting belt, as opposed to it being in the rear gardens. There is space of both of the side boundaries, to the gardens of Herrings Close and the vicarage, for the retention and reinforcement of existing hedges/trees. In respect of the Trees and Landscape Officer's comments, the point of access is virtually fixed by the geometry of the site and the need for visibility splays. The footpath adjacent the lime tree will be hand dug and all underground services will be under the footpath on the opposite side of the road.

(vii) Parking. Car parking is in accordance with the Authority's standards, but visitor parking is short; six more spaces are required.

19. For the above reasons I am satisfied that the scheme is basically acceptable and is a great improvement on that previously refused. However, some minor changes are

needed and an addendum to the Section 106 for the transfer of the Public Open Space to the Parish Council.

Recommendation

20. Delegated approval as outlined above.

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)
 - P7/2** (Biodiversity)
 - P7/6** (Historic Built Environment)
 - **South Cambridgeshire Local Plan 2004:**
 - SE9** (Village Edges)
 - HG7** (Affordable Housing on Sites within Village Frameworks)
 - HG10** (Housing Mix and Design)
 - Appendix 7/1** (Standards for Car-parking Provision)
 - RT2** (Public Open Space)
 - EN28** (Development within the Curtilage or setting of a Listed Building.)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Contrary to policies of Local Plan
 - Detrimental to setting of vicarage
 - Noise and disturbance
 - Inadequate infrastructure
 - Too high a density
 - Inadequate parking
 - Lack of public open space
 - No benefit to local community
 - Traffic congestion

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Files Ref: S/1203/97/O, S/0675/01/O, S/1154/02/O, S/1155/02/O and S/0911/05/RM

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

REPORT TO: Development and Conservation Control Committee

5th April 2006

AUTHOR/S: Director of Development Services

**S/0201/06/F - Waterbeach
Proposed New Bungalow to the Rear of 54 Way Lane, Waterbeach**

**Recommendation: Refusal
Date for Determination: 3rd April 2006**

Site and Proposal

1. The 0.065 application site lies within Waterbeach, situated on the eastern side of Way Lane in the north eastern part of the village. There is a house to the north, No. 56; a bungalow to the south, No. 52; and rear gardens of Hartley Close to the east.
2. The full application, received on 6th February 2006, proposes a two-bedroom bungalow to the rear of the existing, accessed from the existing vehicular access adjacent Nos. 54 and 56. The proposals provide car parking for two vehicles, which would access the new dwelling by extending the existing driveway. It is proposed that there be screen planting and a new hedgerow between the application site and number 56, and that a landscaping scheme would be agreed with the Authority at a later date. The density equates to 15 dwellings per hectare.
3. The application site is currently an extensively landscaped rear garden of an existing bungalow (number 54 Way Lane). The proposals include the removal of the existing garage of number 54, (to make way for an access route), together with a number of trees and various landscaping elements.
4. The site is within the defined village framework for Waterbeach, no other specific Local Plan designations apply.

Planning History

5. **S/0200/06/F-** Proposed rear extension, front porch and new vehicular access at 54 Way Lane, Waterbeach. This application was approved following the Chairman's Delegation meeting held on 16th March 2006.

Planning Policy

Cambridgeshire and Peterborough Structure Plan 2003

6. **Policy P1/3** states that a high standard of design and sustainability for all new development will be required which provides a sense of place which responds well to the local character of the built environment, is integrated with adjoining landscapes and pays attention to the detail of forms, massing, textures, colours and landscaping.

South Cambridgeshire Local Plan 2004

7. **Policy SE2** explains that Waterbeach is a 'Rural Growth Settlement' and that residential development will be permitted on unallocated land within the village

framework provided that the retention of the site in its present form is not essential to the character of the village; the development would be sensitive to the character of the village, local features of landscape or ecological importance and the amenities of neighbours; the village has the necessary infrastructure capacity; and residential development would not conflict with any other policy of the Plan.

8. **Policy SE8** notes that there will be a general presumption in favour of residential development within village frameworks.
9. **Policy HG10** 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.
10. **Policy HG11** explains that development to the rear of existing properties will only be permitted where the development would not result in overbearing, overlooking or overshadowing of existing residential properties; result in noise and disturbance to existing residential properties through the use of its access; result in highway dangers through the use of its access; or be out of character with the pattern of development in the vicinity.
11. **Policy EN5** notes that the District Council will require trees, hedges and woodland and other natural features to be retained wherever possible in proposals for new development.

South Cambridgeshire Local Development Framework Submission Documents 2006

12. **Policy ST/5** categorises Waterbeach as a Minor Rural Centre, and states that residential development and redevelopment up to a maximum scheme size of 25 dwellings will be permitted within the village framework.
13. **Policy DP/1** explains that development will only be permitted where it is demonstrated that it is consistent with the principles of sustainable development, as appropriate to its location, scale and form. It should make efficient and effective use of land by giving priority to the use of brownfield sites and achieve adaptable, compact forms of development through the use of higher densities, compatible with the location in terms of services, accessibility and the character of the local area.
14. **Policy DP/2** notes that all new development must be of high quality design and, as appropriate to the scale and nature of development, should preserve or enhance the character of the local area, and be compatible with its location and appropriate in terms of scale, mass, form, siting, design, proportion, materials, texture and colour in relation to the surrounding area.
15. **Policy DP/3** states that planning permission will not be granted where the proposed development would have an unacceptable adverse impact on residential amenity.
16. **Policy DP/7** explains that development and redevelopment of unallocated land within development frameworks will be permitted provided that, amongst a number of objectives, retention of the site in its present state does not form an essential part of the local character, and that the development would be sensitive to the character of the location and the amenities of neighbours.

Consultations

17. **Waterbeach Parish Council** - Recommends approval of the application, subject to no neighbour detriment. In addition, a 2.4 metre close-boarded fence should be erected between 54 and 56 Way Lane for the full length of the boundary.
18. **Waterbeach Internal Drainage Board** - Provided that the surface water disposal is via soakaways, there is no objection to the application. If a different method of surface water disposal is considered, then the Board needs to be re-consulted.
19. **Trees and Landscape Officer** states: The major trees on site, a Willow and 2 Prunus have already been removed. There are no objections to the removal of the smaller trees located towards the rear of the site. Landscaping condition required if approval granted.

Representations

20. None received

Planning Comments – Key Issues

Impact on the character of the area

21. The application proposes the erection of a two-bedroom bungalow, to be sited to the rear of number 54 Way Lane. The new bungalow is proposed to take its access from an existing access point that leads from Way Lane to the existing bungalow (number 54). The proposed plan includes two car parking spaces.
22. The application site is set in a well established residential area of the village, where development is characterised by good sized properties that are set well forward in substantial plots with rear gardens backing onto one another.
23. It is considered that the proposed new dwelling would be out of character with the pattern of development in the vicinity of the application site. There are no examples of such backland development along this part of Way Lane, and therefore this current proposal is out of character with this area of Waterbeach.

Impact on amenity of adjacent occupiers

24. The access to the proposed new dwelling is a continuation of the existing driveway to number 54 Way Lane. The existing access would be extended into the existing rear garden of the property, leading to the proposed new dwelling. The length and width of the proposed access is approximately 51 metres and 3 metres respectively, running immediately adjacent to number 54 along the entire length of its new, reduced garden.
25. The rear gardens of the houses along Way Lane are relatively secluded and the introduction of an access road to serve the new dwelling would introduce noise and disturbance associated with the movement of vehicles into the area behind the house. The occupants of number 54 would be conscious of comings and goings along the access way, which would harm the amenity of the occupiers.
26. The applicants have sought to mitigate the impact of the access by proposing to erect a 1.8 metre high brick wall between the access and number 54, and screen planting and a hedgerow between the access and number 56 Way Lane. It is considered that these would not mitigate for the impact of the extension of the driveway on

neighbours. It is considered that the proposed access way would cause significant noise and disturbance to the occupiers of number 54 Way Lane.

Recommendation

27. Refusal of the application, for the reasons:
1. The proposed access driveway, by reason of its close proximity to and relationship with number 54 Way Lane would result in undue disturbance to those residents of the above mentioned property through the use of the proposed access. This application is therefore contrary to Policy HG11 of the South Cambridgeshire Local Plan 2004 which states that, amongst others, that development to the rear of existing properties will only be permitted where the development would not result in noise and disturbance to existing residential properties through the use of its access.
 2. The proposed siting of the new dwelling, to the rear of the existing number 54 Way Lane, would be out of character with the pattern of development in the vicinity, as there is no similar backland development along this section of Way Lane. This application is therefore contrary to Policies SE2 and HG11 of the South Cambridgeshire Local Plan 2004 which state that, amongst others, that development to the rear of existing properties will only be permitted where the development would not be out of character with the pattern of development in the vicinity

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

- South Cambridgeshire Local Plan 2004
- South Cambridgeshire Local Development Framework Submission Documents 2006
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Files Reference S/0200/06 and S/0201/06/F

Contact Officer: Area Team 2

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th April 2006
AUTHOR/S: Director of Development Services

S/1254/03/F and S/1363/03/LB – Whittlesford
Change of Use and Internal and External Alterations, Extensions and Conversion of Former Officers' Mess (Building 45) to Hotel Complex (110 Beds), Conversion of Barrack Building (Building 147) into Administration and Training Block and Squash Court (Building 46) into Multi Purpose Meeting Room as Part of Hotel at Officers' Mess, Imperial War Museum, Duxford for Pederson (Duxford Ltd)

Recommendation: Approval of Amendments
Date for determination: Not applicable

Amendment

1. At the 7th April 2004 meeting of this Committee, Members resolved to give officers delegated powers to approve the applications subject to further discussions on size, landscaping, design, position in relation to neighbouring properties and siting of the refuse area, to the application being advertised as a Departure from the Development Plan, being referred to the Secretary of State and not being called in for determination, and to consultation with the local Member. Amended plans were received, the Secretary of State confirmed he did not wish to call in the applications and the applications were duly approved on the 4th and 5th October 2004.

2. A letter and plans have been received seeking approval of amendments to the scheme. The number of rooms and overall facilities and format remain unchanged. In summary, these amendments entail:
 - a. Deletion of a basement area and relocation of approved basement leisure facilities to ground floor;
 - b. A reduction in room sizes from 30m² to 28m² and reconfiguration of internal spaces;
 - c. Alterations to the fenestration;
 - d. Revision to footprint of new build;
 - e. Change in the use of the Listed Barrack Block from offices to a gym and health and beauty treatment facility;
 - f. Deletion of link to Listed Squash court to leave it freestanding in courtyard with greater distance created between the court and the surrounding buildings; and
 - g. Widening of single storey link rear of Officers Mess within internal courtyard to eastern side to provide a cellar and staff facilities.

The agent has also clarified that the Squash Court is seen as a flexible space and is to be retained as a meeting area/display area/possible cinema.

Planning Policy

3. The original application was, and these amendments need to be, considered in the light of National Planning Guidance and policies contained in the Structure Plan 2003 and Local Plan 2004. Of particular relevance to these amendments are the policies relating to listed buildings including Local Plan 2004 Policies **EN20** (Extension to Listed Buildings), **EN21** (Preservation of Listed Buildings By Salvage or Record), **EN26** (Conversion of Listed Buildings to New Uses) and **EN28** (Development Within the Curtilage or Setting of a Listed Building).

Consultations

4. **Whittlesford Parish Council** recommends approval stating that “In approving these amended plans the Parish Council ask that the District Council try to mitigate any adverse effects, particularly noise and light pollution that the development might have on the near neighbours in Ledo Road, Whittlesford.”
5. **Thriplow Parish Council** “objects to the proposals. They do nothing to improve an ugly development which is unsympathetic to the listed building and to the surrounding rural area. It is noted that part of the A505 is included within the site boundary (drawing 10387/100). Is this correct?”
6. **Duxford Parish Council** recommends approval.
7. **Conservation Manager** makes the following comments: Generally the footprint remains much the same and the visual appearance of the new build remains very similar to the approved scheme. The proposal to use the barrack building as a gym and beauty salon is supported – such uses are considered to be appropriate. The impact on the Mess Building is considered to be acceptable – the additional single storey section is not considered to adversely affect the character or appearance of the building. The removal of the link and pushing back of the buildings will give the Squash court a better setting. Confirmation that the Squash Court is to be retained as a meeting area/display area/possible cinema is welcomed as it is important to ensure it is retained as part of the new development to avoid any future pressure for its demolition. The proposed amendments are not considered to significantly depart from the approved scheme and are not considered to adversely affect the Listed Buildings on the site.
8. **English Heritage** states that it does not wish to comment on the amendments.
9. **Whittlesford Society** and the **20th Century Society** were consulted on the amendment but have not made any comment.

Representations

10. Those who commented on the application were notified of the amendment but no comments have been received.

Planning Comments – Key Issues

11. The main issues in relation to this application are whether the proposed amendments would compromise the character and appearance of the building or the area or adversely affect the amenity of local residents.
12. The proposal is for a slightly scaled-down scheme but remains a 110 bed hotel. In view of the comments of the Conservation Manager and as the proposed amendments

are not considered to adversely affect the amenity of local residents, or any other planning considerations, it is recommended that the amendments be approved.

Recommendation

13. Approval of amendments as described in Design Change Statement and shown upon drawing nos. 10387/100 'D', 10387-A-90-P01 'A' 10387-A-05-P02 'A', 10387-A-05-P03 'A', 10387-A-05-P04 'A', 10387-A-07-P01 'A', 10387-A-07-P02 'A', 10387-A-07-P03 'A', 10387-A-07-P04 'A' and 10387-A-07-P05 date stamped 1.2.06.

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/1245/03/F and S/1363/03/LB

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee5th April 2006**AUTHOR/S:** Director of Development Services

**S/0283/06/RM - Over
Reserved Matters Application for Proposed Dwelling on Land
Between 10 and 16 Hilton Street for Mr & Mrs A G B Vincent**

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

Members will visit the site on Monday 3rd April 2006.

Site and Proposal

1. The 0.1ha application site is to the side of an Edwardian villa at 16 Hilton Street, and adjoined to the north-east by a modern house (number 10 Hilton Street). The front of the site is screened by an attractive brick wall, along its full length. There are a number of small trees on the site. Dwellings in the vicinity of the site are predominantly detached two-storey houses.
2. The application, which was received on 16th February 2006, proposes to erect a single 4/5 bedroom detached house on the land. This application is a reserved matters application, which includes siting, access, appearance and landscaping. The current proposals have been submitted after the grant of permission in outline for one dwelling on the site in September 2005. The density equates to 10 d/ha.
3. The site is within the defined village framework for Over, no other specific Local Plan designations apply.

Planning History

4. **S/1407/05/O** - Outline Planning permission was approved on the site for the erection of one house on 7th September 2005.

Planning Policy

Cambridgeshire and Peterborough Structure Plan 2003:

5. **Policy P1/3** states that a high standard of design and sustainability for all new development will be required which provides a sense of place that responds to the local character of the built environment.
6. **Policy P5/5** notes that small scale housing development 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.

South Cambridgeshire Local Plan 2004:

7. **Policy SE3** explains that Over is a 'Limited Rural Growth Settlement' where development up to a maximum scheme size of 30 dwellings will be permitted within the village framework provided that the retention of the site in its current form is not essential to the character of the village; the development would be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours; the village has the necessary infrastructure capacity; and residential development would not conflict with another policy of the Plan.
8. **Policy SE8** notes that there will be a general presumption in favour of residential development within the frameworks of villages.
9. **Policy HG10** states that residential developments should have a mix of units to make the best use of the site. The design and layout of schemes should be informed by the wider character and context of the local townscape.

South Cambridgeshire Local Development Framework Submission Documents 2006:

10. **Policy ST/6** categorises Over as a Group Village, and states that residential development and redevelopment up to a maximum scheme size of 8 dwellings will be permitted within the village framework.
11. **Policy DP/1** explains that development will only be permitted where it is demonstrated that it is consistent with the principles of sustainable development, as appropriate to its location, scale and form. It should make efficient and effective use of land by giving priority to the use of brownfield sites and achieve adaptable, compact forms of development through the use of higher densities, compatible with the location in terms of services, accessibility and the character of the local area.
12. **Policy DP/2** notes that all new development must be of high quality design and, as appropriate to the scale and nature of development, should preserve or enhance the character of the local area, and be compatible with its location and appropriate in terms of scale, mass, form, siting, design, proportion, materials, texture and colour in relation to the surrounding area.
13. **Policy DP/3** states that planning permission will not be granted where the proposed development would have an unacceptable adverse impact on residential amenity
14. **Policy DP/7** explains that development and redevelopment of unallocated land within development frameworks will be permitted provided that, amongst a number of objectives, retention of the site in its present state does not form an essential part of the local character, and that the development would be sensitive to the character of the location and the amenities of neighbours.

Consultations

15. **Over Parish Council** - Recommends refusal of the application as the Parish Council feels that this proposed dwelling would be out of character with the streetscene. The roofline is so high that it dominates neighbouring dwellings, and appears to be three-storey, which is not in character with surrounding dwellings. It is also noted that the façade is ill-proportioned.
16. **Chief Environmental Health Officer** - In relation to noise and environmental pollution, there are no significant impacts.

17. **Trees and Landscape Officer-** Comments awaited

Representations

18. Objection received from the owners of number 16 Hilton Street raising the following concerns:
- a) In relation to the general appearance the proposed dwelling is not consistent with properties either side; it is too imposing on the properties either side; the house seems too large for the plot (boundary to boundary); the proposed dwelling is considerably higher than both properties either side (numbers 10 and 16).
 - b) In relation to the house position it is considered that the proposed dwelling is not consistent with the existing properties either side and is positioned too far back on the plot (the front elevation of the proposed dwelling is in line with the rear elevation of number 16); the proposed position of the dwelling will impact considerably on the amount of light and privacy in the garden of number 16 Hilton Street.
 - c) In relation to privacy, it is considered that the first floor windows (bathroom and en-suites) should be obscurely glazed.
 - d) In relation to other issues, at the present time there is a tree situated close to the boundary of number 16 and the application site. This tree does not appear to have been included in the drawings.

Planning Comments – Key Issues

Design of the proposed dwelling

19. This application proposes the erection of one two-storey dwelling, sited between 10 and 16 Hilton Street. The proposed new dwelling incorporates a living room, dining room, family room, kitchen, pantry and study downstairs, whilst upstairs there would be 4 bedrooms, a TV room, 2 en-suites and a family bathroom.
20. The proposed dwelling has a ridge level of approximately 8.8 metres, which is taller than the dwellings either side of the application site (approximately 1m higher than No. 10 and 1.5m higher than No. 16). However, as the proposed dwelling is sited further back into the plot than either number 10 or 16, it is not considered that the height of the new dwelling would be inappropriate in this instance.
21. The design of the proposed dwelling incorporates a number of windows in its elevations. It is my opinion that some form of detailing around the sills of the dwelling would result in a design of the house linking much better with the existing surrounding properties. Contact has been made with the applicant's agent with regards to this, and it was been agreed that a condition will be attached if approval is granted.
22. The application submission contains drawings of the existing and proposed street scene, which creates a vision of how the proposed dwelling would look, and its effect on the street scene. It is clear from these drawings that the application proposals would blend in well with the existing dwellings along Hilton Street, and that the new dwelling takes account of the features of the existing houses in its vicinity. In my opinion the setting of this section of Hilton Street is preserved by the proposed dwelling, and there would be no significant detrimental impact upon the area.

23. It is considered that the design of the proposed dwelling takes account of the surrounding properties, and results in an appropriate form of development in this location. The vicinity of the application site contains a number of large detached dwellings, and it is believed that the current proposals relate well to the existing street scene.

Siting of the proposed dwelling

24. The new dwelling is proposed to be sited approximately 11.6 metres from the footpath at the front of the application site. It is proposed that there be a double garage with bedroom above under a hipped room attached to the front of the dwelling (approximately 3.2 metres from the frontage).
25. Whilst this is further back than numbers 10 and 16 Hilton Street, it is considered that the siting of the proposed house is acceptable given the height of the dwelling and that the garage is situated to the front of the proposed dwelling. Kitchen and en-suite windows in the south-east elevation should be obscured glazed to avoid overlooking of the garden of No. 16.

Means of access to the proposed dwelling

26. It is proposed that the new dwelling will have an access taken from the frontage of the site, directly off Hilton Street. A 3.5 metre wide section of the existing brick wall would be removed to achieve the access point, and also an existing lamp post would be removed. Pedestrian visibility splays have been incorrectly shown on the submitted plans and require amendment.
27. To the front of the new dwelling would be a paved forecourt, together with planting around this frontage. A number of smaller trees will still remain on the frontage of the site.

Landscaping of the proposed dwelling

28. The application proposals include planting to the front of the site, and along the front end of the boundary with number 10 Hilton Street. It is also proposed that there be planting to the front of the proposed dwelling itself, and to the rear. Two trees are to be retained to the front of the application site, whilst the land to the rear of the proposed dwelling is to remain in its current state (covered in vegetation and a variety of trees).
29. No concerns have been raised over the landscaping to the proposals. It is recommended that a landscaping condition attached to any approval, so that boundary treatment and landscaping can be agreed at a later date.

Recommendation

30. Subject to the pedestrian visibility splays being correctly specified, approval of the reserved matters (siting, design, means of access and landscaping) pursuant to outline planning permission dated 7th September 2005 reference S/1407/05/O and to the conditions attached hereto:
1. Sc5a – Details of materials for external walls and roofs (Rc5a);
 2. Sc51 – Landscaping (Rc51);
 3. Sc52 – Implementation of landscaping (Rc52);

4. Sc60 – Details of boundary treatment (Rc60);
5. 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);
6. No development shall commence until details of detailing around the window sills have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved plans. (Reason - To ensure that visually the development accords with neighbouring buildings and enhances the character of the area);
7. Sc21 - Withdrawal of Permitted Development - No dormer windows shall be inserted in the northeast or southwest roof space of the development, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority. (Reason - To ensure that the proposed dwelling is in keeping with the character of adjoining dwellings.)
8. Sc22 - No further windows.....south elevation.....(Rc22).
9. Sc23 - Obscured windows - kitchen and bedroom/en-suite in the south east elevation. (Rc23).

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
P1/3 (Sustainable design in built development)
P5/5 (Homes in Rural Areas)
 - **South Cambridgeshire Local Plan 2004:**
SE3 (List of Limited Rural Growth Settlements)
SE8 (Village Frameworks)
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:
 - Visual impact on the locality
 - Impact on the amenities of No. 16 Hilton Street

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

- South Cambridgeshire Local Plan 2004
- South Cambridgeshire Local Development Framework Submission Documents 2006
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning files reference S/1407/05/O and S/0283/06/RM

Contact Officer: Area Team 3

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee5th April 2006**AUTHOR/S:** Director of Development Services

S/0068/06/F – Over**Erection of Bungalow and Alterations to Vehicular Access and Car Parking for Existing Dwelling on Land Adjacent 6 Lowburyholme Road for Mr and Mrs Clements****Recommendation: Approval****Date for Determination: 12th May 2006****Site and Proposal**

1. The application relates to an irregular shaped site situated on the northern side of Lowburyholme Road, to the front of and adjacent to 6 Lowburyholme Road. The site currently forms part of the garden of 6 Lowburyholme Road and contains a vehicular access to No. 6 and detached double garage. The site is split into two areas, being the intended residential curtilage of a new dwelling with detached garage with a site area of approximately 0.046 hectares (0.11 acres) and area to the front of the existing dwelling to provide a replacement vehicular access and car parking area. The entire site is within but adjacent to the village framework boundary for Over.
2. Adjacent the site to the north-east is residential garden, bungalow (No. 6) to the south-east, woodland to the south-west and scattered rural buildings and field to the north-west. There is a row of trees adjacent to, but outside, the north-western property boundary of the site.
3. Public Footpath No. 17 Over runs along the full length of Lowburyholme Road. Lowburyholme Road is characterised by a mixture of dwelling types.
4. The reserved matter application received on 17th January 2006 and amended to a full planning application received 17th March 2006 proposes the erection of a three-bedroom bungalow with an eaves and ridge height of 2.7m and 5.8m respectively. The bungalow will have a front and rear gable end and be setback a minimum of 4.8m from the front property boundary. The proposal equates to a density of 21.9 dwellings per hectare. Serving this bungalow is a detached garage measuring 2.4m in width, 6m in length and 3.5m in height.
5. The site area has been amended to include the grass verge adjacent Lowburyholme Road and replacement vehicular access and car parking area for the existing dwelling.

Planning History

6. Outline planning permission for a bungalow with means of access approved at the outline stage, was approved on 31 March 2005 subject to several conditions of consent (**Ref: S/2539/04/O**). Condition 4 of the consent required the dwelling to be single storey only.
7. Outline planning application **S/2188/04/O** with all matters reserved was withdrawn on 10 December 2004.

8. Planning permission was given for an extension to the dwelling in 1981 (Ref: **S/0663/81/F**).
9. Outline planning permission for a dwelling on this site was refused in 1980 (Ref: **S/0874/80/O**).

Planning Policy

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 P5/3** of the County Structure Plan 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.
12. **Policy P5/5** of the County 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.
13. **Policy SE3** of the adopted South Cambridgeshire Local Plan 2004 (“ The Local Plan 2004”) identifies the village of Over as a Limited Rural Growth Settlement. This policy permits residential development and redevelopment within this village providing:
 - (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 employment policy EM8.

It adds that development should achieve a minimum density of 30 dph unless there are strong design grounds for not doing so.

It is noted that **Policy ST/6** of the Core Strategy Local Development Framework Submission Draft (2006) identifies Over as a Group Village.

14. **Policy SE9** of the 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.
15. **Policy HG10** of the 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. Schemes should also achieve high quality design and distinctiveness, avoiding inflexible standards and promoting energy efficiency.
16. **Policy EN5** of the Local Plan specifies that trees, hedges and woodland and other natural features should be retained wherever possible in proposals for new development. Landscaping schemes will be required to accompany applications for

development where it is appropriate to the character of the development, its landscape setting and the biodiversity of the locality.

Local Development Framework Submission Draft 2006:

17. **Policy DP/1** states that development will only be permitted where it is demonstrated that it is consistent with the principles of sustainable development, as appropriate to its location, scale and form. It outlines various criteria to assess the sustainability of proposed development.
18. **Policy DP/2** outlines that all new development must be of high quality design, appropriate to the scale and nature of the development. It outlines criteria, which define what is meant by high quality design.
19. **Policy DP/3** outlines requirements for new development within the district. Of particular relevance is the statement that planning permission will not be granted where the proposed development would have an unacceptable adverse impact on village character.
20. **Policy DP/7** largely reiterates the advice contained in policy SE3 regarding development and redevelopment of land on unallocated land within village frameworks.
21. **Policy HG/b** outlines that new residential proposals should protect and enhance the environment by making the best use of land and being appropriate to its location.
22. **Policy HG/1** states that residential developments will make the best use of land by achieving average net densities of at least 30 dwellings per hectare, unless there are exceptional local circumstances that require a different treatment.

Consultation

23. **Over Parish Council** – Recommendation of Refusal of Original and Amended Application.

“Concerns that the bungalow size is increased from two to three bedroom and may be outside building line. Concerns also that possible inadequate parking provision will lead to on-road car parking in a single track lane where access to farmer’s field is required”.

Any additional comments received in response to the latest set of amended plans will be verbally reported at Planning Committee.
24. **Chief Environmental Health Officer** – No objection, subject to the use of conditions to minimise noise during construction.
25. **Trees and Landscape Officer** – No objection. “The proposed footprint will compromise existing tree/shrub cover on the boundary. The quality of the vegetation is mediocre either in species or quality – predominantly Leylandii, Cypress and regenerated Sycamore. I therefore have no objection to the loss of this vegetation. The boundary is however important in relation to the aspect of edge of village boundary. The re-establishment of a hedge on this boundary is therefore desirable. A minimum clearance from boundary to footprint of 3m is required. This however may require specific consideration of foundation type to accommodate such planting”.
26. **Cambridgeshire Local Access Forum** – No response received.

27. **Cambridgeshire County Council, Definitive Map Officer** – No objection, but recommends the use of informatives on any consent issued.
28. **Ramblers Association (Cambridge Group)** – Raises concerns that the proposal may result in damage to public footpath, or lack of public access to public footpath.

Representations

29. None received.

Planning Comments – Key Issues

30. The key issues for consideration in the assessment of this planning application are as follows:
- a) Impact of dwelling on streetscene and character and appearance of adjacent land within Countryside;
 - b) Impact on Residential Amenity of adjacent bungalow;
 - c) Impact on highway safety; and
 - d) Whether the proposal represents an efficient use of land in terms of density.

Impact on Streetscene and Character and Appearance of Adjacent Land within Countryside

31. The principle of the erection of a bungalow on this site has previously been established by approved outline planning application S/2539/04/O. I am of the view that the proposed bungalow with detached garage will have an acceptable visual impact upon the streetscene of Lowburyholme Road. Whilst the proposed bungalow will have a higher ridge height than the adjacent bungalow, No. 6, the height of the dwelling on the north-west and south-east elevations have been kept low.
32. It is noted that Lowburyholme Road is characterised by a mixture of dwellings, and the proposed dwelling whilst being of different appearance to existing dwellings, will not be out of character or overly prominent in the streetscene. The proposed dwelling will have a similar setback to the road as adjacent dwellings.
33. The proposal is considered to have an acceptable visual impact on the amenities of adjacent land within the Countryside. Whilst the proposed dwelling may compromise some trees along the village edge, remaining trees and existing rural buildings, will provide sufficient screening for the property, taking into account its low eaves height and bungalow appearance.
34. It is acknowledged that the proposed siting of the dwelling will not allow for tree screening or hedge planting along the north-west property boundary.

Impact on Amenities of Adjacent Dwelling

35. I am of the view that the proposal will not seriously harm the amenities of occupants of the adjacent bungalow, No. 6 Lowburyholme Road. The proposal will not result in an undue loss of light, given its orientation to the west of the adjacent bungalow and roof design. Nor will the proposal result in an undue loss of privacy or appear unduly overbearing.

Impact on Highway Safety

36. It is noted the means of access from Lowburyholme Road was approved under the earlier outline planning application. The proposed means of access to the new dwelling is similar to that previously approved.
37. The current application involves the creation of two separate vehicular accesses for both dwellings, with a detached garage serving the proposed dwelling, and replacement car parking for the existing dwelling. I am satisfied that safe vehicular access can be provided to both properties from the metalled and formally adopted section of Lowburyholme Road. I am also satisfied that sufficient room is available on both the proposed and existing properties for the parking of two average sized vehicles, in accordance with the Council's maximum car parking standards.
38. However, I am not convinced that the proposed car parking arrangement for either property provides satisfactory on-site turning when two vehicles are parked on-site and may lead to vehicles reversing onto the road. Nevertheless, I am of the view that on-site turning is not essential in this position, given expected low traffic volumes along this road, a slow traffic speed of 30mph and absence of on-site turning for the existing dwelling.
39. A condition is recommended requiring details of the parking arrangements for vehicles during the period of construction, to discourage car parking on Lowburyholme Road.
40. Subject to a condition, requiring car parking to be provided and maintained for both dwellings/properties, I am of the view that the proposal will not result in a significant loss of highway safety.
41. I am also of the view that the proposal would not reduce the accessibility of the public footpath along Lowburyholme Road.

Efficient Use of Land and Housing Density

42. The proposal equates to a housing density of 21.7 dwellings per hectare, as opposed to the 30 dwellings per hectare promoted by Policy SE3 of the South Cambridgeshire Local Plan 2004 and Policy HG1 of Local Development Framework, Submission Draft 2006. Nevertheless, in this case there are material considerations which justify a lower housing density, including the previous outline consent, its position on the edge of the village framework and low height of the adjacent dwelling.

Recommendation

43. Approve as amended by letter dated 16th February 2006 with attached forms and revised location plan and site plan franked 17th March 2006 and Certificate B dated 17th March 2006.

Recommended Conditions of Consent

1. ScA – 3 years.
2. Sc5a – Details of materials for external walls and roofs (Rc5ai and aii);
(e) Finished floor levels (Rc5e); (f) Materials to be used for hard surface areas within the site, including driveways and car parking areas. (Rc5f).

3. Before development commences, a plan specifying the area of the site to be reserved for the parking and turning of vehicles clear of the public highway during the period of construction shall be submitted to and agreed in writing by the Local Planning Authority; such space shall be maintained for that purpose during the period of construction. (Reason - In the interests of highway safety.)
4. The permanent space to be reserved on the site for the parking for both the proposed and existing dwelling at No. 6 Lowburyholme Road shall be provided prior to the occupation of the proposed dwelling and thereafter maintained. (Reason - In the interests of highway safety.)
5. Pedestrian visibility splays within an area of 2.0m by 2.0m measured from and along the back of the footway respectively, for both the proposed and existing dwelling at 6 Lowburyholme Road, shall be provided before the occupation of the new dwelling. (Reason - In the interests of highway safety.)
6. Visibility splays required by Condition 5 of this Decision Notice shall be provided on both sides of the vehicular access for both the proposed and existing dwelling at 6 Lowburyholme Road, and shall be maintained free from any obstruction over a height of 600mm. (Reason - In the interests of highway safety.)
7. Sc21 – Withdrawal of Permitted Development Rights – a) Part 1 (Development within the curtilage of a Dwellinghouse – All Classes and Part 2 (Minor Operations) Class A and B.
(Reason - To ensure that alterations or extensions to the dwelling which would not otherwise require planning permission do not overdevelop the site with consequent harm to the visual amenities of the streetscene or the residential amenities of adjacent properties.)
8. No windows or openings of any kind shall be inserted at first floor level in the south-east elevation of the proposed dwelling, hereby permitted.
(Rc22 and to safeguard the privacy of occupiers of the adjoining property, 6 Lowburyholme Road.)
9. Sc26: - Restriction on the Use of Power Operated Equipment during Period of Construction - 0800 hours to 1800 hours weekdays and 0800 hours to 1300 hours on Saturdays. (Rc26)
10. Sc60: Details of boundary treatment.
(Reason - To ensure that the appearance of the site is appropriate to its position adjacent the village edge and that boundary treatment does not harm the residential amenities of adjacent dwellings.)
11. Sc51 Landscaping (Rc51).
12. Sc52: Landscaping (Rc52).

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), **P5/3** (Density) and **P5/5** (Homes in Rural Areas);
 - **South Cambridgeshire Local Plan 2004:** **SE3** (Residential development in Limited Rural Growth Settlement), **HG10** (Housing Mix and Design), **EN5** (The Landscaping of New Development) and **SE9** (Village Edges)
2. The proposal is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Visual impact on the locality
 - Design and Appearance
 - Highway safety
 - Accessibility of public footpath

Environment Agency Informatives

Informatives regarding surface water and drainage

Cambridgeshire County Council, Countryside Access Team Informatives

Public Footpath No. 17 Over runs along the south-west boundary of the site.

- The development must not encroach onto the footpath, any encroachment would constitute an obstruction. It is an offence under s.137 of the Highways Act 1980; if the developer requires advice on where the boundaries of the right of way they contact the Definitive Map Officer at Cambridgeshire County Council for assistance;
- The footpath must remain open and unobstructed at all times. Building materials must not be stored on it, and contractors' vehicles must not be parked on it;
- The footpath must not be used for vehicular access to the site unless the applicant is sure that they have the lawful authority to do so (it is an offence under s.34 of the Road Act to drive on a public footpath);
- No alteration to the surface of the public footpath is permitted without the consent of Cambridgeshire County Council (it is an offence to damage the surface of a public right of way under s.1 of the Criminal Damage Act 1971; and
- The County Council as Highway Authority is only responsible for maintenance of the surface up to footpath standard, for the purpose of legitimate use by members of the public in relation to that status; damage to the surface caused by non-public footpath use is repairable by those private users.

Other

For the purposes of clarification, under Condition 4 above, the permanent space to be reserved for car parking on No. 6 Lowburyholme Road refers to the car parking/turning area to the front of the dwelling only.

For the purposes of clarification, under Condition 7 above, planning permission would be required for any extension to the dwelling or erection of outbuilding, including a covered link between the proposed dwelling and garage or dormer windows.

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
- Local Development Framework, Core Strategy, Development Plan Document, Submission Draft 2006
- Planning File Refs: S/0068/06/F, S/2539/04/O, S/2188/04/O, S/0663/81/F and S/0874/80/O

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee

5th April 2006

AUTHOR/S: Director of Development Services

**S/0223/06/F – Over
House at Land Adj. 10 Meadow Lane for M Chapman**

**Recommendation: Approval
Date for Determination: 4th April 2006**

Members will visit this site on Monday 3rd April 2006.

Site and Proposal

1. The 0.075 ha site has a frontage which measures approximately 18 metres and is located behind a 1.6 metre high brick wall with a gated access, which opens directly on to Meadow Lane. The site comprises of an area of largely flat scrubland. There is no public footpath on either side of the lane at this point. Apart from the front wall the site is surrounded by 1.8 metre high fencing to either side with an open boundary to the rear. The adjacent dwellings, either side of the plot, are both 2 storey detached dwellings. The dwelling to the north-west of the application site, number 10, is located hard on to the back edge of the vehicular carriageway and close to the shared boundary with the application site.
2. This full application, registered on 7th February 2006, seeks permission to erect a part 2 ½ storey and part 1 ½ storey four bedroom dwelling, with integral double garage, on the site. The density equates to 13.3 dph.

Planning History

3. **S/2073/05/F** – application refused for the erection of a dwelling on the basis of its height, design, scale and form having an overbearing impact on the streetscene, contrary to Structure Plan Policies P1/3 and P5/5 and Local Plan Policy SE3.
4. **S/1119/05/O** – outline consent granted for a single dwelling on the site.
5. **S/1019/00/O** – Application approved for the renewal of time-limited consent for the erection of a dwelling.
6. **S/0626/95/O** – Original application for the erection of a dwelling approved with conditions relating to the submission of reserved matters, parking spaces, visibility splays and access.

Planning Policy

7. The site is located within the Over village development framework.
8. Structure Plan 2003 **Policy P5/5** 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.

9. Structure Plan **Policy P1/3** requires a high standard of design and sustainability for all new development.
10. Over is a Limited Rural Growth Settlement, as identified by **Policy SE3** of the South Cambridgeshire Local Plan 2004, in which residential development will be permitted on unallocated land subject to a number of criteria, including being sensitive to the character of the village and the amenities of neighbours. Density should achieve a minimum of 30 dph unless there are strong design grounds for not doing so.
11. Local Plan 2004 **Policy CS3** states that the development of sites where drainage to a public sewer is not feasible, will not be permitted if proposed alternative facilities are considered inadequate and would pose an unacceptable risk to the quality or quantity of ground or surface water, pollution of local ditches, watercourses or sites of ecological importance. In proposals for development, the presumption is for drainage to a public sewer to be provided wherever possible. If this is not feasible, a package sewage treatment plant should be pursued. Only where it can be clearly demonstrated that neither of these options is feasible will a system incorporating septic tank(s) be considered.
12. Local Plan 2004 **Policy CS5** states that planning permission will not be granted for development where the site is liable to flooding, or where development is likely to: (1) increase the risk of flooding elsewhere by materially impeding the flow or storage of flood water; 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 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 which would not damage interests of nature conservation.
13. 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. Structure Plan 2003 **Policy P6/4** states that all new development will be expected to avoid exacerbating flood risk locally and elsewhere by utilising water retention areas and other appropriate forms of Sustainable Drainage Systems (SuDS) for the disposal of surface water run-off.
15. Draft LDF 2006 **Policies DP/1, DP/2, DP/3, NE/9, NE/10, and NE/11** support and reflect the principles of the Local Plan 2004 and Structure Plan 2003 policies outlined above.

Consultation

16. **Over Parish Council** – recommends refusal and comments “Over PC feel that little has been done with this revised application to make the proposed dwelling satisfy requirements to a) fit into the streetscene and b) to be less dominating in relation to surrounding dwellings. It was felt that this dwelling is still too high in roofline and constitutes a 3 storey dwelling in essence, it’s still too imposing on neighbouring dwellings and is so large as to be out of character with the existing streetscene of Meadow Lane.”

17. **Old West Internal Drainage Board** – has no comment from a drainage point of view.
18. **Chief Environmental Health Officer** – comments “I am concerned that problems could arise from noise and suggest that conditions are attached to any planning consent in order to minimise the effects of the development to nearby residents or occupiers.” The conditions recommended relate to noise arising during the construction of the proposed dwelling.

Representations

19. The following comments/objections were received from the owner/occupiers of Beausite House (4) and 10 Meadow Lane:
 - (a) Adverse impact on the streetscene by virtue of size and scale – will dominate/bully the setting of neighbouring dwellings.
 - (b) Rear breakfast room appears to extend beyond the building line – although single storey will be visible from adjoining properties.
 - (c) Loss of outlook – the existing vacant plot provides a welcome vista in an area which is already overdeveloped.
 - (d) Severe loss of light to the dwelling at number 4 which has a number of windows on the side elevation facing the application plot – will stare upon an almost blank wall for the entire length of the side of the property.
 - (e) The highest part of the proposed house will be immediately adjacent to number 4 resulting in the maximum loss of sunlight to its garden which enjoys sunlight in the garden only in summer, and only from early morning to about midday before being in shadow from number 2, and then again gets light from about 5pm from the south west, across the application site. The new construction will eliminate all sunlight – adverse impact on value of number 4.
 - (f) Concern about drainage – water runs down Meadow Lane and into the dyke near Barns Close. Development of this land may have serious consequences on run-off. Lower part of number 4 has flooded over the past 20 years.
 - (g) No contact with applicants/agent has caused concern – boundary wall illustrated on shared boundary in location of existing fence owned by occupiers of no. 4. How would fence be maintained/would it be removed?
 - (h) Parking area within application site would require a car to turn 180 degrees within the site to rejoin Meadow Lane. The exit would be adjacent to the boundary wall to 10 Meadow Lane and would not provide sight lines for children using the lane. The access should be considered on the other side of the plot, adjacent to no. 4, with a low wall and possibly openings built into it.
 - (i) The position of the access to the paddocks to the rear appears difficult for associated traffic to negotiate and impacts on the space available to site the dwelling. This issue should be reconsidered. Children will also no longer be able to ‘pet’ horses over the existing gate.
 - (j) Application should either be refused or conditioned to reduce the height of the dwelling and its size by a third to make it more in keeping with the surrounding

environment. Drainage culverts should be installed under or alongside the building to disperse floodwater. The main part of the dwelling should be located on the opposite side of the plot.

Planning Comments – Key Issues

20. The key issues to consider in the determination of this application relate to:
- (a) The impact of the development upon the streetscene
 - (b) The impact of the development on the amenity of neighbouring dwellings
 - (c) Suitability of the access
- (a) *The impact of the development upon the streetscene***
21. The principle of the erection of a dwelling on this site has previously been established by the successive granting of outline consent for a single dwelling, the most recent being S/1119/05/O. The site is located within the development framework for Over and the village is identified as a Limited Rural Growth Settlement. The density does not comply with the requirements of policy SE3, but because of the potential for disturbance to neighbouring properties, the need for off street parking and to avoid a pattern of development which would be out of keeping with the character and appearance of the street scene, it was considered that any additional dwelling on this site would be inappropriate. The pattern of the existing development generally features detached dwellings set at varying distances from the highway.
22. The applicants, since the time of the previous refusal, have made efforts to reduce the scale of the proposed dwelling to suitably reflect the character and appearance of the area. The overall height of the dwelling has decreased by approximately a metre and the span of the dwelling has been reduced by approximately 0.3m.
23. The forward-most projecting gable of the dwelling, which would serve the lounge and bedroom 3 and is located approximately 3.5 metres from the back edge of the highway, measures 6.9m in height to the ridge and 5m to the eaves. As a comparison, this would be the same ridge height as the main body of the modern dwelling at No. 4 Meadow Lane, which is located approximately 11.3m back from the rear edge of the highway, whilst no.10 measures 6.3m to the ridge but is located immediately adjacent to the back edge of the highway. The proposed dwelling does then feature a secondary, larger gable, set behind the aforementioned gable, which measures approximately 8m to the ridge, but this located further back into the site so that it is approximately 7 metres from the back edge of the roadway. The development then features a smaller scale 1 ½ storey wing adjacent to number 10, which encompasses an integral garage with bedroom accommodation above.
24. The applicants have also positioned the dwelling so that it reflects a stagger between the location of no. 10, which is hard against the back edge of the footpath, and no. 4, which is located further back into the plot, although it does possess a long single storey projection to the front, located a similar distance from the road as the proposed dwelling, which rises up to the main bulk of the house. By virtue of the proportions of the forward-most projecting gable the bulk of the dwelling is broken. Coupled with the low eaves and set-back of the 1 ½ storey element which contains the garage and bedroom 1 there is a degree of sympathy with the scale of the existing dwelling at no. 10. Given the relative positions and scale of the existing and proposed dwellings and particularly the height of the eaves of the existing dwelling at no. 10, I am of the opinion that the design and scale of the proposed dwelling is unlikely to result in an undue overbearing impact on the street scene.

25. The street scene, at present, contains structures using a variety of differing materials. However, it would be necessary for the details of the materials for the proposed development to be submitted to and approved in writing by the Authority, should the development be granted consent, in order to ensure that the development is not incongruous and so a condition is recommended below.
26. No details have been submitted with regards to the design and appearance of the 1.5 metre front boundary wall serving the development. Given that a wall of this height would normally require planning permission, although it is replacing an existing wall, a condition is attached requiring details of the wall to be submitted and approved prior to the commencement of development.

(b) *The impact of the development on the amenity of neighbouring dwellings*

27. Although no.10 Meadow Lane is located close to the north-western boundary of the application site, the only facing windows apparent were obscure glazed at first floor. The proposed dwelling is separated from the shared boundary by the proposed access to the paddocks to the rear of the site, leading to the overall separation between the dwellings being approximately 3.5 metres. The proposed dwelling on this side of the site is 1½ storey, with dormer windows positioned front and back, which could not overlook the garden or facing windows serving no. 10. Although the proposed dwelling is located to the southwest of no. 10 Meadow Lane, by virtue of the height of the proposed dwelling on this side of the site, the design and position, the proposed development will not result in undue overshadowing of the neighbouring dwelling.
28. The main bulk of the proposed dwelling will be located adjacent to the existing, relatively modern dwelling at no. 4 Meadow Lane. The two dwellings are proposed to be located approximately 4.5 metres apart, with a two-storey wall, measuring 5 metres to eaves height, running parallel to the shared boundary. The dwelling at no.4 is a two-storey structure in its own right and has a number of windows on the side elevation facing the proposed dwelling. The dwelling at no.4 is located approximately 4.3 metres further back into its plot than the 2 – 2 ½ storey rear wall of the proposed dwelling and approximately in line with the rear wall of the breakfast room of the proposed dwelling. Although the proposed dwelling will alter the view from the side facing windows in the existing dwelling at no.4 Meadow Lane, by virtue of the separation between the dwellings and the position of the proposed dwelling, I am of the opinion that the development would not result in an overbearing impact on the amenities of the existing dwelling at no.4. The proposed dwelling features a single facing window at ground floor level which is proposed to serve a dining room, which is located approximately in line with the forward-most 2 storey element of the existing dwelling, whilst the two proposed windows at first floor serve a bathroom and an ensuite and could be conditioned to be permanently fitted with obscure glazing. Conditions are recommended below to ensure that no further openings are installed in either side elevations without consent to protect the amenities of the adjacent dwellings.
29. With regards to the potential for loss of light to the rear garden of no.4, whilst appreciating the existing issues regarding light to the rear garden serving this dwelling, given the orientation of the proposed dwellings, with the application site being located to the north-west of the existing, and by virtue of the separation between the dwellings, it is considered that apart from late, low evening sun in autumn and winter months particularly, the proposal will not result in any undue loss of light to the rear garden serving no.4.

30. The issues raised regarding the position of the proposed boundary wall along the shared boundary and the impact upon the existing fence is not covered by planning legislation and so cannot be considered as material in the determination of the planning application. The proposed wall, would be 1.8 metres in height and is of a scale that would usually be considered within permitted development tolerances. The height of the wall, in itself, would not cause any overbearing impact on the amenities of the neighbouring dwelling.
31. With regard to the issues raised regards flooding, the site is identified as being within a low risk flood zone (Zone 1) as identified by the Environment Agency. Furthermore the Old West Internal Drainage Board has considered the application and makes no comment from a drainage point of view. In light of this information it would not be reasonable for the Authority to insist on the submission of a flood risk assessment. The applicants have indicated that the proposed dwelling would be connected to soakaways and the mains sewer. Standard informatives, however, relating to the need to consider and implement a suitable method of disposing of foul and surface water would be attached to any approval.

(c) Suitability of the access

32. Meadow Lane is relatively narrow and lacks footpaths on either side of the vehicular highway. By virtue of the position of the existing house at no.10 hard on the back edge of the road, it would need to be demonstrated that the occupants of the proposed dwelling could park and turn within the site to avoid reversing into the narrow lane, causing a highway safety issue, and that the access could achieve sufficient pedestrian visibility in both directions to allow for its safe use. By virtue of the space provided for the integral garage and turning area in front of the dwelling I am satisfied that the site would achieve adequate off road parking and turning facilities, in accordance with the parking standards outlined in Appendix 7/1 of the Local Plan. The layout plan for the development does not illustrate any pedestrian visibility splays. Given the proposed access' proximity to number 10 a condition is recommended below to ensure that suitable visibility splays can be achieved with the access proposed, or otherwise the access be altered to achieve visibility, and that the access is constructed in accordance with any approved details prior to the occupation of the dwelling. There appears to be scope within the plans to alter the access without wholesale changes to the development being necessary given the position of the proposed access and the location of the proposed dwelling.

Recommendation

33. Approval subject to the following conditions:
1. Sca – Rca.
 2. Sc5 – the materials for the external walls and roofs; and the design and materials for the 1.5 metre high front boundary wall. (Rc5 – aii).
 3. No development of the boundary walls shall commence until details of the design and materials to be used for the boundary walls have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details. (Reason – To ensure that the development is not incongruous.)

4. No further windows, doors or openings of any kind shall be inserted in the northwest and southeast elevations of the development, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf. (Reason – To safeguard the privacy of occupiers of the adjoining properties.)
5. Sc23 - obscured glazing southeast elevation. (Rc23).
6. The permanent space to be reserved for parking and turning shall be provided before the use commences and thereafter maintained. (Reason – In the interests of highway safety.)
7. Visibility splays shall be provided on both sides of the access and shall be maintained free from any obstruction over a height of 600mm within an area of 2.0m x 2.0m measured from and along respectively the highway boundary. (Reason – In the interests of highway safety.)
8. The vehicular access shall be ungated. (Reason – In the interest of highway safety.)

And Standard Environment Agency 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)
 - P6/3** (Flood Defence)
 - P6/4** (Drainage)
 - P5/5** (Homes in Rural Areas)
 - **South Cambridgeshire Local Plan 2004:**
 - SE3** (List of Limited Rural Growth Settlements)
 - CS3** (Foul and Surface Water Drainage)
 - 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:
 - Impact on the street scene
 - Relationship to surrounding dwellings
 - Design and scale

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning files Refs: S/0223/06/F, S/2073/05/F, S/1119/05/O, S/11019/00/O, S/0626/95/O

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th April 2006
AUTHOR/S: Director of Development Services

S/0247/06/O - Willingham
Erection of 6 Houses and Conversion of Storage Building into 3 Flats following
Demolition of Existing Dwelling, 1 High Street, for Mrs A Powell

Recommendation: Delegated Approval
Date for determination: 6th April 2006

Conservation Area**Site and Proposal**

- 1 This 0.20ha (0.50 acres) site occupies a central position in the village, fronting High Street. The site contains a modern two-storey house, a two-storey height outbuilding ('Apple Store'), and an open-air swimming pool. The large rear garden is bounded with tall conifers. The frontage is marked by a 1.4m high wall with small conifers and shrubs behind. To the north, the side adjoins a terrace of modern dwellings (Stocks Terrace) fronting High Street. To the south, the site is adjoined by a hall with small car park to the rear, and a dwelling on Saxon Way. To the east, the site backs on to rear gardens of dwellings in Saxon Way.
- 2 The outline application, dated 27th January 2006, proposes the demolition of the existing house and the erection of six dwellings in two groups of three, together with the conversion of the outbuilding to provide 2 two-bedroomed flats. The existing access onto High Street is to be widened and provided with visibility splays of 90m to the north and 70m to the south. A section of the existing frontage wall is to be demolished and rebuilt to afford the necessary visibility. Pedestrian access to each of the frontage dwellings is proposed through the boundary wall. Means of access is to be determined at outline stage.
- 3 In discussions, the agent has indicated that a revised plan is to be submitted showing the visibility splay to the south improved to 76m, which is as far as is possible without affecting other buildings fronting High Street. If received, this will be brought to Members attention at the meeting.
- 4 The application is accompanied by illustrative drawings showing a possible arrangement of development, together with suggested heights and appearance. This shows three detached 3 bedroom houses of a similar neo-Georgian design, two storeys in height with a third storey in the roof space. A terrace of three dwellings to the rear are of a contemporary design, also with three bedrooms. These are shown with a low eaves height and without any overlooking windows at the rear, facing towards Saxon Way. Similarly, upper storey windows in the converted outbuilding have been designed to avoid overlooking over adjacent properties.
- 5 Two parking spaces per dwelling and one per flat are proposed within the layout, all served by the single access onto High Street.

- 6 The development represents a density of 45 dwellings per hectare.

Planning History

- 7 An earlier application for the erection of 7 houses and the conversion of the storage building to 2 flats was withdrawn by the applicant on 23rd December 2005, prior to determination. The agent agreed to take account of concerns raised by adjoining residents (Planning Reference **S/2147/05/O**).

Planning Policy

Cambridgeshire and Peterborough Structure Plan 2003

- 8 **Policy P1/3** (Sustainable Design in Built Development) of the Cambridgeshire and Peterborough Structure Plan 2003 requires compact forms of development through the promotion of higher densities that responds to the local character of the built environment. A high standard of design and sustainability for all new development will be required which provides a sense of place and which responds to the local character of the built environment
- 9 **Policy P5/3 (Density)** Local Planning Authorities should seek to maximise the use of land by applying the highest density possible which is compatible with maintaining local character.
- 10 **Policy P5/5** (Homes in Rural Areas) – small scale housing developments will be permitted in villages only where appropriate, taking into account the need for affordable rural housing, the character of the village and its setting, and the level of jobs, services, infrastructure and passenger transport provision in the immediate area.
- 11 **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

- 12 **Policy SE2** (Rural Growth Settlements) – residential development will be permitted provided that the retention of the site is not essential to the character of the village, the development would be sensitive to the character of the village and the amenity of neighbours; and the village has the necessary infrastructure capacity. Development should achieve a minimum density of 30 dwellings per hectare unless there are strong design grounds for not doing so.
- 13 **Policy HG10** (Housing Mix and Design) requires residential developments to have a mix of units making the best use of the site. The design and layout of schemes should be informed by the wider character and context of the local townscape.
- 14 **Policy TP1** (Planning for More Sustainable Travel) – car parking requirements will be restricted to the maximum levels set out in Appendix 7/1. (For dwellings, Appendix 7/1 gives a level of an average of 1.5 spaces per dwelling, up to a maximum of two per 3 or more bedrooms in poorly accessible areas).
- 15 **CS10** (Education) Where planning permission is granted for 4 or more dwellings, financial contributions will be sought towards the provision of local education facilities.

- 16 **Policy EN5** (Trees, Woodlands and Hedgerows): the District Council will require trees, hedges and woodland and other natural features to be retained wherever possible in proposals for new development.
- 17 **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

- 18 **Willingham Parish Council** – recommends refusal on the grounds:
- a) Overdevelopment of the site.
 - b) Parking: although the proposed parking is within specification, it is considered that actual parking for properties of the sizes proposed would exceed this, and could lead to overspill parking on the High Street.
 - c) Proposed sight lines are inadequate for the traffic which would be exiting onto the already congested High Street.
- 19 **Conservation Manager** – No objection to the principle of the development, subject to further consideration in a detailed application of the design of the frontage dwellings.
- 20 **Council's Chief Environmental Health Officer** – no objection subject to a limitation on the hours of power-operated machinery during construction.
- 21 **Council's Ecology Officer** – comments awaited.
- 22 **Council's Trees and Landscape Officer** – comments awaited.
- 23 **Council's Building Control Manager** – comments awaited on surface water drainage proposals.
- 24 **County Highways** – has requested an amended plan based on a frontage survey to show 2.4m x 90m visibility splays in both directions.
- 25 **County Financial Officer** – comments on any required financial contribution towards local education provision awaited.
- 26 **Cambridgeshire Fire and Rescue Service** – comments awaited.
- 27 **Cambridgeshire Archaeology**- recommends that a programme of archaeological investigation be required by condition.
- 28 **Old West Internal Drainage Board** – no objection provided that surface water is drained via soakaways, as proposed.

Representations

29 Representations (to the current and previous applications) have been received from the occupiers of four dwellings on Saxon Way and one dwelling in Stocks Terrace. The issues raised can be summarised:

a) Need

Development is unnecessary in view of all the recent development in the area.

b) Traffic

- (i) High volume of traffic on High Street with recent new housing developments.
- (ii) Access is on a bad bend nearly opposite a busy shop and pedestrian crossing.
- (iii) Access may not be wide enough. Parked cars on High Street by village hall already reduce visibility.
- (iv) Not enough parking provided, including visitor parking. This will lead to parking on the road.
- (v) Garages may be converted to rooms in the future.

c) Conservation

- (i) Old property in the conservation area should be preserved. Could the existing dwelling be preserved?
- (ii) Over development of a small area.
- (iii) 3-storey compared with 2-storey on Saxon Way.
- (iv) House design on the frontage is the same as any other housing estate – the character of the High Street needs preserving with more traditional properties.
- (v) Plans for houses on Plots 1-3 are confusing – there are 5 potential bedrooms.
- (vi) Proposals for tree felling are not clear.
- (vii) The development will result in the loss of a mature garden which may harm wildlife interests. Bats and owls in the vicinity.

d) Infrastructure

- (i) Infrastructure in the village already stretched to the limit.
- (ii) Surface water drainage issues in the area. Will soakaways be adequate as the area is already prone to flooding?
- (iii) What extra provision for mains drainage is being put in place?

e) Amenity

- (i) Concern that 1st floor windows in flats will overlook adjacent properties.
- (ii) 4-7 Stocks Terrace are extremely close to rear boundary.
- (iii) Suitable planting on the rear boundary will help to maintain privacy.
- (iv) Overlooking, overbearing and overshadowing of the cul-de-sac, contrary to Policy HG11 of the Local Plan 2004.
- (v) Construction noise.
- (vi) Loss of light to adjacent properties, especially in winter.
- (vii) Future extensions should be controlled.

Agent

- 30 The agent has submitted a design statement with the application. He has indicated that concerns of overlooking raised by the occupier of 61 Saxon Way can be met in the detailed designs.

Planning Comments

Conservation

- 31 The proposal will result in a considerable change to the appearance of this part of the conservation area. The existing 2-storey house is modern and undistinguished architecturally, and its replacement will not harm the appearance of the conservation area. The precise design of the replacement dwellings would be the subject of a detailed application. The Conservation and Design Manager has indicated that the principles of the layout proposed are acceptable and that this will not harm the character or appearance of the conservation area.
- 32 The comments of the Trees and Landscape Officer are awaited, however the majority of trees on the site are large conifers which do not contribute positively to the character of the conservation area. The opportunity to provide more suitable planting will enhance the appearance of the conservation area.
- 33 If approved, conditions can be attached to require provision for bats and native birds, subject to the comments of the Ecology Officer.

Amenity

- 34 The precise positioning of windows in the houses and flats can be controlled in a detailed application, if outline consent is granted. The submitted illustrative drawings indicate that overlooking can be avoided with careful design. I do not consider that the proposed siting of buildings will give rise to undue loss of light or outlook, or be unduly overbearing to existing properties. Construction noise can be limited by condition.

Highway aspects

- 35 The parking provision proposed is acceptable in meeting the maximum new car parking standard set out in policy TP1. The Local Highways Authority has not raised any concern on this basis. However, the visibility splay that can be achieved is less than required by the Local Highway Authority in the southerly direction. A similar concern has been raised by the Parish Council. The agent has subsequently improved the length of this splay and further comments of the Highway Authority will be reported to Members, if received.

Infrastructure

- 36 Concerns have been raised by nearby residents over the method of surface water disposal. The use of soakaways is recommended by Old West Internal Drainage Board, however the comments of the Council's Building Control Manager are awaited and will be reported to Members, if received.

Recommendation

Subject to no objections being received from the Council's Ecology Officer, Council's Trees and Landscape Officer, Council's Building Control Manager, Cambridgeshire Fire and Rescue Service, and County Highways, 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 (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. Removal of permitted development rights for extensions.(Reason – To safeguard the amenity of adjoining residents);
8. Surface water drainage details;
9. Foul water drainage details;
10. Integral garages not to be converted for any other use (Reason – In the interests of highway safety);
11. B9 (Access road 5.0m for a minimum distance of 15.0m. (Reason – In the interests of highway safety);
12. B10 (Access road) (Reason – In the interests of highway safety);
13. Provision and retention of a common turning head (Reason – In the interests of highway safety);
14. D1 (Vehicle-to vehicle visibility) (Reason – In the interests of highway safety);
15. D3 (Vehicle-to vehicle visibility) (Reason – In the interests of highway safety);
16. D5(a) (Pedestrian visibility 2.0m x 2.0m) (Reason – In the interests of highway safety);
17. Restriction of hours of use of power operated machinery; during period of construction. (Rc 26);
18. Biodiversity enhancement (bat and bird boxes) (Reason - In the interest of achieving sustainable development);
19. Provision of a legal agreement to secure a suitable financial contribution for local education provision (Reason – To assist in the necessary provision of education facilities arising from the development).

Informatives

Should driven pile foundations be proposed, then before development commences, a statement of the method for construction of these foundations shall be submitted to and agreed by the District Environmental Health Officer. This is necessary in order to safeguard the amenity of the occupiers of nearby dwellings from disturbance from noise and vibration during the construction period.

Before the existing buildings are demolished, a Demolition Notice will be required from the Council's Environmental Health Section, in order to establish the means by which the demolition will take place including the removal of any asbestos present, the removal of waste, minimisation of dust, capping of drains, and establishing hours of working operation, so as to ensure the protection of the residential environment of the area.

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

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
 - P1/3 (Sustainable design in built development)
 - P5/3 (Density)
 - P5/5 (Homes in Rural Areas)
 - P7/6 (Historic Built Environment)
 - **South Cambridgeshire Local Plan 2004:**
 - SE2 (Development in Rural Growth Settlements)
 - HG10 (Housing Mix and Design)
 - TP1 (Planning for More Sustainable Travel)
 - CS10 (Education),
 - EN5 (Trees, Woodlands and Hedgerows)
 - EN30 (Development in/adjacent to Conservation Areas)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity including noise disturbance and overlooking issues
 - Highway safety
 - Visual impact on the locality
 - Impact upon setting of adjacent Conservation Area
 - Infrastructure

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/0247/06/O, S/2147/05/O.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th April 2006
AUTHOR/S: Director of Development Services

S/0255/06/LB - West Wrattling
Alterations – Construction of Timber Pergola, Brick and Clunch Planted Walls and Planters, and Brick Wall with Timber Gateway Linked to Former Vinehouse (Part Retrospective Application)

S/0256/06/F – West Wrattling
Erection of Boundary Wall, Pergola, Planted Walls & Planters and Brick Wall & Gate (Part Retrospective Application)

The Old Hall, 61 High Street for Mr & Mrs De Ferrars Green

Recommendation: Approval
Dates for Determination: S/0255/06/LB – 7th April 2006; S/0256/06/F – 6th April 2006

Members of Committee will visit the site on Monday 3rd April 2006.

Conservation Area and Listed Building

Site and Proposal

1. The application site is located on the west side of the High Street and is occupied by a three storey red brick and tile Grade II Listed dwelling. The property is set on higher ground than the main road and the land continues to rise from east to west to the rear of the dwelling.
2. The full applications, submitted on 9th and 10th February 2006, and amended on 3rd March 2006, seek permission for a number of works within the garden area, namely: curved brick and clunch walls/planters; a brick wall along part of the western boundary of the site; and a pergola, low stock brick planters and store, and a fence and gate near to an existing recently refurbished outbuilding. Other than the pergola, fence and gate, the development has all been carried out on the site.

Planning History

3. **S/0346/04/LB and S/0347/04/F** – Applications for alterations to the garden including new walls, fences and gate, repositioning of greenhouse, erection of pergola, laying of decking, works to pond and change of use of land to garden – Approved April 2004
4. **S/2478/03/F** – Application for alteration and extension of the outbuilding/vinehouse approved.

Planning Policy

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

6. **Policy P1/3** of the County Structure Plan 2003 stresses the need for a high standard of design and a sense of place which corresponds to the local character of the built environment.
7. **Policy EN28** of the South Cambridgeshire Local Plan 2004 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.
8. **Policy EN30** of the 2004 Local Plan requires new development in a Conservation Area to either preserve or enhance the character of the area.

Consultation

9. **West Wrattling Parish Council** objects to the applications stating:

“The plans show construction different from the approved plans including higher walls and avoiding of the use of clunch brickwork. We find the plans now out of keeping with the old buildings in style and scale and demonstrates a cavalier attitude by the owner. We would ask for the Conservation and Listed Buildings Officers to view this carefully.”
10. **The Conservation Manager** raises no objections, stating that the proposals are not considered to have a significant impact on the setting of the vinehouse or the Grade II Listed dwelling. The form, materials and detailing of the new section of wall is in keeping with the approved section of clunch and brick wall.
11. The comments of the **Building Inspector**, who has been consulted in respect of the neighbour’s objection, will be reported verbally at the Committee meeting.

Representations

12. A letter of objection has been received from the occupiers of the adjoining dwelling to the north. The main points raised are:
 - a. The new wall cuts off any water running from the paddock area to the west onto the applicants’ land. A dutch drain has been installed beneath the wall with the intention of collecting any excess water and draining it into the garden pond, and seepage pits have also been put in. Water now comes off the paddock where none came before. Is the system that’s been installed adequate or should proper land drains have been installed?;
 - b. Topsoil has been moved to the paddock area, a row of leylandii has been replaced with deciduous trees, a large area of land has been paved over and decking is to be put in. The pond in the garden has been two thirds filled in with rubble and will be lined. Water, which used to go down the owner’s drive, will be funnelled into the pond by the Dutch drain. Is the land capable of absorbing this extra water or will it result in flooding of the neighbouring property?

Representations by the applicant’s agent:-

13. The applicant’s agent has stressed that the land drainage works, partial filling and lining of the pond, and hard surfacing do not require planning permission. With regards to the drainage works, it is advised that these are designed to significantly improve the drainage from its previous state where there was no provision for surface water run-off. The drainage works, as constructed, are intended to deal with all the run-off from the applicants’ land within their own curtilage.

Planning Comments – Key Issues

14. The key issues to consider in the determination of this application are:
 - The impact upon the setting of the Listed Building;
 - The impact upon the character and appearance of the Conservation Area;
 - Flood risk.
15. The proposal is very similar to that for which planning permission was granted under application reference S/0347/04/F. The differences are:
 - a. Erection of additional section of wall, approximately 20 metres in length and ranging in height from 2.4 metres to 1 metre, extending from the previously approved wall back towards the house;
 - b. Alteration to the design of the previously approved hardwood screen/ pergola adjacent to the vinehouse to include a brick plinth;
 - c. Addition of 0.6 metre high stock brick planters and 1 metre high store to paved area adjoining vinehouse;
 - d. Addition of 1.2 metre high fence and gate to area near vinehouse and pond;
 - e. Removal of previously approved 2 metre high wall from part of the northern boundary;
 - f. Materials for approved walls changed from brick piers/plinth with clunch infill panels to predominantly brick with one clunch section of wall;
 - g. Previously approved backfilling/raising of ground levels on west side of approved walls omitted.
16. Other than the new section of wall, the changes proposed to the previously approved scheme are minor in nature and Officers had advised the applicants' agent that these alterations could be treated as amendments to the previous permission. However, the changes were shown on the current application drawings (which was intended to cover the new section of wall only), and Officers felt it would be simpler to refer to the minor amendments in this revised application rather than considering the amendments and new wall application separately.
17. The amendments to the previous permission are very minor in nature and are not considered to harm the setting of the Listed Building or the character of the Conservation Area. It is worth noting that the change in materials for the walls had previously been agreed on site by the Conservation Officer in a meeting with the applicants and their agent, and the applicants therefore proceeded with the works understandably believing they had the required consents from this Authority to do so.
18. The Parish Council refers to the walls now being higher than those previously approved. I would like to clarify that this is not the case. However, on the west/garden side of the walls, the previous plans showed the ground levels being raised. The applicant no longer wishes to do this and the wall is therefore higher above the finished ground level than was previously shown.
19. The most significant change between the current and previous applications involves the erection of a new section of wall. These works have been carried out; the form and materials of the proposed wall are in keeping with the approved section of wall and, although coming closer to the Grade II Listed house, are not considered to harm its setting or the character and appearance of the Conservation Area.

20. The neighbour's objections relating to the surface water drainage and flood risk implications of the development have been forwarded to the Building Inspector, and I am awaiting his comments. Should the scheme that has been installed be inadequate, a condition will need to be added to any permission requiring the submission of a suitable scheme within, I would suggest, 28 days.

Recommendation

21. Approval of both applications, as amended by drawing numbers 053/03/022 and 025 date stamped 3rd March 2006:

1. Standard Condition A – Reason A

(+ surface water drainage condition to be added to the planning permission if required, following receipt of the Building Inspector's response).

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) and P7/6 (Historic Built Environment);
 - **South Cambridgeshire Local Plan 2004:** EN28 (Development within the Setting of a Listed Building) and EN30 (Development in and Adjacent to Conservation Areas)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
- Impact upon setting of Listed Building;
 - Impact upon character and appearance of Conservation Area.
 - Drainage

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/0256/06/F, S/0347/04/F and S/2478/03/F

Listed Building Consent references S/0346/04/LB and S/0255/06/LB

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee5th April 2006**AUTHOR/S:** Director of Development Services

**S/0107/06/F - Balsham
Extensions at 13 Trinity Close for Mr & Mrs Bull****Recommendation: Approval
Date for Determination: 20th March 2006**

Members will visit the site on 3rd April 2006.

Conservation Area**Site and Proposal**

1. No. 13 Trinity Close is situated within a modern housing development to the north of the High Street. It is a two-storey, semi-detached, 1960s, brick/ white cladding and tile house that has a single garage set back to the side adjacent to the boundary of the rear garden to No. 9 Trinity Close. There is a Cherry tree situated within the rear garden. The land falls slightly to the west.
2. No. 11 Trinity Close is a two-storey detached house that is situated to the east of the site. It has a conservatory attached to the rear elevation and a garage situated at the bottom of the rear garden with access adjacent to No. 13. No. 9 Trinity Close is a two-storey detached house that is also situated to the east of the site. It is set forward of No. 11, has a garage set back to the side, and has a kitchen window and patio doors in its rear elevation. No. 15 Trinity Close is situated to the west of the site. It forms the remainder of the pair of semi-detached houses and has a kitchen window in its front elevation.
3. The application, received on the 23rd January 2006, proposes the erection of a two-storey side extension and single storey front extension and porch. The two-storey side extension measures 2.75 metres in width, 7.4 metres in depth, and has a height of 4.9 metres to the eaves and 7.1 metres to the ridge. It comprises a carport at ground floor level and a bedroom with en-suite bathroom and family bathroom at first floor level. New first floor windows are situated in the front and rear elevations. The single storey front extension has a lean-to design. It replaces the existing flat roof bin store and measures 4.1 metres in width, 2.6 metres in depth and 3.6 metres in height. The application was amended on the 6th March 2006 to change the materials of the two-storey side extension from render to stained boarding.

Planning History

4. Planning permission was granted in 1966 for the erection of 22 houses and bungalows (reference **SC/0112/66/D**).

Planning Policy

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

6. Policy **P1/3** of the **Cambridgeshire and Peterborough Structure Plan 2003** seeks to ensure that all new developments incorporate high standards of design that create a sense of place that responds to the local character of the built environment.
7. Policy **EN30** of the **South Cambridgeshire Local Plan 2004** requires all new developments in conservation areas to either preserve or enhance their special character and appearance, particularly through scale, massing and materials.
8. Policy **HG12** of the **South Cambridgeshire Local Plan 2004** states that extensions to dwellings within village frameworks will not be granted planning permission where they would seriously harm the amenities of neighbours through being unduly overbearing in terms of their mass, through a significant loss of light or through a serious loss of privacy; or where they would have an unacceptable visual impact upon the street scene.

Consultation

9. **Balsham Parish Council** unanimously recommends refusal of the original proposal for the following reasons:-
 - i) "The proposal will result in overdevelopment of the site;
 - ii) The PC is very concerned about the boundaries and impact upon the neighbours;
 - iii) The rendered finish is not in keeping with the other properties in the Close;
 - iv) The PC has received letters of complaints from neighbours who are very concerned about the impact that the extension will have on their properties. "

"The amended proposal does not address any of the issues raised by the Parish"

Council or neighbours on the original proposal.

10. The **Conservation Manager** has no objections and comments that the development will not impact upon any areas or buildings of architectural or historic interest within the Balsham Conservation Area.
11. The **Trees and Landscape Officer** comments that the extension will impact upon a Cherry tree and may compromise it. However, owing to its poor quality and location in respect of the existing footprint, no objections are raised to the proposal.

Representations

12. Four letters of objection have been received from the occupiers of **Nos. 7, 9, 11 and 15 Trinity Close** in respect of the original proposal. They have concerns regarding the following: -
 - i) The render materials do not match and are out of keeping with the finish of the surrounding houses;
 - ii) Large and visually obtrusive structure that projects right up to the shared boundary;
 - iii) Loss of light to garden and windows;
 - iv) Design of front extension is out of character with the style of houses within the Close.
 - v) Overdevelopment of plot;
 - vi) The site is within the Conservation Area;

- vii) Foundations would intrude onto land not owned by the applicant;
- viii) Access for builders
- ix) Maintenance of extensions;
- x) Legal covenants.

Three letters of objection have been received from the occupiers of Nos. 9,11 and 15 Trinity Close in respect of the amended proposal. They consider the revised materials to be inappropriate.

- 13. **Councillor Barratt, one of the Local Members for Balsham** recommends refusal of the application due to the impact upon the Conservation Area and neighbours.
- 14. Any further comments received will be reported verbally at the meeting.

Planning Comments – Key Issues

- 15. The proposal was discussed at the Chairman's Delegation meeting on 16th March 2006 but referred for a site visit and consideration at the Development Control and Conservation Committee.
- 16. The main issues to be considered during the determination of this application relate to the impact of the proposed extensions upon: -
 - i) The character and appearance of the Conservation Area and street scene;
 - ii) Neighbour amenity and,
 - iii) Trees

Impact upon the Conservation Area and Street Scene

- 17. No. 13 Trinity Close is situated within the heart of this modern housing development. The proposed extensions would not have a detrimental impact upon any areas or buildings of historic interest within the Balsham Conservation Area.
- 18. Whilst none of the existing semi-detached properties within Trinity Close have had two-storey side extensions, or single storey front extensions of the design proposed, no objections are raised in principle to the impact of the extensions upon the street scene.
- 19. The proposed side extension would result in the loss of a small space to the side of No. 13 Trinity Close. I do not, however, consider that this would lead to a loss of openness that would harm the Conservation Area and street scene, as the existing open space that forms the rear gardens of Nos. 7, 9 and 11 Trinity Close would be retained. The proposed side extension is set down from the ridge-line and set back from the front elevation of the original house. Its scale, form and design are considered acceptable as it appears as a subservient element when viewed within the street scene. The amended materials would be appropriate subject to a condition that ensures the finish matches those of the existing house. In my opinion the proposal would preserve the character and appearance of the Conservation Area.
- 20. The proposed front extension would change the appearance of the house when viewed from Trinity Close. Whilst the extension would be larger than the existing bin store and have a lean-to roof design that would not be in keeping with the flat roof elements to the existing houses, it is not considered to have an unacceptable visual impact that would harm the street scene. Given that the extension would not project

forward of the line of the existing bin store, it is not considered to result in a prominent development that would appear unduly and visually dominant within the street scene.

Impact upon Neighbour Amenity

21. The proposed two-storey side extension would be situated approximately 17 metres from the rear elevation of No. 9 Trinity Close. Whilst the extension would project 2.75 metres towards this property and be visible from its rear garden, it would form less than half of the rear boundary (5 metres), be situated at a lower level and partly behind the existing garage to No. 11 Trinity Close, and be viewed against the backdrop of the existing two-storey gable to the original house. It is not therefore considered to seriously harm the amenities of No. 9 through being unduly overbearing in terms of its mass or through a loss of outlook when viewed from the kitchen window and patio doors in its rear elevation, or the majority of its rear garden area.
22. The proposed two-storey side extension would be orientated to the north west of No. 9 Trinity Close. It is unlikely that the extension would result in any significant loss of sunlight to the majority of the garden area as a result of the positioning of the existing house at No. 13 Trinity Close.
23. The proposed two-storey side extension would be situated approximately 12 metres from the conservatory attached to the rear elevation of No. 11 Trinity Close. Whilst the extension would project 2.75 metres towards this property and be visible from its rear garden, it would form only 2 metres of the rear boundary and be situated at a lower level and wholly behind the existing garage, and be viewed against the backdrop of the existing two-storey gable of the original house. It is not therefore considered to seriously harm the amenities of this property through being unduly overbearing in terms of its mass or through a loss of outlook when viewed from the conservatory attached to its rear elevation or rear garden area.
24. The proposed two-storey side extension would be orientated to the south west of No.11 Trinity Close. Given the fact that the original house at No. 13 already affects afternoon sunlight enjoyed by the occupiers of this property, the extension is not considered to result in a further significant loss of light.
25. The first floor bedroom window in the rear elevation of the proposed two-storey side extension is not considered to seriously harm the amenities of neighbours at Nos. 1, 3, 5, 7 and 9 Trinity Close or Nos. 22, 24 and 26 High Street through overlooking leading to a severe loss of privacy as a result of its oblique angle of sight and distances involved. The first floor bathroom window is not considered to seriously harm the amenities of neighbours at No. 11 Trinity Close provided it is subject to a condition that ensures it has obscured glazing.
26. The single storey front extension is not considered to harm the outlook from or result in a significant loss of light to the kitchen window in the front elevation of No. 15 Trinity Close. The extension would be orientated 1.5 metres to the east of this window and would only project approximately 1 metre above the existing flat roof bin store.

Impact upon Trees

27. The proposed extensions are not considered to result in the loss of any important trees that contribute to the visual amenity of the area.

Other Issues

28. Overdevelopment of the plot is not considered a relevant planning consideration unless it would harm the character and appearance of the Conservation Area and street scene, or the amenities of neighbours.
29. The concerns raised by the neighbours with regards to the maintenance of the proposed extensions and access by builders is a civil matter between the relevant parties and not a planning consideration that would affect the outcome of this application.
30. The issue of covenants on the properties that restrict front extensions is a legal matter that would not be considered during the decision making process. The original consent for the estate did not prevent the erection of front extensions by condition (reference SC/0112/66/D).
31. Foundations that intrude onto a neighbours land is a building regulation issue that would not affect the outcome of this application.

Recommendation

32. Approval subject to conditions (as amended by letter dated 3rd March 2006 and plan number 1136.01A date stamped 6th March 2006)
 1. Standard Condition A – 3 years time limited permission (Reason A);
 2. The bricks and roof tiles for the extensions, hereby permitted, shall be identical to those used for the existing building unless otherwise agreed in writing by the Local Planning Authority.
(Reason - To ensure the appearance of the development blends in with the existing building and surrounding area.)
 3. The stained boarding to be used for the cladding of the side extension, hereby permitted, shall be painted white to match the existing house unless otherwise agreed in writing by the Local Planning Authority.
(Reason - To ensure the appearance of the development blends in with the existing building and surrounding area.)
 4. No windows, doors or openings of any kind shall be inserted into the first floor east elevation of the side extension, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.
(Reason - To safeguard the privacy of occupiers of the adjoining properties.)
 5. The first floor bathroom window in the north elevation of the side extension, hereby permitted, shall be fitted and permanently maintained with obscure glass.
(Reason - To safeguard the privacy of occupiers of the adjoining property.)

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:** P7/6 (Historic Built Environment) and P1/3 (Sustainable Design in Built Development)
 - **South Cambridgeshire Local Plan 2004:** EN30 (Development in Conservation Areas) and HG12 (Extensions 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 upon the Character and Appearance of the Conservation Area and Street Scene

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

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- Planning File References SC/0112/66/D & S/0107/06/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th April 2006
AUTHOR/S: Director of Development Services

S/0177/06/F – Balsham
Erection of 18 Affordable Dwellings and Relocation of Existing Allotments.
Allotments and Agricultural Land Off Hay Close for Flagship Housing Group Ltd

Recommendation: Approval
Date for determination: 4th May 2006 (Major Application)

Members will visit this site on Monday 3rd April 2006.

Site and Proposal

1. The application relates to a 1.1 hectares/2.7 acre approximately site, the northern 0.5 hectares/1.2 acres approximately of which is currently in use as allotments. The southern part of the site forms part of a field. The site rises gently to the south. An electricity line crosses the site. Two-storey dwellings in Bartons Close and Horseshoe Close bound the site to the north. Allotments and two-storey and single storey dwellings in Princes Close bound the site to the east. A field lies to the south and to the west of the southern part of the site. Two-storey residential development in Hay Close (itself an affordable housing scheme) bounds the northern part of the site to the west. No.20 Horseshoe Close to the north of the site has a two-storey extension on its southern side not shown on the O.S. or the application plans.
2. This full application, registered on the 2nd February 2006 and amended by plan date stamped the 22th March 2006, proposes the relocation of the existing allotments to the adjacent agricultural land to the south and the erection of 18 affordable dwellings on the existing allotments. 4no. 2-bedroom flats, 6no. 2-bedroom houses and 8no. 3-bedroom houses are proposed. The flats are in one block. The 14 houses are to be provided in 7 pairs of semi-detached houses. Ridge and eaves heights range from 7.8m-8.5m and 4.5m-4.9m respectively. Roof pitches range from 35 degrees to 50 degrees. Slate and pantiles are proposed for the roofs. Bricks and render as the facing materials and painted timber windows are also proposed. Rear gardens are to be enclosed by close boarded fencing with trellis above. Side and front gardens are to be marked by 1.2m high four rail painted metal 'parkland' fencing. 31 car parking spaces are proposed. The density equates to approximately 36 dwellings to the hectare. The amended plan has been submitted in response to a request from the Parish Council that the access road to the allotments be widened. This revision has necessitated revisions to the turning head and position of dwellings.

Planning History

3. The eight affordable dwellings in Hay Close were granted planning permission in 1991 (ref S/0385/91/F).

Planning Policy

4. 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.
5. Local Plan 2004 **Policy HG8** states that, as an exception to the normal operation of the policies of the Local Plan, planning permission may be granted for schemes of 100% affordable housing designed to meet identified local housing needs on sites within or adjoining villages. The policy states that the following criteria will all have to be met:
 - (1) The development proposal includes secure arrangements for ensuring that all the dwellings within the scheme provide affordable housing in perpetuity for those in 'housing need' as defined in policy HG7.
 - (2) The number, size, design, mix and tenure of the dwellings are all confined to, and appropriate to, the strict extent of the identified local need.
 - (3) The site of the proposal is well related to the built-up area of the settlement and the scale of the scheme is appropriate to the size and character of the village.
 - (4) The development does not damage the character of the village or the rural landscape.
6. It also states that development under this policy must also: be limited to units of types and sizes required to provide accommodation for those revealed to be in 'housing need' by an up-to-date survey; be occupied only by qualifying persons, subject to cascade provisions; and be secured in perpetuity as to the above provisions (or any agreed departure from them) by planning obligation under Section 106 of the Town and Country Planning Act 1990 or an alternative form of equally effective provision.
7. 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.
8. 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.

Consultations

9. **Balsham Parish Council** recommended approval of the original scheme stating "The Parish Council has been in discussion with Flagship Housing for the plans to be slightly amended to include a widened access road to the allotments for future development." Any further comments received in relation to the amended plan will be reported verbally.
10. **Housing Development Officer** is in full support of the scheme stating that the number and mix of units proposed reflect the existing needs and are deemed sustainable in the longer term.

11. **Chief Environmental Health Officer** recommends conditions and an informative to the attached to any approval.
12. **General Works Manager** raises no objections to the scheme.
13. **Local Highway Authority** states that the existing carriageway of both Hay Close and Bartons Close that directly serves the development is private and not maintained by the County Council. It asks what justification there is for further development served off a private road and made no further comments on the original scheme.
14. **Environment Agency** states that soakaways should be designed and constructed to BRE 365 and recommends Highway Engineers Approval.
15. **County Archaeology** states that the site is of uncertain archaeological potential and recommends that any permission is subject to a condition requiring a programme of archaeological investigation. A suggested early (Saxon) settlement focus lies to the south east of the plot, while the historic village, with its wealth of Medieval remains, lies to the north.
16. **Cambs Fire & Rescue Service** states that additional water supplies for firefighting are not required.
17. An **Affordable Housing Panel** has been convened for the 31st March and the outcome will be reported verbally at the meeting.

Representations

18. None received.

Planning Comments – Key Issues

19. The main issues in relation to this application are: whether there is an identified need for the number and mix of affordable dwellings proposed; the impact on the character and appearance of the area; highway matters; and impact on neighbours.
20. The Council's Housing Development Officer confirms that there is a need for the number and mix of dwellings proposed.
21. The proposed dwellings and flats (which include variety in terms of design, ridge heights and roof pitches and chimneys) are of an attractive traditional design and are considered appropriate for the location.
22. Hedges and planting generally mark boundaries in the locality. In contrast, 1.8m high close boarded fencing with trellis above is proposed as the boundary treatments for the rear gardens in response to the pre-application recommendation of the Police Architectural Liaison Officer. The amended plan does show a new native hedge along the southern boundary of the residential development but it is my view that the close boarded part of the fencing should be no more than 1.5m high with trellis on top on this edge of village site with paths used by the public to the north and east and the proposed allotments to the south. I consider that this would have less impact on the character of the area than 1.8m close boarded fencing and, subject to planting, would also provide adequate security and privacy for the occupiers of the proposed dwellings.

23. A 5.5m wide shared surface road is proposed. Whilst it would be preferable to have a road serving 18 dwellings adopted, it does not appear possible in this instance. In order to secure the benefits of 18 affordable units, I consider that the proposed access and highway arrangements are acceptable. Parking provision is proposed at an average of 1.7 spaces per dwelling which is in accordance with the standards set out in the Local Plan.
24. The layout has been designed so that there is no serious overlooking of neighbouring properties. The bedroom window in the rear elevation of the proposed dwelling on plot 13 faces towards the two-storey extension on the southern side of No.20 Horseshoe Close. The distance between opposing first floor windows is only approximately 20.5 metres but, in view of the angle and existing screening along No.20's southern boundary, I do not consider that the occupiers of No.20 Horseshoe Close would be seriously harmed by the development. The scheme is considered to be acceptable in terms of the impact on all other neighbouring properties.

Recommendation

25. Delegated approval (as amended by letter dated 16.3.06 and drawing no. F-206-P01 Rev. A date stamped 22.3.06) subject to further discussions in relation to boundary treatments, revised floor and elevation plans to reflect the revised numbering of units on the amended plan and any further amendments considered necessary as a result of consideration of any representations received in relation to the amended plan.
- a. Standard Time Condition A – Time limited permission (RCA);
 - b. No development shall begin until a binding undertaking in accordance with the requirements of Section 106 of the Town and Country Planning Act 1990 for the provision of 100% affordable housing shall have been entered into with the Local Planning Authority; the affordable housing shall be provided in accordance with the approved scheme (RC To ensure provision of affordable housing in accordance with the requirements of Policies HG7 and HG8 of the South Cambridgeshire Local Plan 2004; the proposal would otherwise be contrary to the Development Plan);
 - c. SC5a and f – Details of materials for external walls, roofs and hard surfaced materials (RC5aii);
 - d. SC51 – Landscaping (RC51);
 - e. SC52 – Implementation of Landscaping (RC52);
 - f. SC66 (the application site) – Archaeological Investigation (RC66);
 - g. SC5b and c – Details of surface and foul water drainage (RC5b and c);
 - h. During the construction period, SC26 (0800, 0800, 1800, 1300) (RC26);
 - i. No windows or openings of any kind shall be inserted at first floor level in the west elevation of the flats on 'Plot 1' as shown upon drawing no. F-206-P01 Rev. A date stamped 22.3.06 unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf (RC To protect the privacy of the occupiers of dwellings in Hay Close).

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:**
HG8 (Exceptions Policy For Affordable Housing), **TP1** (Planning For More Sustainable Travel) and **EN3** (Landscaping and Design Standards for New Development in the Countryside)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise: highway matters; drainage; archaeology; and water supplies for firefighting.

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.

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 files Ref: S/0177/06/F and S/0385/91/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th April 2006
AUTHOR/S: Director of Development Services

S/0174/06/F – Dry Drayton
Erection of Dwelling on Land Adjacent 1 Pettitts Lane, for M. Scripps

Recommendation: Approval
Date for Determination: 29th March 2006

Members will visit this site on Monday 3rd April 2006

Site and Proposal

1. The application relates to an irregular shaped site measuring approximately 0.025 hectares (0.062 acres), situated at the junction of High Street and Pettitts Lane. The site has a 16.6m frontage along High Street and 8.7m frontage along Pettitts Lane. The site forms part of the former garden area of 1 Pettitts Lane and contains a disused garage and shed. Vehicular access to the site has been created from High Street. The site contains several ornamental trees along both road frontages.
2. The site adjoins a two storey semi-detached dwelling to the north (No. 50 High Street) and bungalow to the south-east (1 Pettitts Lane). High Street is characterised by two-storey detached and semi-detached dwellings, whilst Pettitts Lane predominantly consists of modest bungalows. A grass verge measuring up to 6.0m in width, separates the site from surrounding roads/public footpaths. A close-board fence approximately 2m high separates the site from 1 Pettitts Lane.
3. The full application received on 1st February 2006 and amended on 13th March 2006, proposes the erection of a two-bedroom chalet bungalow with study and front porch. The dwelling has been designed to stagger in height towards the south (Pettitts Lane), with a hipped roof on the western, eastern and southern elevations. The dwelling will have an eaves height of 2.9m and ridge height of 5.85m. The existing garage and shed is to be demolished. The proposal equates to a density of 40.0 dwellings per hectare.
4. The proposal also provides details of boundary treatment.

Planning History

5. Outline planning permission was given for a bungalow on the site on 25 November 2004, with siting and means of access agreed at the outline stage (Ref: **S/1538/04/O**). Condition 3 of the planning permission stated that the property should be single storey only in order to “ensure that the dwelling is not too dominant in the street scene and will not be unduly overbearing on 1 Pettitts Lane and 50 High Street”. Condition 5 required the permanent space to be reserved on site for parking, to be provided before the occupation of the dwelling, and thereafter maintained.
6. It is noted that full planning permission has been given for chalet bungalows on other small plots of land in this village, adjacent to 3 and 5 Park Street, Dry Drayton (Ref: **S/2319/04/F** and **S/2046/03/F** respectively).

Planning Policy

7. **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.
8. **Policy P5/3** of the County Structure Plan 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.
9. **Policy P5/5** of the County 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.
10. **Policy SE4** of the adopted South Cambridgeshire Local Plan 2004 ("The Local Plan 2004") identifies the village of Over as a Group Village. This policy permits residential development and redevelopment within this village providing:
 - (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 employment policy EM8.
11. **Policy ST/6** of the Core Strategy (Local Development Framework Submission Draft 2006) also identifies the village of Dry Drayton as a Group Village.
12. **Policy HG10** of the 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. Schemes should also achieve high quality design and distinctiveness, avoiding inflexible standards and promoting energy efficiency.

Draft Local Development Framework Submission Draft 2006

13. Development Control **Policy DP/1** (2006) states that development will only be permitted where it is demonstrated that it is consistent with the principles of sustainable development, as appropriate to its location, scale and form. It outlines various criteria to assess the sustainability of proposed development.
14. Development Control **Policy DP/2** (2006) outlines that all new development must be of high quality design, appropriate to the scale and nature of the development. It outlines criteria, which define what is meant by high quality design.
15. Development Control **Policy DP/3** (2006) outlines requirements for new development within the district.
16. Development Control **Policy DP/7** (2006) largely reiterates the advice contained in **Policy SE4** regarding development and redevelopment of land on unallocated land within village frameworks.

17. Development Control **Housing Objective HG/b** (2006) outlines that new residential proposals should protect and enhance the environment by making the best use of land and being appropriate to its location.
18. Development Control **Policy HG/1** (2006) states that residential developments will make the best use of land by achieving average net densities of at least 30 dwellings per hectare, unless there are exceptional local circumstances that require a different treatment.

Consultation

19. **Dry Drayton Parish Council** – Recommendation of Refusal. “Inappropriate size for the plot and insufficient parking space for off-road parking”.

No response to amended application received at time of preparing agenda report.
Response to be verbally reported at Committee.

20. **Trees and Landscape Officer** – No objection to original or amended plans. “Two Prunus of mediocre quality are indicated for possible removal in the application. The trees are not of sufficient quality to warrant objection to the proposal”.

Representations

21. Objections to the planning application were received from the occupants of 47 and 49 High Street. These objections raised the following grounds of concern:
 - a) Chalet-bungalow design of dwelling is out of keeping with other bungalows in this part of Pettitts Lane;
 - b) Dwelling is larger than that approved under the outline planning application;
 - c) Lack of off-street car parking;
 - d) Exacerbation of existing parking problems for residents of High Street;
 - e) Additional on-street car parking would cause additional traffic congestion and access to emergency vehicles could be compromised; and
 - f) Concerns that the proposal will result in loss of trees and/or hedgerows along the road frontages.

Planning Comments – Key Issues

22. The key issues for consideration in the assessment of this planning application are as follows:
 - a) Impact of Proposed Dwelling on Visual Amenities of Streetscene;
 - b) Impact on Residential Amenity;
 - c) Impact on Highway Safety; and
 - d) Whether the proposal represents an efficient use of land in terms of density.

Impact of Proposed Dwelling on Visual Amenities of Streetscene

23. Outline planning permission for a bungalow was given on 25th November 2004, with siting and means of access agreed at the outline stage. As a result, the principle of residential development on this site has been established. The approved siting illustrated a bungalow positioned adjacent the property boundary with No. 50 High Street, and setback a minimum of 3m from the property boundary adjacent High Street, 4.6m from the property boundary adjacent Pettitts Lane and 3.5m from 1 Pettitts Lane.

24. I am of the view that the proposed chalet-bungalow will have an acceptable visual impact upon the streetscenes of High Street and Pettitts Lane. The bungalow has been designed so that the highest part of the bungalow is positioned adjacent a two storey dwelling, with the height decreasing towards the junction of High Street and Pettitts Lane. The dwelling has been positioned so that its setback from the property boundary adjacent High Street varies from 2m at its closest point to 5.8m. The dwelling is no closer to the property boundary with Pettitts Lane and further away from 1 Pettitts Lane, than approved in the earlier outline application (4.0m and 5.6m respectively). I am of the view that the design of the dwelling positively responds to its surroundings.
25. It is noted that the proposal is likely to require the removal of small trees and shrubs along the road frontages. Council's Trees and Landscape Officer has raised no objection to this loss. I am of the view that the proposal provides scope for suitable boundary treatment and landscaping along both road frontages. It is recommended that landscaping conditions be attached to any approval.

Impact on Amenities of Adjacent Dwellings

26. I am of the view that the proposal will not seriously harm the residential amenities of adjacent properties. The dwelling has been designed to avoid an undue loss of privacy over adjacent dwellings, with no first floor windows on the eastern elevation. The first floor window flushed against the northern property boundary will face the mostly blank side elevation of the adjacent two-storey dwelling, in addition to the frontage of this property.
27. I am of the view that the design of the chalet-bungalow with a hipped roof on the eastern, western and southern elevations, in addition to its setback from the eastern property boundary, prevents it from being unduly overbearing on the adjacent bungalow, 1 Pettitts Lane.
28. It is acknowledged that the proposal will affect the views from two-storey dwellings on the opposite side of High Street, over the site. However, loss of views is not considered a material planning consideration in the assessment of planning applications.

Impact on Highway Safety

29. The proposal allows for the parking of one vehicle on-site, which is consistent with the Council's maximum car parking standard of two parking spaces "per 3 or more bedrooms in poorly accessible areas".
30. Furthermore, the approved siting of the outline planning application only provided scope for the parking of one vehicle on-site, outside of the bungalow. Whilst the approved site plan included a note that the dwelling would be a "one bedroom bungalow incorporating single garage", no requirement was placed on the outline consent in regards to number of bedrooms or provision of integral garage. That is, this note was treated as indicatively only of a positive future design and appearance, which would be subject of a further application.
31. Given the two bedroom character of the dwelling on a small plot, the low speed limit of the area (30mph) and absence of restrictions for on-street car parking, I am of the view that the car parking provision is adequate and will not lead to a significant loss of highway safety.

Efficient Use of Land and Housing Density

32. The proposal equates to a housing density of 40.0 dwellings per hectare, which is consistent with a minimum of 30 dwellings per hectare promoted by policy HG1 of the Local Development Framework Submission Draft 2006. Furthermore, the principle of residential development on this site has been previously accepted.

Recommendation

33. Approve

Recommended Conditions of Consent

1. ScA – 3 years.
2. Sc5a – Details of materials for external walls and roofs (Rc5ai and aii).
Sc5e – details of finished floor levels (Rc5e).
Sc5f – details for hard surface areas within site (Rc5f).
3. Sc20c – development shall not be occupied until space has been laid out within the site, in accordance with the approved site plan franked 13th March 2006, for one vehicle to be parked on-site, and that area shall not thereafter be used for any purpose other than the parking of vehicles. (Rc20).
4. Sc21 – Withdrawal of Permitted Development Rights –
 - a) Part 1 (Development within the curtilage of a Dwellinghouse – All Classes)
 - b) Part 2 (Minor Operations). Classes A and B
(Reason - To ensure that alterations or extensions to the dwelling which would not otherwise require planning permission do not overdevelop the site with consequent harm to the visual amenities of the streetscene or residential amenities of adjacent properties.)
5. Sc26: - Restriction on the Use of Power Operated Equipment during Period of Construction - 08.00 hours to 18.00 hours weekdays and 08.00 to 13.00 hours on Saturdays. (RC26).
6. Sc22 – No further windows, doors or openings of any kind shall be inserted in the eastern elevation of the dwelling, hereby permitted. (Rc22).
7. Sc51 Landscaping (Rc51).
8. Sc52 Landscaping. (Rc52).

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), **P5/3** (Density) and **P5/5** (Homes in Rural Areas)

- **South Cambridgeshire Local Plan 2004:**
SE4 (Residential development in Group Villages), and
HG10 (Housing Mix and Design).
2. The proposal is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
- Residential amenity including overlooking and outlook issues
 - Highway safety
 - Visual impact on the locality
 - Design and Appearance

Environment Agency Informatives

Informatives regarding surface water and drainage.

Other

The applicant's attention is brought to Condition 4, which will prevent the construction of any extension to the dwelling, erection of an outbuilding on the land or erection of any fences, walls or gates (including the replacement of the existing fencing) without the need for planning permission.

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

- South Cambridgeshire District Council Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Local Development Framework, Submission Draft 2006
- Planning File Refs: S/0174/05/F, S/1538/04/F, S/2319/04/F and S/2046/03/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th April 2006
AUTHOR/S: Director of Development Services

S/0373/06/F - Lolworth
Erection of Two Houses following Demolition of Existing Dwelling
Bright Haven, Robin's Lane for Mr T Daniel

Recommendation: Delegated Approval
Date for determination: 21st April 2006

Site and Proposal

1. 'Bright Haven' is a part two-storey, part single-story timber-clad dwelling accessed from Robin's Lane. Robin's Lane is the main highway serving the village, but at this point is narrow in width and has no pavements. The driveway serving Bright Haven is shared with a two-storey dwelling to the south-east, 'Churchmede'. The site is on sloping land rising up from Robin's Lane. The site boundaries are marked with mature hedgerows and trees, and there is a large Horse Chestnut in the rear garden. This is protected by a Tree Preservation Order (TPO).
2. This full application, received 24th February 2006, and amended 22nd March 2006, proposes the demolition of the existing dwelling. Two dwellings on the footprint of the existing are proposed. These are two-storey, both having a main ridge height of 6.5m. House 1 has a single-storey gable facing Robin's Lane, and House 2 has a ridge window with a height of 7.7m (the same maximum height as the existing house). A rear addition to House 2 is shown to be set back 6.0m from the Horse Chestnut. The proposed external materials are clay tiles, facing brick and timber cladding.
3. The proposal includes an improvement to the visibility splay to the north-east down Robin's Lane. By removing and replanting further back a hedgerow on the frontage of the neighbouring dwelling at 'Highfield', a visibility of 50m minimum can be achieved. The proposed driveway is 5.0m wide at the entrance and 4.0m wide for the first 20m. Two parking spaces for each dwelling are shown, as well as space for the turning of vehicles. An amended plan, received 22 March 2006, includes a visitor's parking space adjacent to House 2.
4. The proposal represents a density of 13.3 dwellings per hectare.

Planning History

5. Planning permission for similar redevelopment to the current application was refused by Members at the 2nd November 2005 Planning Committee following a site visit last year (**S/1771/05/F**). The reasons for refusal referred to the proposed two dwellings being out of keeping with the established pattern of development in the area and likely harm to a tree protected by a Tree Preservation Order.
6. Outline planning permission for the replacement of the existing dwelling was granted in 2001 (**S/1706/01/O**). This permission has lapsed. Planning permission for the existing dwelling was granted in 1973 (**C/73/1655/F**). Earlier in 1973, planning

permission for the erection of three dwellings on the land comprising Bright Haven and Churchmede (prior to the construction of these dwellings) was refused as being of too high a density and out of keeping with the character of the area (**C/73/0086/O**).

Planning Policy

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 minimises the need to travel and reduces car dependency by providing compact forms of development through the promotion of higher densities, and which provides a sense of place which responds to the local character of the built environment.
8. **Policy P5/5** (Homes in Rural Areas) – small scale housing developments will be permitted in villages only where appropriate, taking into account the need for affordable rural housing, the character of the village and its setting, and the level of jobs, services, infrastructure and passenger transport provision in the immediate area.

South Cambridgeshire Local Plan 2004

9. **Policy SE5** (Infill-Only Villages) Residential developments within the village frameworks of these villages will be restricted to not more than two dwellings comprising:
 1. A gap in an otherwise built-up frontage to an existing road, provided that it is not sufficiently large to accommodate more than two dwellings on similar curtilages to those adjoining; or
 2. The redevelopment or sub-division of an existing residential curtilage; or
 3. The sub-division of an existing dwelling; or
 4. Subject to the provisions of Policy EM8, the conversion or redevelopment of a non-residential building where this would not result in a loss of local employment. Provided the site in its present form does not form an essential part of village character, and development is sympathetic to the historic interests, character, and amenities of the locality.

In very exceptional cases a slightly larger development may be permitted if this would lead to the sustainable recycling of a brownfield site bringing positive overall benefit to the village.
10. **Policy SE8** (Village Frameworks) of the Local Plan states that there will be a general presumption in favour of residential development within the frameworks of villages.
11. **Policy HG10** (Housing Mix and Design) requires residential developments to have a mix of units making the best use of the site. The design and layout of schemes should be informed by the wider character and context of the local townscape.
12. **Policy TP1** (Planning for More Sustainable Travel) – car parking requirements will be restricted to the maximum levels set out in Appendix 7/1. (For dwellings, Appendix 7/1 gives a level of an average of 1.5 spaces per dwelling, up to a maximum of two per 3 or more bedrooms in poorly accessible areas).

13. **Policy EN5** (Trees, Woodlands and Hedgerows): the District Council will require trees, hedges and woodland and other natural features to be retained wherever possible in proposals for new development.
14. **Policy EN6** (Tree Preservation Orders and Hedgerow Retention Notices): 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 historic significance.

Consultations

15. **Lolworth Parish Meeting** has made no recommendation. Members of Lolworth Parish, at the Parish Council Meeting, were of mixed views, regarding the proposal with 10 supporting, 10 against and 9 making no recommendations.

It comments "The Chairman reminded the meeting that in voting on the proposal, parishioners should remember that Mr Daniel was going to submit further amended plans to address the issue of the visibility splay and to provide a fifth parking space. Persons at the meeting were informed there is a covenant restricting development to a single dwelling no more than two storeys high."

16. **Council's Trees and Landscape Officer:** Comments awaited. These will be reported verbally at the meeting.
17. **Council's Chief Environmental Health Officer:** No objection. Recommends informatives.

Representations

18. **Highfield, Robin's Lane**
 - 1) Withdrawal of consent for the removal of hedgerow at the front of the property.
19. **Churchmede, Robin's Lane**
 - 1) Objection to the sub-division into two plots. This is too high a density and is out of keeping with the character of the area. Other examples of dwellings close to each other (Highfield and Church Hill) have substantial plots each.
 - 2) No development in Lolworth will reduce car-dependency so the presumption in favour of higher-density development does not apply here. There is no transport provided in the village and the A14 is constantly congested.
 - 3) Since consent for the provision of a sight line across the frontage of Highfield has been withdrawn, access will be more difficult and parking more crucial. The present access has a blind entrance into Robin's Lane which is very narrow at this point.
 - 4) There is little room for visitor parking which may overspill into Robin's Lane.
20. **Church Hill, Robin's Lane**
 - 1) Concern at the countryside pursuit of in-filling gardens.
 - 2) Precedent for future division of gardens leading to a hotchpotch of houses and suburbia.
 - 3) Traffic, parking etc.

21. **Summer Hill**

- 1) Infill brings more traffic and doesn't enhance the village.
- 2) There is a covenant on the land limiting development to a single dwelling no more than two-storeys in height.

Applicant

22. Comments from the applicant in respect of the current application and the reasons for refusal of the last application are attached at **Appendix 1**.

Planning Comments – Key Issues

23. The existing dwelling is part two-storey and part single-storey in design, whereas the proposed replacement dwellings are predominately two-storey. There is a consequent increase in the bulk of building on the site, although the ground floor areas are equivalent and the siting is very similar and there is no increase in ridge height. The additional bulk is well screened by trees and hedgerows, and in my opinion will not be detrimental to the street scene nor have any adverse impact on the amenity of the occupiers of neighbouring dwellings. The design and materials are of a good quality, and I consider that the proposal conforms to policies P1/3, P1/5, SE5, SE8 and HG10 of the Local Plan 2004.
24. The issues of precedent does not, in my opinion, amount to a reasonable ground for refusal in this case, as the development occupies a similar footprint as the existing building, and does not adversely affect the character of the area.
25. The rear extension to House 2 has been adjusted to take into account previous comments of the Council's Trees and Landscape Officer, and comments to the current application are awaited.

Highway Safety and Access

26. The existing vehicle-to-vehicle visibility onto Robin's Lane from the site will be considerably improved as a result of the development. This requirement remains although the adjoining owner has indicated he is not willing to consent to the necessary hedge trimming/removal works on his frontage. The proposed parking provision of four spaces complies with the recommended maximum car parking standard. The access track is shown to be widened to 5.0m to allow two cars to pass. The amended plan indicates an additional space for visitor parking. I consider that the proposal will comply with policy TP1 of the Local Plan 2004. A condition to ensure off-street parking of construction traffic can be attached, as recommended.

Recommendation

27. Subject to no objections being received from the Council's Trees and Landscape Officer, approval as amended by plans received 22 March 2006 subject to the following conditions:
1. Standard Condition A – Time limited permission (3years) (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. Sc22 – Except as shown in the approved plans, no further windows at first floor level in the south-east elevation of the development (Rc22);
8. D5 Visibility splays to be provided (Reason- In the interests of highway safety);
9. The vehicular access to be ungated (Reason- In the interests of highway safety);
10. The permanent space to be reserved on the site for the garaging, parking and turning of vehicles shall be provided before any dwelling is occupied and thereafter retained for that purpose. (Reason -To ensure the adequate availability of car parking provision within the development and in the interests of highway safety);
11. Details of construction traffic parking to be agreed. (Reason- In the interests of highway safety);
12. Restriction of hours of use of power operated machinery (Reason – To safeguard neighbouring amenity during the construction period).

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
Policy P1/3 (Sustainable Design in Built Development); **Policy P5/5** (Homes in Rural Areas)
 - **South Cambridgeshire Local Plan 2004:**
Policy SE5 (Infill-Only Villages); **Policy SE8** (Village Frameworks); **Policy HG10** (Housing Mix and Design); **Policy TP1** (Planning for More Sustainable Travel); **Policy EN5** (Trees, Woodlands and Hedgerows).
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Highway safety
 - Visual impact on the locality

Informatives

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

- (b) Before development commences, there shall be submitted to and approved by the Local Planning Authority in consultation with the District Environmental Health Officer a statement of the method of construction of driven pile foundations (if used). The foundations shall be constructed in accordance with the approved scheme. This is necessary in order to safeguard the amenity of the occupiers of nearby dwellings from disturbance from noise and vibration during the construction period.
- (c) Before the existing buildings are demolished, a Demolition Notice will be required from the Council's Environmental Health Section, in order to establish the means by which the demolition will take place including the removal of any asbestos present, the removal of waste, minimisation of dust, capping of drains, and establishing hours of working operation, so as to ensure the protection of the residential environment of the area.
- (d) During construction there shall be no bonfires or burning of waste on the site except with the prior permission of the District Council's Environmental Health Officer in accordance with best practice and existing waste management legislation.

The Environment Agency has provided the following advice:-

1. Developments on this scale in these lower risk locations within Flood Zone 1 fall outside the scope of formal standing advice. The following is offered to aid developers in managing the surface water runoff issues for information purposes only as a pointer towards best practice for surface water disposal.
2. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management. This approach involves using a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands to reduce flood risk by attenuating the rate and quantity of surface water run-off from a site. This approach can also offer other benefits in terms of promoting groundwater recharge, water quality improvement and amenity enhancements. Approved Document Part H of the Building Regulations 2000 sets out a hierarchy for surface water disposal which encourages a SUDs approach.
3. In accordance with Approved Document Part H of the Building Regulations 2000, the first option for surface water disposal should be the use of sustainable drainage methods (SUDS) which limit flows through infiltration e.g. soakaways or infiltration trenches, subject to establishing that these are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries ground water pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under BRE Digest 365.
4. Flow balancing SUDS methods which involve the retention and controlled release of surface water from a site may be an option for some developments at this scale where uncontrolled surface water flows would otherwise exceed the local greenfield run off rate. Flow

balancing should seek to achieve water quality and amenity benefits as well as managing flood risk

5. Further information on SUDS can be found in PPG25 paragraphs 40-42, PPG25 appendix E, in the CIRIA C522 document Sustainable Urban Drainage Systems-design manual for England and Wales and the Interim Code of Practice for Sustainable Drainage Systems. The Interim Code of Practice provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SUDs. The Interim Code of Practice will be made available electronically on both the Environment Agency's web site and CIRIA's web site.
6. Where it is intended that disposal be made to public sewer, the Water Company or its agents should confirm that there is adequate spare capacity in the existing system taking future development requirements into account
7. Development which involves a culvert or an obstruction to flow on an Ordinary Watercourse will require Agency consent under the Land Drainage Act 1991. An Ordinary Watercourse is defined as any watercourse not identified as a Main River on maps held by the Environment Agency and DEFRA. For further information see LDA 1991 -Consent Ordinary Watercourses and Land Drainage Act Consent etc.

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/0373/06/F, S/1771/05/F, S/1706/01/O, C/73/1655/F, C/73/0086/O.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee5th April 2006**AUTHOR/S:** Director of Development Services

**S/0254/06/F – Bassingbourn
22.5 Metre High Telecommunications Tower and Associated Development,
Bassingbourn Sewage Works, Guise Lane for Vodafone and H3G**

**Recommendation: Approval
Date for Determination: 6th April 2006**

Site and Proposal

1. Bassingbourn Sewage Works is a collection low level buildings and structures that are accessed off Guise Lane to the north of the village of Bassingbourn. The start of Guise Lane is a made up road bordered on both sides by residential properties, as the lane approaches the site it becomes a single lane track bordered by mature hedgerows the other side of which the land is agricultural. To the north of the site the sewage works abuts the boundary of Bassingbourn Barracks with the dry ski slope forming a prominent feature of the flat landscape. The boundary of the site is well screened by mature trees and the nearest residential property is approximately 230 metres from the site.
2. This full application received on the 9th February 2006 proposes the erection of a 22.5 metre high lattice telecommunications tower with 7 antennas, 2 x 600mm dishes, 2 x 300mm dishes and associated development. The application is accompanied with information showing that it is in compliance with the International Commission on Non-Ionising Radiation Protection (ICNIRP) public exposure guidelines.

Planning History

3. Two applications were received within two days of each other at the end of last year. The first was a full application from H3G for a 22.5 metre tower and associated development (**S/1624/05/F**) and the second was from Vodafone for a 15 metre high monopole and associated development (**S/1637/05/PNT**). Both these applications were refused due to the visual impact upon the rural landscape of the two masts.

Planning Policy

4. **Policy SP8/8** of the Cambridgeshire and Peterborough Structure Plan 2003 states that telecommunications developments will not be permitted which could otherwise share existing facilities or be erected on an existing building or other structure; is unacceptable in relation to other policies of the structure plan, including impact upon the environment; and does not include all reasonable measures to mitigate any adverse environmental effects.
5. **Policy CS8** of the South Cambridgeshire Local Plan 2004 advises that, in considering applications for telecommunications installations, it is necessary to consider the siting and external appearance of telecommunications apparatus; whether the applicant has shown evidence that they have explored the possibility of erecting antennas on an existing building mast or other structure; and that applicants

have considered any need to include additional structural capacity to facilitate future mast sharing.

6. Government Policy Guidance in **PPG8**, “Telecommunications” aims to facilitate the growth of new and existing systems whilst keeping environmental impact to a minimum. The sharing of masts and sites is strongly encouraged. “

Consultation

7. **Bassingbourn Parish Council** recommends that the application be refused. No further comments or reasons are offered.
8. **Chief Environmental Health Officer** has considered the implications of the proposal in terms of emission of electronic radiation (EMFs). Currently clinical and epidemiological studies cannot clarify health effects associated with low level RF exposure. However, it is believed that further studies are required to confirm whether or not the findings are correct.
9. It is proposed that the minimum standards on the UK should follow the recommendations of ICNIRP. To this end, the applicant should be encouraged to provide monitoring data that proves that installations meet current guidelines at a minimum and should be encouraged to look for sites which, in so far as is practically possible, minimise potential exposure of local residents, avoiding proximity to sensitive areas, e.g. residential developments and school grounds. Transmitter antennae should be positioned so that they project their energy beams towards the horizon and not below. The beam of greatest intensity should not fall on any part of the sensitive location (e.g. school grounds or buildings) without agreement from the occupier(s) (e.g. school and parents). The developer should be discouraged from mounting antennae on building walls where rooms immediately behind such walls will be regularly occupied by people.
10. From a public health protection standpoint, the above approach is justifiably precautionary. The measures outlined will ensure that any potential health risks are minimised, whilst allowing flexibility to raise thresholds if scientific data permits.

Representations

11. None received

Planning Comments – Key Issues

Visual Impact

12. Although the previously refused 22.5 metre high tower was refused due to visual impact, this reason for refusal was mainly due to cumulative impact since it would have been adjacent to a second tower. The site benefits from a strong block of natural screening by way of the existing hedgerow and mature trees that bound the site. However it is recognised that the mast will still be visible above the height of the aforementioned mature trees. The area of Guise Lane where the mast is proposed is not a route regularly used by either vehicular or pedestrian traffic. Moreover the existing vegetation will screen a large part of the lower section of the mast and associated apparatus from public view by users of the lane. The distance from the nearest residential property means that the mast is not considered to have an unacceptable impact upon residential amenity.

Public Health

13. The development is not considered to be unacceptably close to a school (the nearest one is over 1km away) or residential development. Previously Bassingbourn Parish Council recommended the refusal of the first 22.5 metre tower saying that it was too close to housing. The fact that the proposal is ICNIRP compliant and is in excess of 200 metres from the nearest residential property means that the proposed site and development would be a sufficiently precautionary approach.

Alternative sites and Site Sharing

14. As part of the application the applicants have submitted a list of six other sites that have been considered and discounted for various reasons such as site availability and proximity to residential properties. I am satisfied with the reasoning behind the elimination process and are unable to suggest any other alternatives within the same area.
15. As a result of the previous two applications the two communications companies have submitted a single application so that the proposed mast can be used for the apparatus of both networks. This mast sharing is in compliance with policy CS8 of the Local Plan and PPG8 and would suitably address the reason for refusal of the previous applications. The proposed structure would also facilitate future mast sharing.
16. Although Bassingbourn Parish Council has objected to this application no reason has been given for this recommendation. However based on comments for **S/1624/05/F** it is assumed that the reason for refusal is the proximity of the development to properties in Guise Lane. The application is compliant with ICNIRP guidelines and there have not been any representations from nearby residents. The main issue for Members to consider in the determination of this application is whether the proposed lattice mast will have an unacceptable visual impact upon the rural landscape of this part of the district.

Recommendation

15. Approve
 1. Standard Condition A – Time limited permission (Reason A);
 2. When the apparatus hereby permitted is no longer used for the purposes of telecommunications operation the operator shall notify in writing the Local Planning Authority accordingly and within 3 months of the operational requirement ceasing, the mast and all associated apparatus, structures, fences and hard surfaces shall be removed from the land and the site shall be restored to its condition as it was prior to the implementation of the permission, except as may otherwise be agreed in writing by the Local Planning Authority. (Reason - To protect the visual amenity 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: SP8/8**

- **South Cambridgeshire Local Plan 2004: CS8** (Telecommunications)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
- Proximity to residential properties

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/0254/06/F; S/1637/05/PNT; S/1624/05/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th April 2006
AUTHOR/S: Director of Development Services

S/0328/06/F - Cottenham
Erection of House, Land R/O 322 High Street for Mrs E Smith and Mrs M Hardy

Recommendation: Refusal
Date for Determination: 19th April 2006

Conservation Area**Site and Proposal**

1. No. 322 High Street faces the northern tip of The Green opposite the entrance to Cottenham Village College and comprises a 1½-storey property gable to the road. The walls are rendered under a pan-tiled roof; it has a jettied first floor and was built in the mid 1980's.
2. To the north-east are Nos. 318 and 316, both double-fronted villas, whilst to the south-west is a red brick farmhouse. All three properties are Listed Buildings.
3. The full application, received 22nd February 2006, proposes the erection of a 2/3 - bedroomed property. The density inclusive of the existing house No. 322, equates to 18 dph. The application site area is 0.095 hectares.
4. Access would be via the present gravel driveway between Nos. 318 and 322, which serves both properties at present.
5. The plot widens to the rear of No. 318 and the proposal is to erect a dwelling, linear in plan form, along the north-eastern boundary of the plot, backing on to the garden of No. 316 next door. The building will be 23.7m in length, the centre section being 1½ -storey with ridge heights of 6.8m and 5.1m, with single storey sections each end. The building will be weather-boarded under a plain-tile roof.

Planning History

6. No. 322 was approved in 1983 and was a replacement, I believe, for two cottages on site (S/1669/83/F).
7. On the adjacent site, No. 316, Members may recall refusing a similar scheme to that now proposed following a visit to the site - August 2002 Committee, item 28 (ref. S/1254/02/F).
8. A revised application (S/0908/04/F), which overcame some of the objections relating to lack of garden to the existing house at No. 316 was refused under delegated powers in June 2004 for the reasons:
 1. "The long garden of No. 316 High Street, together with its range of outbuildings, is typical of the character of development along High Street.

The sub-division and development of this plot in the manner proposed will be detrimental to this character and will be contrary to Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan (2003) and Policies EN28, EN30 and HG11 (1) and (4) of the South Cambridgeshire Local Plan (2004). The proposal is also contrary to the aims of the "BUILDINGS" section of the Cottenham Village Design Statement (1994) pages 22 and 23, in that the simple traditional form of buildings to the rear of frontage dwellings is neither maintained nor reflected.

As such the building is too large in mass and footprint resulting in a visually dominant element which would adversely affect the setting of No. 316 High Street, a Grade II Listed Building, would be contrary to the simple character of traditional buildings in the High Street and, as such, would neither preserve nor enhance the character of the Cottenham Conservation Area.

2. The access for the proposed dwelling is between Nos. 316 and 318 High Street. Both these properties lie in close proximity to the highway which results in the access being unable to achieve adequate pedestrian to vehicle visibility splays for vehicles leaving the application site; consequently the proposal is contrary to Policy HG11 (3) of the South Cambridgeshire Local Plan (2004)."
9. At the February 2005 Committee (item 28) an application (ref. S/2548/04/F), virtually identical to that under consideration at 322 High Street, was refused for the reasons:
1. The long gardens of No. 322, and previously No. 318 High Street are typical of the character of development along High Street. The sub-division and development of this plot in the manner proposed will be detrimental to this character and will be contrary to Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan (2003) and Policies EN28, EN30, SE2 and HG11 (1) and (4) of the South Cambridgeshire Local Plan (2004). The proposal is also contrary to the aims of the "BUILDINGS" section of the Cottenham Village Design Statement (1994) pages 22 and 23, in that the simple traditional form of buildings to the rear of frontage dwellings is neither maintained nor reflected.
 2. As such the building is too large in mass and footprint resulting in a visually dominant element which would adversely affect the setting of Nos. 316 and 318 High Street, both Grade II Listed Buildings, would be contrary to the simple character of traditional buildings in the High Street and, as such, would neither preserve nor enhance the character of the Cottenham Conservation Area.
 3. The present access, only 4.0m in width at its widest, is inadequate to serve the proposed new dwelling. Any increase in use of the current driveway is likely to result in more occasions when a vehicle has to reverse out onto the High Street, in close proximity to the mini-roundabout adjacent, resulting in increased danger to users of the highway.

Cambridgeshire and Peterborough Structure Plan (2003):

10. **Policy P1/3** (Sustainable Design in Built Development) seeks to ensure new development responds to the local character of the built environment.

11. **Policy P7/6** (Historic Built Environment) looks to protect and enhance the quality and distinctiveness of the historic built environment.

South Cambridgeshire Local Plan (2004):

12. **Policy EN28** (Development within the curtilage or setting of a Listed Building) seeks to protect a Listed Building from development which would dominate and/or damage its setting.
13. **Policy EN30** (Development in Conservation Areas) seeks to protect the character of a Conservation Area and to retain or enhance its appearance and character.
14. **Policy HG11** (Backland Development) only permits development to the rear of existing properties if it will not be detrimental for reasons of overbearing and overlooking, noise and disturbance, highway dangers or out of character with the pattern of development in the vicinity.
15. **Policy SE2 (Rural Growth Settlements):**
"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, particularly policy EM8.
16. 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."

The Cottenham Village Design Statement (1994):

17. "**Buildings**" looks to ensure that the simple traditional form of buildings to the rear of frontage dwellings is either maintained or reflected in new development.

Consultations

18. **Cottenham Parish Council** whilst approving the application, has concerns with regards to the access to High Street and its width.
19. **The Chief Environmental Health Officer** asks for a restriction on machinery use during the period of construction and details of construction if pile driven foundations are to be used.
20. **The Old West Internal Drainage Board** has no comment from a drainage point of view.
21. The comments of the **Conservation Manager** will be reported verbally; previously he objected to the 2004 application.

Representation - Applicant

22. In a covering letter, the agents state (summarised):
 - Building designed to compliment the adjoining barn and its immediate surroundings.

- Whilst the access serves both Nos. 318 and 322, and varies in width between 3.5m to 5.0m., the latter width is adequate for two vehicles to pass; there would be no need for vehicles to have to reverse out onto High Street
 - The garage for No. 322 has been removed and 2 parking spaces per dwelling have been provided
 - Cottenham is a Rural Growth Settlement
 - The design and siting of the house will not adversely affect the street scene or its character, or affect the setting of adjacent Listed Buildings
 - Being only 1½ storeys in height, it will not appear over bearing, nor overlook or overshadow neighbours
 - The Village Design Statement supports such developments
 - The scheme is in line with the aims of PPS1
23. In addition, the agent has made comparisons to the previous refusal, in that:
24. Footprint reduced by 29m² by the removal of garage and dining room
Previous scheme was between 650mm and 1100mm off the boundary; it will now be 2.0m off boundary (NB plans show a gap between 1100mm and 1700mm.)

Representations - Neighbours

25. None received at the time of writing Report, - the consultation period expires 28th March. Any comments received will be reported verbally.

Planning Comments - Key Issues

26. The main issues with this proposal are the effect on the Listed Building/Conservation Area, highway safety/access and effect on immediate neighbours. In addition has this revised scheme overcome the previous reasons of refusal?

Listed Building/Conservation Area:

27. With the exception of the bottom (north west end 7.0m depth) all of the site lies within the Conservation Area. The three properties to the front, Nos. 316, 318 and 324, are all Listed Buildings.
28. Whilst many of the High Street properties have (former) agricultural buildings to the rear, such is not the case with Nos. 318 and 322. There is a smaller range behind No. 316 and an extensive range, used as a gym, behind No. 324.
29. The erection of a new building, with an overall length of 23.7m, would introduce an alien element into this area of back gardens. It would affect the setting of the adjacent Listed Buildings and would neither protect nor enhance the character of the Conservation Area. As such it would be contrary to Development Plan Policies P1/3, P7/6, EN28 and EN30.

Highway Safety/Access:

30. The present access is gravelled with a width of 4.0m. 5.0m into the site it narrows to 3.5m for a short distance before widening again. 15.0m back from the front boundary is a pair of gates providing vehicular access to No. 318 (Nos. 318 and 322 were, I believe, previously in one ownership with a right-of-way being granted when No. 318 was sold).

31. The access is similar in width to that at No. 316, see refusal in "HISTORY" above, and is not really adequate for the two dwellings it already serves although visibility is achievable. Two vehicles can, at a pinch, pass in a 4.0m wide gap but it should not be encouraged. To permit a third dwelling would increase noise and disturbance to both neighbours through vehicle manoeuvring and, at the same time, increase the risk of vehicles having to give way and reversing out onto the High Street. At the apex of The Green is a min-roundabout; situated on a Y-shaped junction, as opposed to the more common T-shape; traffic speeds tends to be slightly faster, coupled with an element of confusion by drivers. Reversing out onto such a junction would result in increased highway danger.

Impact on Neighbours

32. As described, above the erection of a third dwelling would increase noise and disturbance to the occupiers of both Nos. 318 and 322 because of the increased manoeuvring of vehicles in a confined area. Additionally the length and massing of the proposed dwelling would dominate, and appear overbearing, when viewed from the rear garden of No. 316 High Street.

Have the revised plans overcome the previous refusal?

33. There is no change to the access arrangements.
34. I agree that two cars could pass in a 5.0m wide driveway but, in reality, vehicles will drive in the centre of such an access, especially as it narrows to 3.5m. Rather than risk damage to a vehicle, the driver is more likely to reverse back onto High Street.
35. Whilst the plan does show parking for 2 vehicles per property, the spaces are not all workable. Firstly a car would have to be able to turn through 90° to access a space. To exit, a reversing distance of 6.0m is required; the plan can only provide 3.6m maximum.
36. Although the building is reduced in length and footprint, there is no fundamental change to its effect on the adjacent Listed Buildings or the character of the area.
37. Noise and disturbance to the occupiers to Nos. 318 and 322 remains unresolved.
38. For the above reasons, I recommend refusal.

Recommendation

Refuse for the following reasons:

1. The long gardens of No. 322, and previously No. 318 High Street are typical of the character of development along High Street. The sub-division and development of this plot in the manner proposed will be detrimental to this character and will be contrary to Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan (2003) and Policies EN28, EN30, SE2 and HG11 (1) and (4) of the South Cambridgeshire Local Plan (2004). The proposal is also contrary to the aims of the "BUILDINGS" section of the Cottenham Village Design Statement (1994) pages 22 and 23, in that the simple traditional form of buildings to the rear of frontage dwellings is neither maintained nor reflected.
2. As such the building is too large in mass and footprint resulting in a visually dominant element which would adversely affect the setting of Nos. 316 and 318 High Street,

both Grade II Listed Buildings, would be contrary to the simple character of traditional buildings in the High Street and, as such, would neither preserve nor enhance the character of the Cottenham Conservation Area.

3. The present access, only 4.0m in width at its widest, is inadequate to serve the proposed new dwelling. Any increase in use of the current driveway is likely to result in more occasions when a vehicle has to reverse out onto the High Street, in close proximity to the mini-roundabout adjacent, resulting in increased danger to users of the highway.
4. If approved the access would serve 3 properties. At present it is sub-standard in its lack of vehicle-to-vehicle visibility and the increase of its use by 50% would only compound this matter.
5. The use of the access, and the turning of vehicles in such a confined space, would be detrimental to the amenities of the residents of both Nos. 318 and 322 High Street, contrary to Policy HG11, (2) and (3) 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 files Ref. S/1669/83/F, S/1254/02/F, S/0908/04/F, S/2548/04/F and S/0328/06/F
- Cottenham Village Design Statement

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th April 2006
AUTHOR/S: Director of Development Services

**S/0117/06/F - Fulbourn
 Extension to Café/Refreshment Area of Children's Activity Centre, Chaplins Farm,
 Babraham Road for Chaplins Farm Ltd**

**Recommendation: Refusal
 Date for Determination: 21st March 2006**

Departure Application

Site and Proposal

1. Small farm of some 18.4 hectares/45 acres on the southern edge of Fulbourn. With the rear gardens of houses in Dogget Lane to the north, the site is open to agricultural land on all other sides with views of the Gogs to the south. Babraham Road forms the western boundary of the farm.
2. At the northern edge of the farm is a single storey building measuring 14.8m x 18.4m (272m²), with a ridge height of 4.6m used as a farm shop and children's activity centre with outdoor play area.
3. The full application, received on 24th January 2006 seeks to extend the building on its southern side with a seating area measuring 12.0m x 5.7m (68.0m²) with a ridge height of 3.2m. It would be clad with dark stained boarding with a red/brown sheet roofing.

Policy

4. **Cambridgeshire and Peterborough Structure Plan 2003**
P1/2 - "Environmental Restrictions on Development" seeks to resist development in the countryside unless it can be proved to be essential.
P4/1 - "Tourism, Recreation and Leisure Strategy" seeks to promote improved tourism, recreation, recreation and leisure facilities
P9/2a - "Green Belt" aims to protect the character of Cambridge.
5. **South Cambridgeshire Local Plan 2004**
GB1 - "The Boundaries of the Green Belt", aims to follow **P9/2A**
GB2 - "Green Belt" refers to **"Inappropriate Development"** in the Green Belt, accepting that essential facilities for outdoor sports can be acceptable
GB5 states that substantial buildings for outdoor sport and/or car-park will not be supported.

History

6. Consent granted in March 1986 for the erection of a farm shop and in April 1989 for a farm shop and cafeteria.

7. In December 2004 consent was granted to convert the building into a children's activity centre with outdoor play area. This consists of a large multi-level/multi-function enclosed "climbing frame" occupying an area of 13.0m x 5.5m. In addition there is a "soft play" area for toddlers, a tea-room, services and a reduced farm shop.

Consultations

8. **Fulbourn Parish Council** "approves" the application.
9. **The Chief Environmental Health Officer** has no comments to make.

Representations - Neighbours

10. None received.

Representations - Applicant

11. A letter from the Agent is attached as an Appendix.

Planning Comments

12. The current use of the building, being generally small scale, was felt to be "appropriate development" in the Green Belt as it was within a former agricultural building, did not involve an extension to the building and was considered to be a form of diversification for the farmer.
13. The extension proposed is, by definition, "inappropriate development" and the single issue in respect of this application is whether or not very special circumstances exist to justify inappropriate development.
14. Members will see from the Architect's letter attached - para 3(i) - (v) and para 6, that the facility has been an instant success and this is wherein the problem lies.
15. Because of its success it has need to be expanded, not to enable more children to play, as that is strictly limited by the size/capacity of the "climbing frame", but to provide a quieter environment for parents to wait.
16. From an officer visit, together with photographs, it is clear that the current tearoom is too small.
17. However that is not a planning matter and, in order to resolve the problem, the size/capacity of the "climbing frame" needs to be reduced as to be proportionate to the size of the tearoom.
18. An extension is not the answer; whilst recognising the fact that it would be convenient and desirable for the applicant, I am not satisfied that it is essential, nor that very special circumstances exist to outweigh the harm by reason of inappropriateness
19. My recommendation is therefore, refusal.

Recommendation

20. Refusal, for the following reason:

The site lies in the Green Belt and an area of open countryside on the south side of Fulbourn where there are extensive and open views. An extension to the present building, which is not essential to the continued use of the Children's Activity Centre, is contrary to Policies **P1/2**, and **P9/2a** of the Cambridgeshire and Peterborough Structure Plan 2003, and Policies **GB1**, **GB2** - Green Belt General Principles and **GB5** of the South Cambridgeshire Local Plan 2004, which preclude inappropriate development in the Green Belt unless very special circumstances can be demonstrated; none has been demonstrated in this particular case.

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/0117/06/F, S/2125/04/F, S/0502/89/F and S/0293/86/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee5th April 2006**AUTHOR/S:** Director of Development Services

**S/0185/06/F - Fulbourn
Erection of Grain Dryer Building
Queens Farm, Wilbraham Road, for G. C. Lacey and Son**

**Recommendation: Delegated Approval/Refusal
Date for Determination: 5th May 2006 (Major Development)**

Site and Proposal

1. Queen's Farm is sited immediately to the north-east of Fulbourn, where Station Road turns into Wilbraham Road, and consists of two houses and two ranges of farm buildings. The farm totals 405ha (1,000 acres) of which 303ha (750 acres) is owned, the remainder is farmed on a full agricultural tenancy under the Agricultural Holding Act 1986.
2. Set back some 225.0m from Station Road/Wilbraham Road, is a range of various barns measuring, in total, 130.0m x 40.0m approximately. At present they are part commercial, part agricultural - see **History** below.
3. Another 220.0m to the north is another range of buildings measuring, in total, 120.0m x 30.0m approximately. This is a former Government Intervention Store part rented out for grain/crop storage.
4. The full application, received 3rd February 2006, proposes the erection of a fifteen, 6.0m bay grain storage building measuring 90.0m x 20.5m. It will be sited to the west of the farm road immediately to the south of the former Intervention Store. The building will have an eaves height of 6.2m and a ridge height of 9.0m. The roof and top half of the walls will be clad with profiled steel sheeting, the bottom 3.0m to be grain walling.

Planning History

5. Two houses approved in mid '70's and 1997. Original barns, grain stores, workshops built in the 1950's. Turkey buildings added 1976 and 1996. The Intervention Store built 1970's with two small additions in early 1980's.
6. Following difficulties in the Turkey market, consent was granted in 2001 and 2003 to use some buildings for B1, B2 and B8 Use (light industrial, general industrial and warehousing.)
7. More recently, 2004, consent was granted to use the 1950's building for B8/storage use. Whilst this latter use has not yet commenced, the former turkey buildings are used by an engineering company.

8. At the January 2006 Committee (Item 18) an identical building, described at that time as a “grain store”, was refused for the reason:-

“With current storage facilities on the farm sufficient to store its annual output of grain, no case has been put forward to justify the need for this second building. As such the proposal is contrary to Policies P1/2 and P9/2a of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies GB1 and GB2 of the South Cambridgeshire Local Plan 2004.”

Planning Policy

i) Cambridgeshire and Peterborough Structure Plan 2003

9. **P1/2** (Environmental Restrictions on Development) restricts development in the countryside unless it can be demonstrated to be essential.

10. **P9/2a** (Green Belt.)

ii) South Cambridgeshire Local Plan 2004

11. **GB1** and **GB2** - Green Belt general principles. Development is in appropriate unless it comprises, amongst others, buildings for agriculture.

12. **EN5** (The landscaping of new development)

Consultation

13. **Fulbourn Parish Council** ‘Approves’ the application, but states:

“We are concerned at the proliferation of buildings on this site. However, we have no objection to a new drier to replace buildings not up to standard. We assume this use is for the farm itself.”

14. **Great Wilbraham Parish Council** has asked to be consulted on applications appertaining to this farm and recommend Refusal, stating:

“The proposed development with the additional building (without removing the other two buildings currently used), clearly allows for over capacity. The Parish Council are concerned that this surplus capacity will generate extra drying availability which could be taken up by other farm growers and therefore generate extra HGV traffic, some of which would undoubtedly come through Great Wilbraham.

We therefore recommend REFUSAL for this proposal.”

15. **The Environment Agency** has no objections but asks for safeguarding conditions relating to surface water drainage and pollution control.

Representations - Neighbours

16. None received.

Representations - Applicant/Consultants

17. A covering statement from the applicants is attached as Appendix ‘A’.

18. A response to the application from Acorus, the Council's agricultural advisor, is attached as Appendix 'B'
19. Attached as Appendix 'C' is the response from the applicant's consultant, Roger Balls, to the comments from Acorus, advising this Authority.
20. Appendix 'D' shows the details of the grain drying system.

Planning Comments – Key Issues

21. The issues to be considered in respect of this proposal are need, size of building and position/effect on the landscape and openness of the Green Belt.

i) Need

As can be seen from the statements of both consultants, there is clearly a difference of opinion between them, and it is for this reason that the previous application was refused as that scheme was described as a 'Grain Store', not a grain drying facility, - the two having different requirements. I shall up-date Members on any further comments from either consultant.

ii) Size of building

There is no argument in that the building is large, 90.0m x 20.0m x 9.0m high but, sited as proposed in an open landscape with any public views being 'long distance', its scale is substantially diminished. The nearest public view is from a public footpath to the east, between 350.0m and 400.0m away. If approved there is scope for landscaping between the public footpath and the building itself to reduce any impact.

iii) Position and effect on landscape and Green Belt

The farmland to the west is extremely open but there is a gentle rise in the land of several metres. Standing on the site of the proposed building facing towards Cherry Hinton/Cambridge, one can see the top of Fulbourn Hospital and some of the hangars at Marshalls - all the other "middle distance" is screened by this slight rise in ground level. As mention in ii) above, there is scope for landscaping to help the public view from the east. Although the building will reduce the openness of the Green Belt, it would be sited adjoining an existing complex of buildings in accordance with Policy GB3 of the Local Plan.

22. Whilst I am satisfied that, with appropriate materials and additional landscaping, the building would not be inappropriate in this location, I am unable to put forward a positive Recommendation as much depends on the Consultants opinions which will be reported verbally.
23. The village of Great Wilbraham does experience much of the lorry traffic serving the existing large silo adjacent to the railway crossing, the nearby warehouse estate and traffic from Queens Farm; lorries approach the above from the direction of the A11 trunk road and 'by-pass' the need to use the narrow streets in the centre of Fulbourn. The Local Highway Authority does not wish to comment on the application in respect of this issue and the current farm entrance is to be improved as conditioned on other applications for the commercial use of redundant farm buildings. Whilst I can understand the concerns of Great Wilbraham Parish Council the grain to be stored in any approved building will be grown on the farm, not imported from elsewhere.
24. Subject to favourable comments from the Consultants I shall recommend delegated approval of the application.

Recommendation

25. In the event that Acorus supports the proposal, Approval is recommended subject to:
1. Standard Condition A – Time limited permission (Reason A);
 2. Sc51 – Landscaping (Rc51);
 3. Sc52 – Implementation of landscaping (Rc52);
 4. Sc5a – Details of materials for external walls and roof (Rc5a);
 5. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted and agreed in writing with the Local 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. (Rc - To prevent the increased risk of pollution to the water environment.)
 6. Prior to the commencement of any development, a scheme for the provision and implementation of pollution control to the water environment shall be submitted and agreed in writing with the Local 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. (Rc - To prevent the increased risk of pollution to the water environment.)

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)
P9/2a (Green Belts)
 - **South Cambridgeshire Local Plan 2004:**
GB1 and **GB2** (Green Belts)
EN5 (The Landscaping of New Development)
26. In the event that Acorus is unable to support the application, Refusal is recommended for the reason:

With current storage and drying facilities on the farm sufficient to store and dry its annual output of grain, the case put forward is not sufficient to justify the need for this building. As such the proposal is contrary to Policies P1/2 and P9/2a of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies GB1 and GB2 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 Files Ref: S/1963/05/F and S/0185/06/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee

5th April 2006

AUTHOR/S: Director of Development Services

**S/2035/00/F - Fowlmere
15 Houses and Garages (Amendment), Land off Long Lane/Rectory Lane for**

Recommendation: Delegated Approval

Site and Proposal

1. The site, situated between Long Lane and Rectory Lane, has planning consent for the erection of 15 houses and garages. Building work is nearing completion.
2. Plots 2 to 7 are constructed fronting Rectory Lane although vehicular access is proposed to the rear. The originally approved scheme indicated that a brick wall was to be erected along the Rectory Lane frontage. However amended details propose the construction of a 1.2m high picket fence with pedestrian access direct to Rectory Lane. The fence has been constructed.

Planning History

3. Planning consent for the erection of 15 houses and garages was granted in January 2004 and included a condition requiring the approval of boundary treatment.

Consultation

4. **Fowlmere Parish Council** is of the view that the wall previously proposed should be re-instated.
5. The **Conservation Manager** has no objection to a picket fence but feels that additional fencing and gates should be erected to close the gap that currently exists between the two plots.

Representations

6. A letter has been received from the occupiers of "Barinas", a detached house on the opposite side of Rectory Lane, pointing out that the original plans for the development showed a brick wall running all the way in front of the low cost houses and the pair of semi-detached houses. However the wall is now only in front of the former. No access for any vehicles was agreed originally in Rectory Lane but as there is no wall in front cars have been parked.
7. When this was queried with officers it was felt that the houses might have been built slightly further from Rectory Lane than approved. The developers also dug up part of the road in Rectory Lane, outside the two houses to give access to park in the front. The Highway Authority was contacted and the path has now been taken up and replaced by turf, although there is still felt to be an encroachment into the public highway, which is already very narrow.

8. It is questioned why there are 4 paths leading from the development directly onto Rectory Lane, which has no footpaths. One of the paths from the low cost houses slopes directly onto Rectory Lane, which is extremely dangerous for children and the Council will be held responsible for any accidents. This would not be the case if the original wall was constructed.
9. It is also questioned why the original approved car ports are now being built as large double garages with windows at first floor. Are they to be used as additional living accommodation or for industrial use? Why was there no consultation with residents on this change and why are the roof tiles different to the houses.

Planning Comments – Key Issues

10. The key issues to be considered are whether the proposed boundary treatment of a picket fence is appropriate to the Conservation Area and whether it achieves the aim of preventing vehicular access to Plots 2 and 3 from Rectory Lane.
11. The Conservation Manager has no objection to the picket fence as constructed but equally would not object to the continuation of the brick wall at the front of Plots 4 to 7. However, it is felt that the picket fence is the preferable option from a visual point of view provided the current fencing is lengthened as outlined above.
12. Whilst the erection of a wall would provide a stronger boundary treatment to Rectory Lane a picket fence could prevent vehicular access to the front of the plots and provided its retention can be guaranteed in the longer term I have no objection to the proposal subject to the alterations suggested by the Conservation Manager. These revisions would include pedestrian access direct from the plots to Rectory Lane being deleted and instead provided to the side of each plot to link to the existing footway. I have written to the applicant on this point.
13. As conditions cannot be attached to an amendment I would suggest that the applicant be requested to enter into a Section 106 Agreement to ensure the retention of the fence.
14. The matter of the garages raised by the occupiers of “Barinas” has already been taken up with the applicant and will be dealt with as a separate issue. An earlier amendment to these structures has been approved. At that time adjoining residents were not consulted as it was felt that the proposals would not specifically change the impact of the scheme on adjacent properties. What is now being constructed is not in accordance with the approved amended drawings and local residents will be given the opportunity to comment on further drawings when they are received.
15. I will ask the Local Highway Authority to visit the site again and comment on whether there is still any encroachment into the public highway, although I am of the view that if there is any issue it is likely to relate only to the area of turfing and not the fence.

Recommendation

16. That, subject to the further amendments outlined above, the applicant be invited to enter into a Section 106 Agreement requiring the retention of the fence in perpetuity. Subject to the prior signing of that agreement that the amended boundary treatment be approved.

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/2035/00/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee5th April 2006**AUTHOR/S:** Director of Development Services

S/0060/06/RM – Gamlingay**Erection of Production and Office Buildings, Ancillary Parking, Sewage Treatment Plant, Outside Storage and Construction of New Access, Land at Potton Road for Potton Ltd****Recommendation: Delegated Approval/Refusal
Date for Determination: 14th April 2006 (Major Development)****Site and Proposal**

1. This application for approval of reserved matters for the siting, design and external appearance of production buildings and office, ancillary parking, sewage treatment plant and outside storage, along with the means of access and landscaping for Potton Ltd was registered on 13th January 2006.
2. The site is a 3.1 ha parcel of vacant land to the east of Potton Road, Gamlingay, to the south of the village. Immediately to the north of the site is a rectangular area of land owned by Potton Ltd containing a series of industrial buildings. The site is currently not in use. There is a line of tall conifer planting along the majority of the north boundary of the existing site.
3. To the south of the site is a detached dwelling, Woodview Farm, and outbuildings. To the north of the existing Potton Ltd site (the Old Mill site) is a pair of cottages fronting Potton Road. The south boundary of the cottages comprises high conifer planting. Opposite the site and to the rear is agricultural land. There is currently substantial hedge planting along the front boundary of the site and more limited planting along the south and east boundaries.
4. The submitted drawings propose the erection of two production buildings. The larger building measures 91m x 20m (1820m²) and is positioned east-west, 25m in from the southern boundary of the site. The smaller building measures 72m x 20m (1440m²) and runs north-south towards the east side of the site. The ridge height of each building is stated to be 6m on the application drawing, although it scales at 7m.
5. In addition to the two production buildings there is a proposed office building measuring 20m x 24m (480m²) sited towards the west boundary of the site. This building has an eaves height of 3m and ridge height of 7m.
6. Materials proposed for all buildings is coated steel with aluminium windows. Colours are to be agreed although reference is made to light and dark green.
7. A total of 77 car parking spaces are provided in two blocks to the south and east of the proposed office building and provision for the parking of 76 cycles. The application form states that up to 100 people will be employed on the site.
8. A new vehicular access to the site is proposed, south of the existing entrance. The proposed access, which was agreed at the outline stage, will include the provision of a

right turn facility. A substantial section of the existing hedge along the front boundary will need to be removed in order to provide the new access and visibility splays. This loss was recognised and accepted at the outline stage.

9. The main access road into the site is located to the south of the existing screening on the north boundary. Large areas of hard surfacing are provided within the site for the storage of materials. A 6m wide roadway is shown to the rear of the building close to the south boundary of the site.
10. A 10m wide planting belt is proposed along the front boundary of the site, including across the access to the existing site, which is required to be closed by condition of the outline consent. An 8m wide planting belt is shown for the south boundary and a 10m wide belt for the east boundary. A proposed planting scheme has been submitted.
11. A foul water treatment plant is indicated behind the proposed planting at the front of the site, although details are not provided.
12. The site will be used for the production of prefabricated structures. Buildings within the existing site are shown to be used for storage and manufacture, equipment storage, and a mess room.

Planning History

13. Outline consent was originally granted for the development in December 2001 (**Ref S/2331/00/O**). Conditions attached to that consent required, amongst other matters, the submission of a Green Travel Plan, substantial landscaping, and the upgrading of the access onto Potton Road with the provision of a right-turn facility.
14. Consent was granted at the January 2005 meeting for an additional 12-month period for the submission of reserved matters (**Ref S/2238/04/F**). An application for a further 12-month period was approved in March 2006 (**Ref S/0059/06/F**). A copy of the outline consent is attached at Appendix 1.
15. Planning consent was granted on the site in 1991 (**Ref S/0715/89/F**), and subsequently renewed in 1996 (**Ref S/0131/96/F**) for the erection of a production barn, offices, sewage treatment plant and outside storage. The production barn measured 40m x 10m, substantially smaller than that granted in 2001.

Planning Policy

16. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") states that development in the countryside will be restricted to that which is demonstrated to be essential in a particular rural location.
17. **Policy EM7** of the South Cambridgeshire Local Plan 2004 ("The Local Plan") states that development for the expansion of existing firms within village frameworks or on suitable brownfield sites next to or very close to the village frameworks will be permitted subject to the provisions of Policy EM3 (Local User) and EM6 (no adverse impact on residential amenity, traffic conditions, village character and other environmental factors, and the development contributing to a greater range of local employment opportunities, especially for the semi-skilled and unskilled, or where initial development is based upon the use of locally-based skills and expertise). A firm or business will be considered as "existing" if a significant element of its operations has been based in the Cambridge Area for a minimum of two years prior to the date of any application for development.

Consultation

18. **Gamlingay Parish Council** recommends approval. “The Parish Council has no objection to the plans in principle. Two issues of concern were highlighted – the hours of operation should be restricted, as the area does have residential properties adjacent. Planting – Councillors would prefer a more random arrangement of tree planting/groupings in order for it to appear more natural.”
19. The **Bedfordshire and River Ivel Internal Drainage Board** comments that the site is approximately 300m from the Board’s drainage district. The natural drainage from the site is towards the Board’s watercourse 85, known as Millbrook. The Board notes that the proposed method of storm water disposal is by way of soakaways. If the method of storm water is to be by way of soakaways then the ground conditions should be investigated and if found satisfactory the soakaways constructed in accordance with the latest BRE Digest 365.
20. The **Trees and Landscapes Officer** comments that approaching the site from Potton although a critical boundary on the edge of the village, the site is located at a lower level than the adjacent land south of Woodview Farm and the nursery. It is therefore not quite as exposed as would appear from the plan. There is enough space to increase the width of the belt to 10m which will add an additional line of planting. The eastern boundary of the site is at a lower level to that of the western boundary and is open to views in from the surrounding countryside. The width of the belt shown on the plan is 10m and this should be increased to 12m to accommodate an extra row of planting. The specification of planting needs to be looked at in more detail to avoid a ‘plantation’ effect, and achieve a more pleasing visual effect.
21. The **Environment Agency** has no objection but points out that details in respect of surface and foul water drainage and pollution control remain outstanding and must be submitted prior to the commencement of development. The site is on a major aquifer. It is suggested that the site should be subject to a detailed scheme for the investigation and recording of contamination. The Agency queries what materials are to be stored on the hard surfaced areas, whether there will be any refuelling on site, and points out that any vehicle wash facilities will need to be agreed with the Agency.
22. The **Cambridgeshire Fire and Rescue Service** requests that adequate provision should be made for fire hydrants by way of condition or Section 106 Agreement.
23. The comments of the **Chief Environmental Health Officer and Local Highways Authority** have been requested and will be reported to the meeting.

Representations

24. Letters have been received from the occupiers of Nos 5 and 7 Mill Hill and Woodview Farm.
25. The occupier of 7 Mill Hill is concerned that there was previously an unauthorised use of the site by the Company which caused disturbance and therefore there is suspicion concerning the Company’s tactics and motives as well as the Council’s ability to control the firm. There are positive aspects of the application in that the entrance is being moved and the development is planned for the far side of the Old Mill site.
26. It is questioned what the Old Mill site will be used for and whether existing restrictions on the use of it honoured? What manufacturing will be undertaken in the large building

at the bottom of the Old Mill site? During what hours will manufacturing be allowed to take place? How much of a boundary is proposed between the garden of No7 and the Old Mill site? Is the application simply a Trojan horse for future development simply because the principles will be conceded by default?

27. It is not clear from the highways plan whether the road is to be widened at the point where a middle lane is installed to allow vehicles coming from Potton to turn right. There is no way that the current road is wide enough to accommodate a central lane.
28. There is no speed restriction on this stretch of road – has consideration been given to extending the 40mph restriction?
29. There are serious reservations about the adequacy of the size of area allocated to storage, manoeuvring, loading and unloading. It is strongly suspected that it is not enough and that the slack will be taken up by using the Old Mill site. The Council should take into account the width and length of modern trailers; the manoeuvring space required by trailer and tractor units; the proposed flow routes and facilities for vehicles delivering goods to the site as well as this distributing from it; the manoeuvring space required by fork lift trucks; anticipated production levels and peak stock levels – do these correlate to the anticipated vehicle movements of 20; does this figure include goods delivered to the site as well as those delivering the finished product? What happens if this number is exceeded?
30. There is no provision for waste disposal or recycling
31. Details required by conditions attached to the outline consent are not addressed. No details are given on the disposal of surface water or the sewage treatment plant; the type of equipment to be installed is not mentioned; the hours of operation of power equipment is not mentioned; there is no green travel plan; there is no 15m wide planting strip around the boundaries of the site.
32. No planting is shown between the applicant's property and the existing site. As the Old Mill site will be included in any new use there should be similar boundary treatment to that given on the boundary of Woodview Farm.
33. The use of the swiss chalet style building as a mess room is questioned. It is far too small to cater for 100 people and is at the opposite end of the site from the proposed working areas. It is less than 2m from the boundary fence with No7 Mill Hill and would be a gross intrusion into the privacy and peaceful use of the garden. There is no objection to the use of the building for storage but not for a canteen.
34. There is concern that planting could be removed after 5 years.
35. Confirmation is sought that the 4m height restriction of storage of materials will apply to the existing site.
36. Will the Company be able to seek further development in the future?
37. The location plan is inconsistent with the application.
38. The occupier of 5 Mill Hill is concerned at the impact of additional traffic. Although it is noted that a new access is to be formed, because this is a busy road, any additional traffic, especially the lorries, would be a potential traffic hazard.

39. The quality of life in the area would be affected as there is currently little noise in the area apart from traffic. A timber production plant just two doors away would radically change this
40. How will the value of the property be affected?
41. The occupiers of Woodview Farm are concerned at the proposed 6m wide roadway along the south boundary. If used by lorries and fork lift trucks outside reasonable working hours it could become a source of complaint as Woodview Farm is situated quite close to this.
42. Production building No1 is also quite close and again there is concern about production/working hours. The noise from air tools and machinery inside this building on a very late shift may also be cause of complaint.
43. Otherwise it is felt that the Company has made an effort through screen planting and the location of the storage and loading areas to be a 'good' neighbour.

Planning Comments – Key Issues

44. Outline consent has been granted for the use of the site. This application seeks approval for the siting, design and external appearance of the buildings, the means of access and landscaping of the site. It is therefore these issues that Members should concern themselves primarily at this stage.
45. Although a reserved matter, a plan demonstrating the proposed access was agreed at the outline stage and is required to be carried out in accordance with the agreed plan by condition 13 of the outline consent. Condition 14 requires the permanent closure of the existing access once the new one is brought into use. Any comment of the Local Highways Authority will be reported at the meeting
46. The new entrance is positioned 35m to the south of the existing one, taking it further away from the pair of cottages to the north. In the longer term the landscaping scheme will compensate for the loss of the existing planting on the front boundary of the site that will result from the creation of the new access and visibility splays.
47. I have queried with the applicant's agent the need to provide a 6m wide roadway to the south of the proposed main production building and have suggested that it be omitted if possible to minimise the impact of the use on Woodview Farm to the south.
48. I have queried the height of the production buildings with the applicant's agent, as there is a discrepancy between the height specified on the drawings and the height at which the drawings scale. It has been indicated that the application should be considered on the basis of the height specified on the drawing which is 6m. Revised drawings will be required that scale at that height.
49. The fact that the applicant has managed to keep the ridge height of the proposed production buildings down at 6m will help to minimise the visual impact of the development in this countryside location. The smaller office building has a 7m ridge and will be viewed from the new entrance to the site however the visual impact will be minimised by the proposed landscaping. The final choice of the colour of materials will be important.
50. Condition 11 of the outline consent states that the landscaping scheme should incorporate a 15m wide planting strip around the boundaries of the site unless the

Council agrees any variation to that width. The submitted drawings propose a maximum width of 10m for planting. Having visited the site and considered the proposed layout and buildings, the Trees and Landscapes Officer is of the view that the width of the planting strips along the south and east boundaries should be increased to 10m/12m to allow for an additional row of planting. The site is in the countryside and it is therefore important that the boundaries of the site are adequately planted to minimise the impact of the development. The rear of the site will be viewed across open countryside from a public right of way that runs north west to south east, 200-300m from the site.

51. I have passed on the comments of the Trees and Landscapes Officer onto the applicant's agent and have requested that the width of the planting strip be increased accordingly. There is adequate space within the proposed layout for this to be achieved. In response to the comments from the occupier of 7 Mill Hill I have asked for consideration to be given to providing additional planting along the north boundary of either the application site or the existing site to further protect that dwelling.
52. Although details of the proposed planting scheme have been submitted the Trees and Landscapes Officer has suggested that revisions to the specification will be required to avoid a 'plantation' effect. These revisions will also hopefully address the comments made by Gamlingay Parish Council. Again I have passed these comments onto the applicant's agent but am happy that the specification of planting can be dealt with by condition.
53. I will discuss with the Trees and Landscapes Officer whether a Preservation Order should be placed on the perimeter planting strip in due course to help ensure its retention beyond the normal 5 year period provided for within the landscape condition.
54. The operations of Potton Ltd require that large areas of the site will be used for outside storage. The submitted drawings indicate the location of these areas as required by the outline consent, which also specifies that the height of any storage should not exceed 4m, although this condition does not relate to the existing old Mill site I am of the view that the location of the proposed storage areas, with appropriate landscaping, is acceptable in respect of the potential visual impact. I have asked the applicant's agent to respond to the request from the Environment Agency on the use of these areas, in addition to other points it raises.
55. The hours of use of power operated machinery on the site is restricted by condition 6 of the outline consent. Condition 5 requires details of the location of plant within the buildings to be agreed. These conditions remain in force and the applicant will need to comply with the various provisions.
56. The submissions of schemes for foul and surface water drainage are required by condition 4 of the outline consent. The applicant needs to comply with this condition prior to the commencement of development, but full details are not necessary at this stage.
57. I have passed on various concerns of the occupiers of 7 Mill Hill to the applicants agent, including the question of whether the proposed area allocated for storage, manoeuvring, loading and unloading and the proposed use of an existing building as a mess room. I have asked for a response before the meeting. It may well be possible to locate the mess room elsewhere within the site, further from the neighbour's boundary.

58. The relocation of the 40mph sign was not a requirement of the outline consent. Although the application form states that the estimated vehicular traffic flow to and from the site during a normal working day, excluding employee's vehicles, will be 20 this is not a figure, which I could enforce, should it be exceeded. Any application for further development on the site will be considered against relevant development plan policies at that time.
59. I will report the response of the applicant's agent to the various points that have been raised with them, and the comments of the Local Highway Authority and Chief Environmental Health Officer. I will seek delegated powers of approval subject to all outstanding issues being resolved before the determination date but will seek delegated powers of refusal should that not be the case.

Recommendation

60. That delegated powers of approval/refusal be granted subject to the satisfactory resolution of outstanding matters referred to above. Any approval to be the subject of safeguarding conditions

Informatives

61. Any informative of the Chief Environmental Health Officer, Environment Agency and reminding the applicant that various conditions attached to the outline consent remain extant.

Reasons for Approval

1. Although the development does not accord with the Development Plan policies that restrict development in the countryside the site benefits from an extant outline consent for the proposed development that was approved as a departure from the development plan. The application proposes reserved matters pursuant to the Outline planning permission.
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
 - Highway safety
 - Visual impact on the locality
3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Refs: S/0060/06/RM; S/0059/06/F; S/2238/04/F, S/2331/00/O, S/0131/96/F and S/0715/89/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee5th April 2006**AUTHOR/S:** Director of Development Services

**S/0607/90/F - Little Gransden
Annual Gliding Competition, Gransden Lodge Airfield For Cambridge Gliding Club****Recommendation: No Objection****Site and Proposal**

1. Gransden Lodge Airfield straddles the boundary between South Cambridgeshire and Huntingdonshire Districts. Access is gained via the B1046 opposite Gransden Lodge.
2. The Cambridge Gliding Club has written to request approval of its annual gliding competition which will be run from Saturday 19th August to Sunday 27th August. A copy of that letter is attached as Appendix 1.

Planning History

3. Planning permission was granted for the use of the site as a gliding club in 1990 (**Ref: S/0607/90/F**). One of the conditions attached to that consent limits the number of aero tows (launching of gliders by 'tug' aircraft) to 40 per day to protect nearby residents from noise. However, each year, this Council has allowed a temporary variation of this condition during the annual competition week to enable up to 80 aero tows per day.

Consultation

4. **Little Gransden Parish Council** comments "despite assurances from the Gliding Club, the Parish Council continues to be concerned about the safety implications of running a competition at the Gliding Club on the same day that events are scheduled for Little Gransden Aerodrome. Despite being supportive of the Gliding Club in principle, Little Gransden Parish Council recommends that, on safety grounds, permission should not be granted for events at the Gliding Club and at Little Gransden Aerodrome to be held on the same day."
5. **Caxton Parish Council** objects. It states 'as you are aware the village has suffered in the past to tugs flying over the village causing nuisance as per its letter dated 22 September 2005 to the club. Caxton Parish Council therefore recommends that the application to vary the condition in August is refused.'
6. **Croxton Parish Council** has no objection to the proposals.
7. **Eltisley Parish Council** has no objections.
8. **Longstowe Parish Council** has no objection to the increased number of aero tow launches during the competition.
9. **Great Gransden Parish Council** has no objection.

10. The comments of **Abbotsley, Arrington, Bourn, Cambourne, Croydon, Gamlingay, Waresley Parish Councils** and the **Chief Environmental Health Officer** are awaited and will be reported at the meeting.

Representations

11. None received.

Planning Comments – Key Issues

12. I have attached as Appendix 2 a copy of a letter that has been sent from the Gliding Club to Little Gransden Parish Council in response to concerns it raised about safety issues arising from holding the competition over the same weekend as the Children in Need event staged at Little Gransden Aerodrome, which has been the case for the last couple of years.
13. The planning consent for Little Gransden Aerodrome allows it to stage two special event days each year when it can exceed the normal daily restriction of 30 take-off movements a day, provided that the Local Planning Authority is given at least one month's prior notification and that the event is publicised in the locality for a similar period. On such days there is a limit of 70 take-off movements a day. However, the specific approval of the Local Planning Authority is not required. This year's Children in Need event is due to be held on Sunday 27th August.
14. The issue of safety has been raised previously at meetings of both the Little Gransden Aerodrome and Cambridge Gliding Club Consultative Committees when representatives from both operators have given assurances similar to those set out in the letter at Appendix 2. Safety in the air is controlled by other regulatory bodies and I am of the view that it would not be reasonable for this Authority to object on these grounds.
15. I have asked the Chief Environmental Health Officer to advise whether any direct complaints were received during last year's event. I have also requested that Caxton Parish Council supply a copy of the letter to the Gliding Club referred to in its representation. I understand that there is also a response from the Gliding Club to that letter, a copy of which is also to be provided.
16. Consent has been given for a temporary variation of condition in previous years to allow up to 80 aero tows during the competition week. The nature of the event means that the Club will often launch a large number of gliders in a short space of time resulting in a fairly intensive period of activity and it is this that tends to give rise to complaints, particularly if this activity is centred on one area. Once the gliders are in the air they can be away from the airfield for the majority of the day.
17. The Gliding Club has always said that it will try and disperse activity as much as possible although the ability to do this is largely dependant on weather conditions at the time. In agreeing to a variation for last year's competition it was stated that consideration of any future relaxations of Condition 4 would take account of experience and comments made following this year's competition.
18. I will report the comments from outstanding consultees and the Chief Environmental Health Officer. I will also advise Members of the contents of the letter from Caxton Parish Council to the Gliding Club and its response.

Recommendation

19. Subject to the above I am likely to recommend that no objections are raised to a temporary variation of Condition 4 to allow up to 40 aero tows a day during the period Saturday 19th August to Sunday 27th August 2006. In addition I will ask that the Chief Environmental Health Officer carry out noise monitoring during the competition.

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/0607/90/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th April 2006

AUTHOR/S: Director of Development Services

**S/0162/06/RM - Girton
Erection of 72 Dwellings at Land off Wellbrook Way
for George Wimpey South Midlands Ltd. & The Town Charity Girton**

**Recommendation: Refusal
Date for Determination: 2nd May 2006 (Major Application)**

Site and Proposal

1. This site measuring 2.347 hectares forms part of the larger residential development at Wellbrook Way, off Girton Road. The land is at the north-western end of the development and lies adjacent to phase 1, which is under construction; the subject of a separate report to this Committee.
2. Thornton Road and Girton Road are to the south-west of the site. Houses on these roads have their rear gardens backing onto the site. Houses developed as part of phase 1 adjoin the site to the south-east. A spine road runs through the centre of the site on a north-west/south-east axis. South of this road, at the north-western end of the site, land has been reserved for community use, which is to be the subject of a separate planning application. North of this road land has been reserved for the development of a 76 bed Care Home and the provision of a balancing pond to serve the site. North-west of this land the remainder of Wimpey's phase 2 development is proposed, adjacent to land north-west of the site which has been given planning permission previously for a commercial development. The A14 lies beyond fields adjoining the site to the north-west.
3. This planning application received on 31st January 2006 seeks permission for reserved matters in respect of siting, design and landscaping of phase 2 of the residential development. It includes proposals for a Super LEAP. The application proposes to increase the number of residential units to a total of 300. The mix of houses proposed for market housing is 5 no. 2-bedroom houses, 15 no. 3-bedroom houses, 30 no. 4-bedroom houses, with a total number of 50 on phase 2. In terms of affordable housing the mix proposed is 10 no. 2-bedroom houses and 22 no. 1-bedroom flats, with a total number of 22 units. In total 72 houses are proposed on phase 2.

Planning History

4. An outline planning application (ref. **S/0175/99/O**) for residential development was considered by Planning Committee on 2nd June 1999 (item 2). Members agreed to grant outline consent subject to the prior signing of a Section 106 Agreement in respect to:
 - a) Provision of Social Housing
 - b) An Education Contribution
 - c) A Community Hall contribution and,
 - d) Maintenance of Public Open Space.

All details required submission of reserved matters.

5. A subsequent outline application (ref. **S/1284/02/O**), submitted by George Wimpey was considered by Committee on 4th September 2002 (item 7). Although the application was in outline, full details were received in respect of layout, siting, means of access and landscaping. Members resolved to refuse this application. These two outline applications were the subject of a call in Public Inquiry held on 10th September 2002. In respect of both applications the Secretary of State agreed with the Inquiry Inspector that the applications were compatible with the Development Plan. This was on the basis of the site accommodating up to 300 dwellings. He noted that the applications were consistent with the objectives of increased sustainability set out in PPG3. A minimum of 30 dwellings per hectare and good design and layout were felt to be the most appropriate way of achieving the Government's objectives of making the best use of developed land. The Inspector's following comments should be noted:
- a) "The illustrated material submitted in respect of application B S/1284/02/O indicated that car parking would be provided as an average ratio of 1.5 car parking spaces per dwelling as recommended in PPG3. This is a matter of design which could be satisfactorily dealt with at the approval of reserved matters stage, taking into account the concerns of GPAG and local residents.
 - b) Although a pedestrian and/or cycle link to the shops in Thornton Way would be desirable, I do not consider it essential.
 - c) Open Space. It was noted that Policy RT2 of the emerging Local Plan requires the development to make a contribution towards local achievement of the minimum NPFA standard for outdoor playing space, where adequate nearby provision does not already exist. The Inspector noted the existing outdoor sports facilities at the village recreation ground and considered them sufficiently close at about a 15-minute walk to provide for adults and older children.
 - d) Whilst the development proposal S/1284/02/O would lead to an overall quantitative shortfall of provision of open space for outdoor sport in the village, the Parish Council understandably prefers to concentrate such facilities at the Recreation Ground.
 - e) It seems to me that the outline nature of the applications and the flexibility reflected in the planning obligations, provide sufficient opportunity to remedy the local deficiencies in the quantity of public open space in Girton. Such provision would comply with the advice in PPG17 (Planning for open Space, Sport and Recreation). However, the evidence indicates that the amount of Public Open Space originally envisaged for the site in the development Brief and Adopted Local Plan, and reflected in the emerging Local Plan, is not now justified in the context of the present provision of facilities for outdoor sport at the recreation ground.
 - f) There does appear to be a justifiable need to remedy the existing shortfall of children's playing space, both in terms of the amount of playing space required and its location in the southern part of the village. Policy RT2 indicates that this contribution should amount to some 0.3ha of such space divided equally between informal and formal facilities. The information in support of the proposed development in S1284/02/O indicates a lesser provision of formal children's playing space, but the provision of informal spaces exceeds the requirement. There is also further potential arising from the possible use of part of the site proposed for community use as a NEAP.
 - g) On balance, I consider there is a more pressing need to remedy the shortfall of children's playing space as part of the development proposals than the shortfall of open space for outdoor sport. Even so, the precise areas, function and

location of open space could be planned as part of the detailed design of the development and implemented through the approval of reserved matters and the Planning Obligations.

- h) There is strong concern from local residents about flooding and the adequacy of the drainage infrastructure in the area to accommodate the proposed development. However, a Flood Risk Assessment has been carried out by the Applicants which has been the subject of consultation with the Environment Agency. The evidence indicates that some local flooding is the result of inadequate maintenance of existing watercourses. The Environment Agency has no objection in principle to the proposed development in both applications. Consequently there is no evidence to support an overriding objection to the proposed development on the basis of flood risk.
 - i) The proposed development would be reasonably well provided by public transport. Even so the development Plan encourages the enhancement of public transport as a means of increasing accessibility. It is concluded the relationship of the proposed development to existing amenities and infrastructure in the area is acceptable in respect of both applications. The undertaking related to the proposal in Application S/1284/02/O provides for an enhancement to the local bus service”.
6. “In respect to the application B (S/1284/02), under which the current reserved matter planning application is made, a Section 106 planning obligation by way of a unilateral undertaking was agreed. This provides contribution for the whole site.
- a) An establishment sum relating to public open space provision and landscaping strip, play area provision and landscaping strip, play area and informal areas).
 - b) Education contribution.
 - c) 60 dwellings or 30% affordable housing.
 - d) Community land and contribution of £100k.
 - e) Bus service contribution.”
7. Outline planning application S/1284/02/O was granted for residential development, including close care flats, community facilities, public open space and associated highway infrastructure and landscaping and included a condition that the reserved matters ‘shall provide for a minimum of 30 dwellings per hectare, but not more than a total of 300 dwellings on the residential land, inclusive of the appropriate public open space, but excluding the land proposed for community use’.
8. Planning application ref. **S/0691/03/RM** subsequently approved reserved matters details of siting, design and landscaping of phase 1 subject to conditions.
9. Recently approved applications **S/2398/05/F** and **S/0061/06/F** vary condition 2 of planning permission S/2184/02/O to allow a further year (S/0061/06/F) and 3 years (S/2398/05/F) in which to submit details of reserved matters of siting, design and landscaping.

Planning Policy

10. The following provides a summary of the main plan policies relevant to this planning application.

Cambridgeshire and Peterborough Structure Plan, 2003

11. **Policy P1/1** ‘Approach to development’ requires development to be located where travel distances by car can be minimised, walking and cycling encouraged and where good access to public transport exists.

12. **Policy P1/3** 'Sustainable Design in Built Development' states that a high standard of design and sustainability must be achieved for all new forms of development.
13. **Policy P5/3** 'Density' requires developments to achieve a density appropriate to the area, with a minimum requirement of 30 dwellings per hectare.
14. **Policy P5/4** 'Meeting Locally Identified Housing Needs' requires local plans to make provision for housing needs including for affordable and one and two bedroom homes.
15. **Policy P6/1** 'Development-related Provision' restricts development unless additional infrastructure and community requirements generated by the proposals can be secured.
16. **Policy P6/3** 'Flood Defence' requires measures and design features to be included to give sufficient protection against flooding on site or elsewhere locally.
17. **Policy P6/4** 'Drainage' All new development should avoid exacerbating flood risk locally by utilising water retention systems.
18. **Policy P7/2** 'Biodiversity' seeks to conserve and enhance biodiversity.
19. **Policies P8/1** 'Sustainable Development – Links Between Land Use and Transport', **P8/8** 'Encouraging Walking and Cycling' and **P8/9** 'Provision of Public Rights of Way' seek to ensure that new developments are located where they are highly accessible by public transport, cycle and on foot; reduce travel by car; cater for all users and; provide opportunities for travel choice; and do not compromise safety.
20. **Policy P8/5** 'Provision of Parking' requires car parking standards to be maximums, in accordance with PPG13.

South Cambridgeshire Local Plan, 2004

- a) **SE3** 'Dwellings in Limited Rural Growth Settlements' limits developments up to 30 dwellings on unallocated land. Developments should provide an appropriate mix of dwellings in terms of size, type and affordability and should achieve a minimum density of 30 dwellings per hectare.
- b) **HG7** 'Affordable Housing on Sites Within Village Frameworks' defines the Council's requirements for meeting locally identified housing needs and requires 30% of dwellings provided to be affordable in villages with a population of more than 3000.
- c) **HG10** 'Housing Mix and Design' requires residential developments to contain a mix of units providing a range of types, sizes (including 1 and 2 bedroom dwellings) and affordability, making best use of the site and that promotes a sense of community which reflects local needs. Design should be informed by the wider character and context, avoid inflexibility and promote energy efficiency.
- d) **TP1** and **TP2** 'Planning For More Sustainable Travel' seek to promote sustainable transport choices and provide appropriate car and cycle parking levels, and to secure appropriate traffic management measures in the village environment.
- e) **TP5** 'People With Disabilities and Limited Mobility' requires developments to include safe and convenient access for people with limited mobility.
- f) **CS1** 'Planning Obligations' – The Council will seek to secure through section 106 agreements or Grampian conditions infrastructure or other forms of development that are necessary as a result of the development proposed.
- g) **CS2** 'Public Utilities' – Planning permission will not be granted where there are inadequate water supply, sewerage or land drainage systems.
- h) **CS5** 'Flood Protection' restricts development where flood risk will be increased.
- i) **CS7** 'Underground Pipes, Fibres, Wires and Cables' are sought in order to reduce the visual impact of utilities, provided it would not damage ecology or archaeology.

- j) **CS10** 'Education' seeks financial contributions towards the provision of education where the development would cause the capacity of local schools to be exceeded.
- k) **CS13** 'Community Safety' seeks to minimise opportunities for crime within housing layouts, with subsequent reduction of the fear of crime.
- l) **RT2** 'The Provision of Public Open Space in New Development' sets out the standards for recreational space within developments.
- m) **EN5** 'The Landscaping of New Development' requires trees, hedges and woodland wherever possible to be retained within proposals for new development and landscaping schemes will be secured through appropriate conditions.
- n) **EN12** 'Nature Conservation: Unidentified Sites' seeks wherever possible to retain features and habitat types of nature conservation value where they occur. Where the need for development outweighs the need to retain such features appropriate mitigation measures will be required.
- o) **EN15** 'Development Affecting Ancient Monuments or Other Archaeological Sites' and **EN16** 'Public Access to Archaeological Sites and Records' seek to protect, preserve and enhance known archaeological sites and to require developers to provide access to any records arising from excavations for the public.
- p) **ES2** 'Road and Footway Lighting' requires new lighting not to have light spillage above the horizontal.
- q) **ES5** 'Recycling/Waste Minimisation' seeks to encourage recycling and waste minimisation within new developments.
- r) **ES7** 'Noise from Road Traffic' seeks to minimise the impact of road traffic noise through planning conditions.

Consultations

Girton Parish Council – Recommend refusal unless a Grampian condition can be added requiring the developer to provide an access route for cycles and pedestrians at the south-east end of the site into Thornton Road/Thornton Way in order to encourage walking and cycling, increase integration of the site with the village and encourage use of local shops. Otherwise no objection subject to safety precautions to the balancing pond, adequate provision of public open space within the development, further discussion with the developers over play equipment and the hedge by the balancing does not appear on the drawings and was to be preserved.

Head of Housing Strategic Services – See Appendix 1 for a copy of the comments in full. To summarise the issues raised:

- a) Affordable houses are proposed in groups of more than eight dwellings. This will result in poor integration and dispersal across the development contrary the section 106.
- b) The inclusion of flats and the numbers proposed are not supported in terms of housing need.
- c) There is no evidence of demand for one bedroom flats for shared ownership.
- d) A range of housing types would provide a better mix.
- e) 4 of the proposed 22 affordable units are to be provided in fulfilment of a land exchange between the Council and Girton Town Charity.
- f) At least 4 social rented 2/3 bedroom houses to be provided and at least 50% of the 18 affordable units to be social rented (as required by the section 106).
- g) The proposed tenure split of 6 social rented and 16 shared ownership is not supported based on local and district need.
- h) Most of the dwellings fall below RSL minimum space standards, would score poorly in terms of Housing Quality Indicators (HQIs) and a flat of 30m² is unlikely to meet Housing Corporation's 'Scheme Development Standards' (SDS) – this

will make grant funding difficult to secure and is contrary to the Section 106 which states that 'affordable units will be constructed to the 'the Council's standard which is based closely upon the Housing Corporations SDS)'.

- i) The Council would prefer the RSL to be the same as phase 1, although no indication has been given as to who the RSL is to be.
 - j) The section 106 specifies 60 units or 30% affordable homes should be provided on the development whichever is the lesser of the two measures. Since the application proposes an increase in house numbers provision would only be 27% if limited to 60 dwellings. The section 106 should be re-negotiated.
21. **Cambridgeshire Fire & Rescue** – Require a section 106 or planning condition securing the provision of fire hydrants.
 22. **Cambridgeshire County Council, Countryside Access Team** – Has no objection to the development however a public footpath runs through the middle of the site and along the proposed spine road. The plans submitted with the application when compared with the Definitive Map show that the spine road does not follow the exact line of the public footpath. The footpath begins on what would be the south side of the road and runs in a south-easterly direction, crossing the proposed road at a shallow angle to end up running along the north side of the road. It is not clear whether the angle of the public footpath would mean a continuing divergence from the proposed spine road in the area of the site immediately to the south of the this one. This may cause serious problems for that area, with the potential for buildings and/or gardens to be constructed on the definitive line of the public footpath. This is a serious issue and one that should be addressed before detailed plans for the whole area are approved. It recommends informatives to draw the applicant's attention to points of law.
 23. **Environment Agency** – The site falls within flood zone 1 and is a development of land over 1 hectares. The Local Planning Authority is required to respond on the Agency's behalf.
 24. **Local Highways Authority** – The layout requires amendments to be made before it is to an adoptable standard. Amendments are to include a fully dimensioned layout plan showing carriageway and footpath widths, junction and turning head radii. Turning head facilities are required for roads serving plots 1-11 and 21-27. If the road serving plots 6-72 is proposed to be a shared surface road the overall minimum width must be 5.5m with 0.5m maintenance strip each side (which is not metalled except at the point of accesses). The junction with the main estate road should comprise a ramp/rumble strip commencing at the tangent point of the radius within the access road. The footway of the main estate road is to continue past the ramp for a minimum distance of 1.8m. Alternatively, it is not to be a shared surface domain then a footway should be provided to the developed side of the carriageway and 0.5m maintenance strip provided on the landscaped side.
 25. **Trees and Landscape Officer** – Notes the retention of the hedge on the northern side of the site and a fruit tree adjacent to plot 50. He would anticipate the Ecology Officer commenting on the desirability of retaining/removal of the area of scrub where housing and community uses are proposed. Conditions requiring tree protection during development, as referred to in the Arboricultural Assessment. The content of the Arboricultural Assessment is acceptable. The detailed landscaping scheme has been forwarded to the Landscape Design Consultant for comment.
 26. **Ecology Officer** – There is not a lot of ecology detail to comment on, however notes the requirement for dropped kerbs on as much of the site as possible, not just the

spine road, and details of ecological enhancements associated with the developed areas i.e. fence lifting to allow toads to move across the site, nest and bat box provision and the use of climbing and nectar rich plants in landscaping. No removal of vegetation in the bird breeding season. A site inspection for newts in the pond is required. Details of how toads are to be protected during construction.

27. **Environmental Health Officer** – Requires a conditions that before development commences a scheme for protecting proposed houses from noise from the road (A14) shall be submitted to and approved in writing by the Local Planning Authority in accordance with policy ES7 and PPG24.
28. At the time of writing written comments were awaited from:
 - a. Conservation Officer
 - b. General Works Manager
 - c. Landscape Design Consultant
 - d. Drainage Manager
 - e. Cultural Officer
 - f. Cambridgeshire County Council, Chief Financial Officer
 - g. The Wildlife Trust
 - h. Anglian Water Services Ltd.
29. Comments received will be reported verbally to the Committee.

Representations

30. The owner of adjoining land to the north-west and their solicitors object to the proposals on grounds that the means of access shown by the applicants is incorrect.
31. The occupier of 74 Girton Road, Girton objects to the loss of trees in the western corner of the site with subsequent loss of outlook for residents and wildlife habitat. The trees provide a barrier to wind and noise. In addition objects to the increase in traffic and single access point.

Planning Comments – Key Issues

32. At the time of writing the four main issues in relation to these proposals are road layout and design, public rights of way, affordable housing provision and housing mix.

Highways

33. Some Members of the Committee may recall that there has been a long-running dispute between the landowners of this site and the neighbouring landowners in relation to the provision of access to the development. The access was approved at the outline planning application stage and has not been reserved. The principal area of concern is where the road passes the frontage of the adjacent commercial site in terms of how the two meet up satisfactorily. This is matter that is being dealt with under the outline permission in conjunction with the Local Highway Authority and affected landowners.
34. It is likely that the issues raised by the Local Highways Authority, in terms of the layout proposed, could be addressed through amended layout plans.

35. The issues raised by the Countryside Access Team require clarification by the applicants.

Affordable Housing Provision

36. Phase two proposals will result in 33.78% affordable housing to be provided across the entire site. This is in accordance with policy HG7, however the mix, type, size, siting, tenures and Section 106 are of concern, as identified by the Council's Housing Development Manager.

Housing Mix

37. Structure Plan policy P5/4 and Local Plan policy HG10 (and the emerging Local Development Framework) all seek the provision of a suitable mix of dwelling types and sizes. This is to include a significant number of smaller (1 and 2 bedroom units) to accommodate a growing number of small households. The mix proposed within the proposals for phase 2 equate to only 10% of the dwellings provided being smaller (2-bedroom) units with the remaining 90% being larger house types. Across the two phases the mix within the private housing would equate to 16.3% as smaller units (2-bedroom units), with the remaining 83.7% being larger units.

Other Matters

38. Other matters may result in response to consultations, however in light of the considerations above the application is recommended for refusal.

Recommendation

Refusal on grounds of:

1. The application fails to provide a suitable layout and design for the roads serving the site and as such is contrary to the proper planning of the area.
2. The application fails to include appropriate provision towards the identified local housing needs.

Additional reasons for refusal may be required in response to consultations not received at the time of writing. The Committee will be updated verbally.

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/0162/06/RM, S/1284/02/O, S/0691/03/RM, S/0175/99/O, S/2398/05/F and S/0061/06/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee5th April 2006**AUTHOR/S:** Director of Development Services

Breach of Conditions – Wellbrook Way, Girton**Recommendation: Authorise Breach of Condition Notices
And Appropriate Legal Action in respect of Non compliance with Sc106****Background**

1. Reserved matters consent (ref S/0691/03RM) was granted in July 2004 for 150 dwellings on this first of two phases of the site (3.81ha / 9.4 acres). The site backs onto Thornton Road and Thornton Way, and is accessed via Wellbrook way, off Girton Road.
2. At the meeting of this Committee on 5th October 2005, Members approved the open space arrangements for the site, a controversial topic due to the existing enjoyment of the wooded space by walkers, previous flooding history, and the need to accommodate a surface water drainage pond. That approval allowed further work to take place to finalise the landscaping, ecological enhancement and drainage arrangements. Over 50 houses had been occupied contrary to certain conditions, and Members authorised Breach of Conditions Notices (if required) in respect of conditions 9 (submission habitat management plan), 14 (provision of LAPs before 50 occupations), and 15 provision of boundary footpath by 50th occupation).

Update

3. Negotiations, particularly on the habitat management plan, have continued. No action has yet been taken in relation to the authorised breach of condition notices. Over 60 houses have now been occupied.
4. A review of the planning files and the situation on site reveals that several other conditions are still to be complied with:
5. Outline planning permission (Ref S/1284/02/0) conditions 5 and 6 required foul and surface water drainage schemes to be submitted, approved and implemented prior to 50 occupations. Despite various submissions and negotiations, mainly revolving around the landscaping, these have yet to be finally submitted and agreed. Meanwhile, I have requested confirmation as to how foul and surface water is being dealt with in the meantime and will report verbally.
6. Outline planning permission condition 7 requires a scheme for the improvement of the Girton Road junction, off the site. Plans are still being finalised between the applicant and highway authority, before submission to SCDC for approval, after which the actual work will have to be tendered and implemented. Implementation was required by the condition before 50 houses were occupied.
7. The S106 deed of variation requires the submission of an application for a Local Equipped Area for Play (LEAP) by 40 houses occupied and to be handed over by 80th occupation (or 18 months from commencement on site if earlier). The LEAP has

been submitted as part of the reserved matters application for phase 2 adjacent to this site, which is the subject of another item on this agenda (Ref S/0162/06/RM). Given that that application is recommended for refusal, it appears unlikely that this facility will be provided on time. Whilst action cannot be taken in this regard at present as the trigger has not yet been breached, Committee is asked to authorise appropriate legal action should this element of the Sc106 agreement not be met or a satisfactory alternative arrangement made.

8. Reserved matters Condition 1. This required various submissions of detail for approval; the only outstanding issue is the window detailing, and a large scale drawing has been requested to regularise the matter.
9. Condition 2. Landscaping scheme. There is only one matter unresolved, which is the size of a proposed horse chestnut tree. This should be resolved shortly and can then be approved.
10. Condition 4. Tree protection measures. This simply required compliance on site but some spoil has been dumped over and beyond the protective fence. A timescale for this to be rectified has been requested.
11. Condition 9. Habitat management plan. In spite of the authorisation for a breach of condition notice, this is still outstanding. Although a habitat management plan has recently been submitted, in content it is only a landscape management plan and needs significant further work. It is important to get this right, as Girton Parish Council is likely to be taking on the responsibility for the open spaces.
12. Condition 10. Pumping station. The siting was approved in March 2005, and the landscaping has been negotiated and included into the overall landscape scheme. However, the design, materials and means of access remain to be submitted for approval.
13. Condition 14. Provide LAPs before 50 occupations. A site inspection to confirm whether they have been laid out and made available for use has been arranged, and the results reported verbally.
14. Condition 15. Details of footpath in north-east landscape buffer. This required submission of details before any occupations, and implementation on site before 50 occupations. The details are shown in the landscaping scheme, and a site inspection to confirm implementation has been arranged. The results will be reported verbally.
15. Condition 16. Boundary treatment to be implemented before any occupation. This was deferred pending the negotiation of the landscaping scheme, which has a direct effect. Details have been requested for formal approval.
16. Condition 17. Fire hydrants. Some have been installed on site, but plans showing the design and locations have requested for consultation with the Fire Authority and formal approval.
17. Condition 19. Lighting Scheme. Plans for the location and designs of lights for both the adoptable roads and private parking courts on the site have been requested for formal approval.
18. Condition 20. Construction of access from the highway. This relates to the access from the Wellbrook Way spur. I await confirmation from the County Council as to

whether the estate road links into the adopted highway to an adoptable standard. If so, I will be able to confirm compliance with this condition.

19. Condition 21. Construction parking, turning, loading/unloading area. Plan for the location and extent of this compound have been requested for approval in order to regularise this matter.

Planning Comments – Key Issues

20. Whilst it is unfortunately not uncommon for officers to be chasing submissions for compliance of conditions after work has commenced, in this case I am concerned about the number of issues that remain outstanding. Significant occupations have taken place without important work being carried out. I am particularly concerned about the drainage and ecology conditions because these affect the open area, which is likely to be offered to the Parish Council for permanent maintenance, and therefore involves substantial consultation. The junction improvements are also of concern, and whilst it would be wrong to attribute the recent death of a cyclist to this development, it highlights the safety issue behind the condition.
21. I have written to the applicant to request submissions/comments in respect of all the conditions referred to above, and will report the response verbally at the meeting. In addition to the breach of condition notices Members have already authorised, I will be recommending a breach of condition notice at least for the junction improvements (outline condition 7), and any others where progress is not being made. This will enable all outstanding conditions to be enforced together, preventing further occupations until the matters have been resolved.

Recommendation

22. Authorise
- i) Breach of Condition Notice(s) preventing further occupations until the outstanding conditions have been met, an update to be reported verbally.
 - ii) Delegated powers be given to take appropriate legal action should the provisions of the Sc106 agreement not be met relating to the provision of the LEAP or a satisfactory alternative arrangement made.

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

- South Cambridgeshire Local Plan 2004 (Delete as appropriate)
- Cambridgeshire and Peterborough Structure Plan 2003 (Delete as appropriate)
- Planning files ref: S/0691/03/RM, S/1284/02/O.

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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/6300/05/F	Mr R Hume Site of garage at 13 Willow Lane Cambourne House (Delegated Refusal)	Dismissed 15/02/2006
S/0140/05/F	D Kennedy & K Meaby The Bungalow, Cambridge Road Girton Extension (Delegated Refusal)	Dismissed 16/02/2006
S/0909/05/F	Hutchison 3G UK Ltd Land at Solopark, Station Road (adj A11) Pampisford 17.5m high telecommunications mast & associated development (Delegated Refusal)	Dismissed 16/02/2006
S/0645/05/O	Mr & Mrs J Hedges R/o 34 Rampton Road Cottenham Erection of bungalow & garage (Delegated Refusal)	Dismissed 16/02/2006
S/1484/05/O	Ms T A Hanson Adj 4 Portway Melbourn Dwelling (Delegated Refusal)	Allowed 16/02/2006
S/0576/05/LB	St Andrews Bureau The Old Well, 55-59 Station Road Stow-cum-Quy Alterations and extension for gazebo containing hot tub with attached fence and timber decking (retrospective). (Delegated Refusal)	Dismissed 17/02/2006
S/0577/05/F	St Andrews Bureau The Old Well 55-59 Station Road Stow-cum-Quy Gazebo, fence & decking (retrospective application). (Delegated Refusal)	Dismissed 17/02/2006

S/1150/05/O	Mrs B Ward r/o 12 West Drive Caldecote Dwelling and garage (Delegated Refusal)	Allowed 17/02/2006
S/1515/05/O	Warmwell Homes Ltd 14 Green End Comberton 2 dwellings and garages following demolition of existing dwelling (Delegated Refusal)	Dismissed 20/02/2006
S/1520/05/F	Warmwell Homes Ltd 14 Green End Comberton Dwelling (Officer Recommendation to Approve)	Allowed 20/02/2006
S/1249/05/F	Mr P Rai White House Farm. Cambridge Road Melbourn Wall (Retrospective Application) (Officer Recommendation to Refuse)	Dismissed 20/02/2006
S/0938/05/F	Mr & Mrs Harrison Weathercock Barn, Little Linton Farm Barns Linton Extension (Delegated Refusal)	Dismissed 20/02/2006
S/0937/05/LB	Mr & Mrs Harrison Weathercock Barn, Little Linton Farm Barns Linton Extension and external alterations. (Delegated Refusal)	Dismissed 20/02/2006
S/2460/03/F	Mr & Mrs L Holmes 5 Middle Street Thriplow Appeal against condition 3 of permission (Officer Recommendation to Refuse)	Dismissed 20/02/2006
S/0420/05/F	Mr & Mrs Lauterpacht Old Webbs, 44 West Green Barrington Extension (Delegated Refusal)	Dismissed 21/02/2006
S/0419/05/LB	Mr & Mrs Lauterpacht Old Webbs, 44 West Green Barrington Internal and external alterations (Delegated Refusal)	Dismissed 21/02/2006

S/1478/05/A	ING Real Estate Sawston Trade Park, London Road Sawston Signs (Retrospective) (Delegated Refusal)	Part Dismissed 07/03/2006
S/0984/05/F	Intermax Ltd 5 Meeting Lane Melbourn Extension to dwelling and erection of garage and store/studio (Delegated Refusal)	Part Dismissed 10/03/2006

2. Summaries of recent decisions of interest

Ms T Hanson – Outline permission for dwelling and garage – Land adj. 4 Portway, Melbourn - Appeal allowed

1. The main issue in this appeal was the effect of the proposed dwelling on the character and street scene along Portway. These are former local authority houses, laid out with wide gardens giving a low-density feel to the street. This uniformity has since been changed by large side extensions to nos. 7, 20 and 21. The two latter extensions will fill the gap between the two houses. Other extensions to properties are either planned or have been built.
2. Although all the dwellings in the street are semi-detached, the inspector saw nothing intrinsically wrong by introducing a small, detached house. The original wide and regular spacing between dwellings has already been significantly altered. A small house would add to the mix of property available in terms of both size and type.
3. The inspector's attention was drawn to the refusal of an appeal in 2001 for a detached house in the garden of no 8. The latest inspector concluded that the approval of extensions since then have introduced such variety into the street scene that such concerns now carry little weight. The new house would maintain this theme.
4. The proposal was therefore in line with development plan policies. Permission was granted subject to conditions regarding the need for reserved matters covering the design and external appearance of the buildings, landscaping of the site and boundary treatment.

Mrs B Ward – Outline permission for dwelling and garage – R/o 12 West Drive, Caldecote – Appeal allowed

1. In this case, the proposal was to develop a backland plot. The existing bungalow on the site is set close to the road on a long and narrow plot. The Council's argument was that the rear garden of this and adjoining properties acts as a transition area between the built-up part of the village and the countryside beyond. It should therefore remain open.
2. The inspector did not agree. The area is flat and there are no views of the village from roads or public footpaths. When viewed through the gap between nos 12 and 14 West Drive, the proposed dwelling would be seen to be close to and associated with a recent development called The Willows. It would not be out of keeping with the linear pattern and character of development on the west side of West Drive. It would not amount to an undesirable form of backland development.
3. The Council had also expressed concern for residential amenity at the existing bungalow and 14 West Drive. The inspector did not consider that the additional vehicle movements close to the boundary with no 14 would cause significant disturbance. Loss of privacy would not be a problem if the dwelling was restricted to a bungalow.
4. Permission was therefore granted for a bungalow subject to conditions regarding the need for reserved matters covering the siting, design and external appearance of the building and landscaping of the site.

Warmwell Homes Ltd – Demolition of existing bungalow and erection of replacement dwelling and garage – 14 Green End, Comberton – Appeal allowed

1. In this appeal, the two main issues were the impact on the character and appearance of the street scene and the effect on the outlook of residents at 16 Green End.
2. The inspector acknowledged that Green End is an attractive street running north from the crossroads in Comberton into the surrounding countryside. It is characterised by a pleasant mix of traditional and more modern properties set behind hedges. Replacing the existing bungalow with a house would produce a more dominant feature in the street scene, although the site is the last in a short row of bungalows and directly adjoins a row of existing detached houses. In such a position, a two-storey property would not significantly disrupt the pattern of development along the street. The plots at this end of the street become wider and the house would be well set back within the plot with gaps on either side. It would not appear unreasonably cramped and the detailing of the house would act to reduce its massing when seen from the street. A suitable landscaping scheme would complement its integration into the street scene.
3. No. 16 has a ground floor and bedroom window facing the site. There would be a gap of around 8 m. between the side wall of the new property and the existing ground floor bay window. The appellant provided evidence to demonstrate that there would be adequate sunlight available to this window and that this room and the bedroom above have other windows that face the rear garden. The inspector concluded that the outlook from no 16 would not be unreasonable.
4. Permission was granted subject to conditions regarding landscaping, protection of trees during development, details of materials, boundary treatment and a restriction on further windows at first floor level to prevent overlooking of adjoining properties.

3. Appeals received

Ref. No.	Details	Date
S/1550/05/F	Mr & Mrs I Silvain Adj 1 Clarkes Way Bassingbourn-cum-Kneesworth House (Delegated Refusal)	15/02/2006
S/1899/05/F	Mr & Mrs I Silvain Adj 1 Clarkes Way Bassingbourn-cum-Kneesworth House (Delegated Refusal)	22/02/2006
S/1473/05/O	Mr B R Davis Adj 1 Beechtree Cottages, London Road (Balsham) West Wrating Chalet Bungalow (Delegated Refusal)	01/03/2006

S/2053/05/F	Camstead Homes R/o High Street & Long Furlong Over Erection of 30 dwellings, provision of playing field for Over primary school and new front and side boundary walls to No's 15 & 17 High Street (Delegated Refusal)	03/03/2006
C/0255/55/	Westmead Homes Ltd Plot 7 Galewood, Haverhill Road Stapleford Dwelling	06/03/2006
S/2088/05/O	Mr I R Quince College Barn, Common Road Weston Colville Erection of 3 houses (Delegated Refusal)	08/03/2006
S/1922/05/F	Mr & Mrs P Hobbs 56 High Street Teversham Dwelling (Delegated Refusal)	08/03/2006
S/1426/05/F	Mr I Jackson 16 West Drive, Highfields Caldecote Extension (Officer Recommendation to Approve)	13/03/2006
S/1339/05/O	Mr M Gadsby & Ms S Dence R/o 58 Lambs Lane Cottenham Bungalow & garages (Officer Recommendation to Refuse)	17/03/2006

4. Local Inquiry and Informal Hearing dates scheduled before the next meeting on 10th May 2006

Ref. No.	Details	Date/Time/Venue
S/0321/05/O	Unwins Properties Ltd Land north of Impington Lane Impington Residential Development (Hearing)	27/04/2006 10.00am Swansley room
S/1581/04/F	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	04/05/2006 10.00am Swansley room

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.
(Hearing)

5. Appeals withdrawn or postponed

Ref. No.	Details	Reason and Date
S/0823/05/F	Mrs L Sorrentino The Barn, Charity Farm, Haslingfield Road (Harston) Haslingfield Extension to dwelling incorporating stable block	Withdrawn By Appellant 08/03/2006
E503	Mr R Worboys & Mr R Wood Poplar Farm, off Poplar Farm Close Bassingbourn Enforcement against change of use from agriculture to storage of building and road making materials and depot for ground engineering business	Enforcement Notice Withdrawn 13/03/06
S/6258/04/RM	MCA Developments Land South of Great Cambourne Cambourne Alterations in land form (dispersion of soil from building works.)	In Abeyance until 17/05/06

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

Ref. No.	Details	Date
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.	17/10/2006 Confirmed

INDEX OF CURRENT ENFORCEMENT CASES
5th April 2006

Ref No	Location	See Page No for full update	Remarks
34/98	Camside Farm Chesterton Fen Road MILTON	1-5	Transfer of mobile homes onto authorised site being monitored.
17/02	Land at Sandy Park Chesterton Fen Road MILTON	5-6	Currently considering options for dealing with the breach of the Enforcement Notice.
18/02	Rose and Crown Road SWAVESEY	6-8	Currently considering options for dealing with the breach of the Enforcement Notice.
8/03	Land adjacent to Setchell Drove COTTENHAM (B Land)	8-9	Failed to comply with Enforcement Notice which took effect on 11 th June 2005. Interim injunction issued 18 th July. High Court hearing 14 th February 2006. Awaiting decision.
9/03	Land adjacent to Setchell Drove COTTENHAM (G Land)	9-10	Appeal against non-determination of planning permission dismissed on 11 th March 2005. Site now subject to Enforcement Notice E459. Interim injunction issued 18 th July. High Court hearing 14 th February 2006. Awaiting decision.
10/03	Land at Plot 2 and R/O Plot 3 Setchell Drove COTTENHAM	10-11	Appeal dismissed. Enforcement Notice takes effect on 7 th December 2006. Application made for leave to appeal to the High Court.
15/03	Victoria View Land to rear of Plots 3, 4 and 5 Setchel Drove COTTENHAM	12-13	Appeal dismissed. Enforcement Notice takes effect on 7 th December 2006. Application made for leave to appeal to the High Court.
19/03	Land adjacent to Moor Drove Cottenham Road HISTON	13-14	Application to appeal to the High Court has been dismissed. Currently considering options to deal with the breach of the Enforcement Notice.
9/04	Land adjacent to Cow Fen Drove SWAVESEY	14-15	The two defendants appeared at Cambridge Magistrates County 9 th March. Condition discharge for years costs awarded of £400. Future action being considered.

Ref No	Location	See Page No for full update	Remarks
10/04	23 Church Street WILLINGHAM	15	Appeal dismissed. Enforcement Notice took effect 24 th November 2005. Business use ceased. Flue still to be removed.
11/04	43A High Street LANDBEACH	15-16	Appeal dismissed. Enforcement Notice took effect on 30 th September 2005. Planning application S/0321/06/F being considered for erection of stable barn.
13/04	Scholes Road WILLINGHAM	16	Enforcement Appeal dismissed. Appeal hearing on 7 th February for non-determination of planning application S/2505/04/F. Awaiting appeal decision.
15/04	Land adjacent 12 The Common WEST WRATTING	17	Enforcement Notice issued.
16/04	2 Manor Farm Barns and land adjoining Cockhall Lane LITLINGTON	18	Enforcement Notice issued. Refusal of planning permission (S/2153/04/F) appealed.
18/04	The Orchard Smithy Fen COTTENHAM	18-19	Enforcement Notice appeal dismissed. There is currently a breach of the Enforcement Notice. Future options being considered.
3/05	Land adjacent to Hilltrees Babraham Road STAPLEFORD	19	Planning Appeal dismissed. Enforcement Notice takes effect 27 th April 2006. Application to High Court for leave to appeal dismissed.
4/05	Poplar Farm BASSINGBOURN	19	Enforcement Notice appeal Withdrawn. Certificate of Lawfulness S/2189/05/LDC and S/2190/05/LDC submitted. Remove from list.
5/05	Unit 135 Cambridge Road MILTON	20	Enforcement Notice withdrawn. Remove from list.
6/05	Threeways 2 Denny End Road WATERBEACH	20	Appeal dismissed. Enforcement Notice takes effect 2 nd March 2006. Enforcement Notice complied with. Remove from active list.
10/05	6A Dale Way SAWSTON	20-21	Enforcement Notice issued.
11/05	Land Adjacent to 112 Old North Road BASSINGBOURN	21	Revised planning application S/1717/05/F approved Enforcement Action not required. Remove from active list.

Ref No	Location	See Page No for full update	Remarks
12/05	17 The Maltings CAMBOURNE	21	Enforcement Notice issued. Appeal made against refusal of planning permission S/6283/05/F.
13/05	Plots 5, 5a, 6, 10 & 11 Orchard Drive COTTENHAM	21	Enforcement Notice appealed.
15/05	White House Farm Cambridge Road MELBOURN	22	Enforcement Notice issued.
16/05	2 Homers Lane Haverhill Road CASTLE CAMPS	22	Enforcement Notice issued. Planning application refused. Site visit to be made. To confirm if Enforcement Notice has been complied with.
17/05	Manna Ash House Common Road WESTON COLVILLE	22	Enforcement Notice issued. Site visit to be made.
18/05	Land off Schole Road (known as Cadwin Lane) WILLINGHAM	22-23	In breach of extent Enforcement Notice. Options being considered for dealing with the breach of the enforcement notice.
18/99	Vatches Barn Comberton Road BARTON	23-24	Summons for breach of Enforcement Notice case listed for 23 rd March at Cambridge Magistrate Court.
19/05	Former Plough Public House Swavesey Road FEN DRAYTON	25	Enforcement Notice appealed.
20/05	39 Oatlands Avenue, BAR HILL	25	Enforcement Notice appealed.
21/05	Rectory Farm Landbeach Road MILTON	25	Enforcement Notice complied with. Remove from active list.
1/06	Slate Hall Farm Huntingdon Road OAKINGTON	25	Enforcement file being prepared.
2/06	The Old Stack Yard Mill Green SHUDY CAMPS	26	File submitted to Legal Office for issue of an Enforcement Notice.

Ref No	Location	See Page No for full update	Remarks
3/06	Land at High Street (Persimmon Development) LONGSTANTON	26	File submitted to Legal Office for issue of an Enforcement Notice.
4/06	Plot 15 Water Lane Smithy Fen COTTENHAM	26	File submitted to Legal Office for issue of an Enforcement Notice.
5/06	Plot 17 Pine View Smithy Fen COTTENHAM	26	File submitted to Legal Office for issue of an Enforcement Notice.
6/06	79 Rooks Street COTTENHAM	26-27	File submitted to Legal Office for issue of an Enforcement Notice.
7/06	Land adjacent to Mill Lane and A1301 SAWSTON	27	Enforcement Notice issued.
8/06	Plot 15 1 London Way Clunchpits MELBOURN	27	File submitted to Legal Office for issue of an Enforcement Notice.
9/06	Mill View Farm LONGSTANTON	27	Enforcement action authorised. Further negotiations taking place.

ENFORCEMENT ACTION

PROGRESS REPORT - 5th April 2006

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>34/98 B/1/45/72 and S/0133/97/O Camside Farm Chesterton Fen Road MILTON</p>	<p>Without planning permission the stationing of two mobile homes for residential use.</p>	<p>Planning Committee 2nd December 1998 - Item 20</p> <p>Members authorised</p> <ol style="list-style-type: none"> 1. To seek an injunction. 2. To issue an Enforcement Notice if the application for an injunction was refused. 3. A Period of three months to comply with any Enforcement Notice issued. 4. That in the event of failure to comply with the Notice and subject to there being no material change in circumstances proceedings be taken in the Magistrates Court. 	<p>The necessary information and documentation to seek an injunction is currently being processed.</p> <p>Letters of intended actions served upon contraveners, who subsequently submitted a planning application to retain the two mobile homes and also an application for a Lawful Development Certificate alleging lawful use of the two mobile homes as bedroom use only. Injunctive action held pending determination of the above applications.</p> <p>On advice from the Legal department an Enforcement Notice was issued under reference E342 8th June 1999 requiring (a) removal of the mobile homes from the site together with ancillary works, (b) cease to use the land as a general dealers yard, (c) restore the land to its condition before the breaches of planning control took place, (d) use the land only for agriculture and paddock with stables as before. The Notice takes effect 15th July 1999 and has a compliance period of 6 months.</p> <p>The Enforcement Notice has been appealed. The site is also part of the general review of travellers' accommodation in the Chesterton Fen Road area.</p> <p>The outcome of the appeal against the Enforcement Notice is awaited.</p> <p>The appeal was dismissed 10th January 2000 with the compliance period being varied to 9 months (10th October 2000).</p> <p>5.7.2000 Compliance period ends 10th October 2000.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>4.10.2000 Still within the period before compliance which ends 10th October 2000.</p> <p>3.1.2001 Arrangements were made to formally interview two of the appellants 8th December 2000 at these offices, and both attended together with their Counsel and Solicitor. On the advice of their legal advisers both declined a formal interview, with their Counsel agreeing to write to our Head of Legal Services by the end of January 2001 listing those issues his clients wished to be considered in connection with any intended prosecution. Counsel indicated that the Human Rights Act 2000 would feature greatly in his submissions.</p> <p>2.5.2001 Summonses returnable to Cambridge Magistrates Court 16th May 2001 were served 18th April 2001.</p> <p>4.7.2001 A plea of not guilty was entered at Cambridge Magistrates Court 8th June 2001 and the case committed to Crown Court for trial, and will be listed in due course.</p> <p>3.10.2001 A pre-trial hearing scheduled for 23rd September 2001.</p> <p>2.1.2002 The case has been adjourned by Judge Howarth, generally, until the outcome of another case dealing with a human rights point which the defendant's Counsel asserts has a bearing on the Webb's liability. Likely to be several months.</p> <p>3.4.2002 The outcome of the case referred to at 2.01.2002 is still awaited.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>3.7.2002 The trial has now been fixed for November. It is expected that the first day will be to hear legal arguments, followed by a further five days.</p> <p>2.10.2002 Trial still pending.</p> <p>8.1.2003 On 8th November 2002 the defendants appeared before Norwich Crown Court. They pleaded guilty and were fined as follows: A Webb (Senior) fined £3,500, costs £1,500, 2 months imprisonment in default of payment of fines. A Webb fined £1,000, £1,500 costs. M Webb fined £1,000, £1,500 costs.</p> <p>A letter has been sent by the Legal Office to the defendants legal representative informing them that a further site visit will be made on 10th February 2003. If the Enforcement Notice has not been complied with consideration will be given to further prosecutions.</p> <p>2.4.2003 A further summons has been issued for breach of the Enforcement Notice. Case listed at Cambridge Magistrates Court 30th April 2003.</p> <p>2.7.2003 Case adjourned to 18th June 2003. A verbal update will be given.</p> <p>1.10.2003 Case adjourned to November.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>7.1.2004 On 11th November 2003 the defendants appeared before Cambridge Crown Court. They pleaded guilty and were convicted as follows: A Webb (Senior) – Conditional Discharge for 2 years. A Webb – Fined £2,500 M Webb – Fined £2,500 Costs of £3,000 were awarded. A planning application S/2285/03/F has been submitted, which if approved, would allow the defendants to move the mobile homes subject of the Enforcement Notice to the new site.</p> <p>The situation will be monitored and a timescale agreed once the planning application has been determined.</p> <p>7.4.2004 Awaiting determination of planning application S/2285/03/F.</p> <p>7.7.2004 No change.</p> <p>6.10.2004 Planning application S/2285/03/F approved on 16th August 2004. Conditions have been imposed which are subject of further consultation.</p> <p>5.1.2005 Negotiations continue.</p> <p>6.4.2005 Waiting for response to meeting held on 14th March 2005.</p> <p>6.7.2005 Legal Office requested to proceed with further prosecution.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>5.10.200 Further evidence being obtained.</p> <p>4.1.2006 Development of authorised site being monitored as owners are expected to move onto the authorised site.</p> <p>5.4.2006 No Change.</p> <p>8.1.2003 Interviews with occupiers of land have commenced.</p> <p>2.4.2003 No change.</p> <p>2.7.2003 Planning application S/0903/03/F to S/0931/03/F submitted for siting of gypsy caravans. Applications currently being considered. Awaiting outcome before proceeding with investigation.</p> <p>1.10.2003 Planning applications S/0903/03/F and S/0931/03/F refused. Appeal lodged.</p> <p>7.1.2004 Inquiry listed for 9th March 2004.</p> <p>7.4.2004 Awaiting outcome of appeal.</p> <p>7.7.2004 No change.</p> <p>6.10.2004 Appeal dismissed on 1st July 2004. Now subject to a Judicial Review. No date fixed.</p>
<p>17/02 S/1452/02/F Land at Chesterton Fen Road MILTON</p>	<p>Without planning permission the stationing of mobile homes/caravans for residential use.</p>	<p>At Development and Conservation Control Committee 2nd October. Item 11.</p> <p>Members authorised:</p> <ol style="list-style-type: none"> 1. To issue an Enforcement Notice (should officers consider this necessary) to cease using the land for the stationing of mobile homes and associated hardstanding areas. 2. Should an Enforcement Notice be issued a six month compliance period. 3. Prosecution in the Magistrates Court if the Enforcement Notice is not complied with and subject to there being no material change in circumstances. 	

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>18/02 B/1/45/88 Rose and Crown Road SWAVESEY</p>	<p>Without planning permission using agricultural land for the siting of caravans/mobile homes for residential purposes and carrying out ancillary building works including laying of drains, septic tanks, mains electricity connections, accesses and hardstandings.</p>	<p>At Development and Conservation Control Committee 2nd October 2002 Section 4 Travellers in Swavesey Members were informed that under delegated powers Enforcement Notice E454 which takes effect on 30th October 2002 with a compliance period of one month and Stop Notices E454A and E454B had been issued. Members authorised proceedings in the Magistrates Court against the occupiers of the land.</p>	<p>5.1.2005 Awaiting outcome of Judicial Review.</p> <p>6.4.2005 Judicial Review dismissed. Currently considering options for dealing with the breach of the Enforcement Notice.</p> <p>6.7.2005 No change</p> <p>5.10.2005 No change</p> <p>4.1.2006 No change.</p> <p>5.4.2006 Planning application S/2337/05/F withdrawn 22nd February 2006.</p> <p>8.1.2003 The case was adjourned at Cambridge Magistrates Court on 4th December 2002 to 17th February 2003.</p> <p>2.4.2003 Appeal against Enforcement Notices withdrawn.</p> <p>Appeal against refusal of planning permission for S/1966/02/F to S/1973/02/F continues. Appeal date fixed for 30th April 2003. The compliance period for the Enforcement Notices extended to 6 months and take effect on 20th July 2003. Proceedings in the Magistrates Court adjourned to 16th April.</p> <p>2.7.2003 Appeal against planning permission dismissed on 19th May 2003. Proceeding in the Magistrates Court for breach of Stop Notice adjourned to 25th June 2003.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>1.10.2003 Challenge to Inspector's decision being made to the High Court by the owners.</p> <p>Prosecution for breach of Stop Notices adjourned pending outcome.</p> <p>7.1.2004 Appeal allowed by High Court. Case referred back to Planning Inspectorate to reconsider.</p> <p>7.4.2004 No date yet fixed for new appeal.</p> <p>7.7.2004 Public Inquiry on 16th June 2004.</p> <p>6.10.2004 Appeal dismissed on 22nd July 2004. Needs audit to be completed. Subject of a Judicial Review in relation to the issue of Stop and Enforcement Notices.</p> <p>5.1.2005 20th October 2004 owners prosecuted for contravening Stop Notices. All were given a conditional discharge with £40 costs.</p> <p>6.4.2005 Currently considering options for dealing with the breach of the Enforcement Notice.</p> <p>6.7.2005 No change</p> <p>5.10.2005 No change</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>4.1.2006 No change.</p> <p>5.4.2006 No Change.</p>
<p>8/03 B/1/45/20 Land between Setchell Drive and Water Lane Smithy Fen COTTENHAM (B Land)</p>	<p>Material change of use of land – forming an earth bund, laying hardcore and hardstanding</p>	<p>Delegated authority to take Stop and Enforcement action. Reported to Development and Conservation Control Committee 2nd April 2003 – Item 9. Stop Notice E461A issued 20th March 2003.</p> <p>Enforcement Notice E461 issued 19th March 2003 to take effect on 30th April 2003. Compliance period 3 months – 30th July 2003.</p>	<p>2.7.2003 Enforcement Notice appealed. Planning applications S/0456/03/F, S/0457/03/F, S/0871/03/F, S/0872/03/F and S/0873/03/F refused.</p> <p>1.10.2003 Enforcement appeal hearing on 14th October 2003. Stop Notice E461D and Enforcement Notice E461C issued 29th August 2003 prohibiting the use of the land for the stationing of caravans/mobile homes for residential purposes.</p> <p>Stop Notice took effect 5th September 2003. Enforcement Notice takes affect on 30th September 2003 with a 3 months compliance period.</p> <p>Site visit on 8th September 2003 confirmed that there were caravans on site in breach of the Stop Notice. Investigations commenced.</p> <p>7.1.2004 On 18th November 2003 appeal dismissed. Compliance date 18th February 2004. Appeal outstanding on Enforcement Notice E461C. Listed for hearing on 10th February 2004. There were no caravans on this site on 5th December 2003.</p> <p>7.4.2004 Appeal Inquiry pending. Date not fixed.</p> <p>7.7.2004 Appeal inquiry listed for 20th July 2004.</p> <p>6.10.2004 Appeal inquiry adjourned on 23rd July to 23 November 2004.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>9/03 B/1/45/20 Land between Setchell Drive and Water Lane COTTENHAM (G Land)</p>	<p>Material change of use of land as a residential caravan site, ancillary provision of drains and construction of accesses and hardstandings</p>	<p>Delegated authority to take enforcement action. Reported to Development and Conservation Control Committee 2nd April 2003 – Item 9. Enforcement Notice E459 issued 19th March to take effect 30th April 2003. Compliance period 3 months – 30th July 2003.</p>	<p>5.1.2005 Awaiting outcome of appeal.</p> <p>6.4.2005 Appeal dismissed 11th March 2005. Compliance date 11th June 2005.</p> <p>6.7.2005 Failed to comply with Enforcement Notice which took effect on 11th June 2005. Appropriate legal active being taken, in preparation of serving an injunction.</p> <p>5.10.2005 Interim injunction issued 18th July 2005. Further hearing scheduled for after 3rd October.</p> <p>4.1.2006 Injunctive proceedings adjourned to 14th February 2006.</p> <p>5.4.2006 Waiting for a decision from the High Court in relation to application for injunction.</p> <p>2.7.2003 Enforcement Notice appealed. Hearing on 14th October 2003. Planning application S/0377/02/F refused on 13th March 2003.</p> <p>1.10.2003 Refusal of planning permission and Enforcement Notice appealed. Hearing on 14th October 2003.</p> <p>7.1.2004 On 18th November 2003 appeal dismissed. Compliance date 18th February 2004.</p> <p>7.4.2004 Enforcement Notice not complied with. Requires further investigation. An appeal against non-determination of planning</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>application S/2505/03/F has provisionally been arranged for 20th July.</p> <p>7.7.2004 Appeal inquiry listed for 20th July.</p> <p>6.10.2004 Appeal Inquiry adjourned 23rd July to 23rd November 2004.</p> <p>5.1.2005 Awaiting outcome of appeal.</p> <p>6.4.2005 Appeal against non-determination of planning permission dismissed on 11th March 2005. Site now subject of Enforcement Notice E459.</p> <p>6.7.2005 Appropriate legal action being taken in preparation of serving an injunction.</p> <p>5.10.2005 Interim injunction issued 18th July 2005. Further hearing scheduled for after 3rd October. Prosecution file submitted to legal for breach of enforcement notices.</p> <p>4.1.2006 On 15th November 2005 the injunctive proceedings were adjourned to 14th February 2006.</p> <p>5.4.2006 Waiting for a decision from the High Court in relation to application for injunction</p>
<p>10/03 B/1/45/20 Land at Plot 2 and R/O</p>	<p>Material change of use of land as a residential caravans site ancillary</p>	<p>Delegate authority to take enforcement action. Reported to Development and Conservation</p>	<p>2.7.2003 Enforcement Notice appealed. Stop Notice not complied with. Prosecution file being prepared.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
Plot 3 Setchell Drove COTTENHAM	provision of drains and construction of access and hardstandings	Control Committee 2 nd April 2003 – Item 9. Stop Notice E353N issued 19 th May 2003 took effect 25 th May 2003. Enforcement Notice E353N issued 19 th May 2003 takes effect 30 th June 2003.	<p>1.10.2003 Planning application S/1020/03/F refused 26th June 2003. Appeal against refusal of planning permission and Enforcement Notice. Hearing on 4th November 2003.</p> <p>7.1.2004 Hearing moved to 29th January 2004.</p> <p>7.4.2004 Appeal allowed. Legal to update about possible legal grounds to challenge Planning Inspector's decision.</p> <p>7.7.2004 Subject of an appeal by the Council to the High Court against the Planning Inspector's decision.</p> <p>6.10.2004 Subject to a Judicial Review. No date fixed.</p> <p>5.1.2005 Awaiting outcome of appeal.</p> <p>6.4.2005 Case to be re-determined by the Planning Inspectorate. Date not yet fixed for hearing.</p> <p>6.7.2005 Public inquiry listed for 12th July 2005.</p> <p>5.10.2005 Awaiting appeal decision</p> <p>4.1.2006 Appeal dismissed. Enforcement Notice takes effect 7th December 2006.</p> <p>5.4.2006 Subject of an appeal to the High Court against the Planning Inspector decision.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>15/03 B/1/45/20 Land to rear of Plots 3, 4 and 5 Setchel Drove COTTENHAM</p>	<p>Material change of use of land as a residential caravan site.</p>	<p>Breach of Planning Enforcement Notices E353B, E353C and E353D issued 9th June 1999.</p> <p>Enforcement Notice E498 issued on 7th February 2005 requires the following:</p> <ol style="list-style-type: none"> 1. Cease the use of the site for the stationing of residential caravans. 2. Remove the caravans, sheds and ancillary structures from the site. 3. Remove the hard surfacing. 4. Rip up and break up the ground of the site. 5. Cease to use the access used for the purposes of accessing the site for the use of stationing residential caravans. 	<p>1.10.2003 File submitted to Legal Office for breach of Enforcement Notices.</p> <p>7.1.2004 No change.</p> <p>7.4.2004 No change.</p> <p>7.7.2004 Site now known as Victoria View. Planning application S/0761/04/F currently being determined.</p> <p>Injunction issued 4th May 2004 which took effect 4th June 2004.</p> <p>Restrained further hardcore being deposited on the site and required the removal of hardcore from plots 2, 5., 6, 9 and 10. It also restrained further caravans, mobile homes onto the site.</p> <p>A site visit on 4th June confirmed that there was a breach of the injunction committal proceedings listed at Cambridge County Court on 16th July.. Legal Officer will give an update.</p> <p>6.10.2004 Resolved to ensure compliance by means of direct action and prosecution. Summons issued listed for hearing at Cambridge Magistrates Court on 29th September 2004</p> <p>5.1.2005 Subject of a Judicial Review. Update to be given by the Legal Officer.</p> <p>6.4.2005 Judicial review withdrawn. Enforcement Notice E498 issued on 7th February 2005. Enforcement Notice appealed. Date not yet fixed.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>19/03 B/1/45/51 & S/2230/03/F Land adjacent to Moor Drove Cottenham Road HISTON</p>	<p>Without planning permission carrying out operational development by the laying of hardcore roadways and septic tanks on the site.</p>	<p>Delegated authority to take Stop and Enforcement action. Stop Notice E502 issued 11th December 2003 to take effect on 15th December 2003. Enforcement Notice E502 issued 11th December 2003 to take effect on 12th January 2004. Compliance period 3 months. Injunction issued 19th December 2003.</p>	<p>6.7.2005 Public inquiry for 12th July 2005.</p> <p>5.10.2005 Awaiting appeal decision</p> <p>4.1.2006 Appeal dismissed. Enforcement Notice takes effect 7th December 2006.</p> <p>5.4.2006 Subject to an appeal to the High Court against the Planning Inspectors decision.</p> <p>7.1.2004 Stop and Enforcement Notices issued</p> <p>7.4.2004 Enforcement Notices and refusal of planning permission appealed. Public Inquiry arranged for 10th August.</p> <p>7.7.2004 No change.</p> <p>6.10.2004 Appeal Inquiry adjourned on 10th August to 14th December 2004.</p> <p>5.1.2005 No change.</p> <p>6.4.2005 Appeal hearing adjourned until 14th April 2005.</p> <p>6.7.2005 Awaiting appeal decision</p> <p>5.10.2005 Appeal dismissed 2nd August 2005. An appeal is being made to the High Court.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>9/04 B/1/45/88 Land adj Cow Fen Drove SWAVESEY</p>	<ol style="list-style-type: none"> 1. Stationing of caravans for residential use without planning permission. 2. Unauthorised erection of a temporary stable. 3. Material change of use of land for breeding dogs. 	<p>Delegated Authority. Stop Notice and Enforcement Notice E485B issued 17th August 2004. Stop Notice for residential use of caravans took effect on 7th September 2004. Enforcement Notice E485A issued 17th August 2004.</p> <p>The following to take effect on 17th September 2004:</p> <ol style="list-style-type: none"> 1. To cease to bring any further caravans onto the land. 2. Not to replace any caravan removed from the land. 3. To cease to bring any further vehicles not associated with agriculture or items ancillary thereto onto the land. <p>Not to replace vehicles not associated with agriculture to be removed from the land.</p> <ol style="list-style-type: none"> 5. Cease the use of the land for the stationing of residential caravans. 6. Remove all unauthorised 	<p>4.1.2006 No change.</p> <p>5.4.2006 Appeal dismissed. Currently considering options for dealing with the breach of the Enforcement Notice.</p> <p>6.10.2004 Verbal update to be given.</p> <p>5.1.2005 Enforcement Notice appealed.</p> <p>6.4.2005 Awaiting outcome of appeal.</p> <p>6.7.2005 No change.</p> <p>5.10.2005 Appeal dismissed. Compliance date for 1, 2, 3 and 4 - 22nd July 2005. 5, 6, 7 and 8 - 22nd October 2005</p> <p>4.1.2006 Prosecution file submitted to Legal Office for breach of enforcement notice.</p> <p>5.4.2006 Defendants appeared before Cambridge Magistrates Court on 9th March and were given a conditional discharge for 2 years and costs awarded of £400. Further prosecution being considered.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>10/04 B/1/45/100 S/1477/04/F 23 Church Street WILLINGHAM</p>	<p>Material Change of Use for the supply of hot food. Unauthorised extraction flue.</p>	<p>Delegated authority to take enforcement action. The use for the supply of hot food to cease and for the extraction flue to be removed.</p>	<p>5.1.2005 File submitted to Legal Office for issue of Enforcement Notice.</p> <p>6.4.2005 Enforcement Notice appealed.</p> <p>6.7.2005 No change</p> <p>5.10.2005 Appeal dismissed. Enforcement Notice takes effect 24th November 2005.</p> <p>4.1.2006 Prosecution file being prepared.</p> <p>5.4.2006 Business use ceased. Flue still to be removed.</p>
<p>11/04 B/1/45/ S/0445/04/F 43A High Street</p>	<p>Material Change of Use of land for residential garden land. Unauthorised structures.</p>	<p>At development and Conservation Control Committee, 7th July, Item 9, Members authorised:- 1. The issue of an Enforcement</p>	<p>5.1.2005 Enforcement Notice E484 issued 28th September 2004. Compliance period 3 months to take effect 3 November 2004. Enforcement Notice appealed.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
LANDBEACH		<p>Notice for the material change of use of the land to cease and for the unauthorised structures to be removed.</p>	<p>6.7.2005 Awaiting outcome of appeal.</p> <p>5.10.2005 Appeal dismissed. Compliance date 30th September 2005.</p> <p>4.1.2006 Planning application S/2187/05 being considered for retention of shed to form stables.</p> <p>5.4.2006 Planning application S/2187/05 refused. Further planning application submitted (S/0321/06/F).</p>
13/04 B/1/45/100 Land at Scholes Road WILLINGHAM	<p>A. Without planning permission the stationing of two mobile homes for residential use.</p> <p>B. Unauthorised building works.</p> <p>C. Unauthorised engineering works.</p>	<p>Delegated authority given to issue Enforcement Notice and Stop Notice to:</p> <ol style="list-style-type: none"> 1. Remove all caravans/mobile homes and sheds from the land. 2. Cease to use the land as a residential caravan site. 3. Take up all drains and other services, grub up all accesses and hardstandings. 4. Restore the land to its condition before the breach of planning control took place. 	<p>5.1.2005 Enforcement Notice E489A and Stop Notice E489B issued on 10th November 2004. Compliance period for Enforcement Notice, one month, to take effect on 29th December 2004. The Stop Notice takes effect on 17th November 2004.</p> <p>6.4.2005 Enforcement Notice appealed.</p> <p>6.7.2005 No change</p> <p>5.10.2005 Appeal dismissed. Appeal pending for non-determination of planning application S/2505/04/F.</p> <p>4.1.2006 Inquiry listed for 7th February 2006.</p> <p>5.4.2006 Waiting for appeal decision.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>15/04 B/1/45/97 S/1585/04/F Land adjacent to 12 The Common WEST WRATTING</p>	<p>Unauthorised extension to Hardstanding.</p>	<p>At Development and Conservation Control Committee on 6th October 2004. Item 32 Members authorised:</p> <ol style="list-style-type: none"> 1. The issue of an Enforcement Notice to remove the unauthorised Hardstanding. 	<p>5.1.2005 Negotiations continuing with the Planning Officer regarding what area of the hardstanding could be considered as permitted development.</p> <p>6.4.2005 Planning application being submitted to resolve issue.</p> <p>6.7.2005 Planning application S/0766/05/F refused 6th June 2005. Enforcement file to be prepared.</p> <p>11.8.2005 File submitted to Legal Office for issue of an Enforcement Notice.</p> <p>5.10.2005 File remains with Legal Office for the issue of an Enforcement Notice.</p> <p>4.1.2006 No change.</p> <p>5.4.2006 Enforcement Notice E518 issued 8th March 2006 takes effect on 13th April 2006. Compliance period of 3 months.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>16/04 B/1/45/60 S/2153/04/F 2 Manor Farm Barns and Land Adjoining Cockhall Lane LITLINGTON</p>	<p>Without planning permission the material change of use of land to garden land and the erection of a garden room.</p>	<p>At Development and Control Committee on 1st December 2004, Item 8, Members authorised:</p> <p>1. The issue of an Enforcement Notice to remove the unauthorised garden room.</p>	<p>5.1.2005 Negotiations continuing with the Planning Officer regarding the submission of further site plans, before formal enforcement action is taken.</p> <p>6.4.2005 Negotiations continue.</p> <p>6.7.2005 File submitted to Legal Office for issue of an Enforcement Notice.</p> <p>5.10.2005 No change.</p> <p>4.1.2006 Enforcement Notice E511 issued 1st November 2005 takes effect 5th December 2005 compliance period 4 months. Enforcement Notice appealed.</p> <p>5.4.2006 Awaiting appeal decision on refusal of planning application S/2153/04/F..</p>
<p>18/04 The Orchard Smithy Fen COTTENHAM</p>	<p>Stationing of Caravans without planning permission.</p> <p>Unauthorised engineering works.</p>	<p>Delegated authority given to take enforcement action. Enforcement Notice E495A issued on 22nd December 2004 to take effect on 30th January 2005. Compliance period 3 months.</p>	<p>6.4.2005 Enforcement Notice appealed.</p> <p>7.7.2005 No change</p> <p>5.10.2005 No change</p> <p>4.1.2006 Awaiting appeal decision.</p> <p>5.4.2006 Appeal dismissed on 4th December 2005. Compliance period</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			varied to three months for ceasing to use the land for the siting of residential caravans and for the removal of caravans/mobile home vehicles sheds and containers. Twelve month compliance period for the removal of hardstandings drainage and materials. A site visit on 15 th March confirmed that there were breaches of the Enforcement Notice. Further action being considered.
3/05 B/1/45/85 Land adjacent to Hilltrees Babraham Road STAPLEFORD	Unauthorised use of land for the storage of motor vehicles, caravans/mobile homes, container trailers, timber bricks, scrap metal, and other items not associated with agriculture.	Delegated authority given to issue an Enforcement Notice to remove the unauthorised use for storage purposes. Enforcement Notice E489 issued on 23 rd February 2005 together with Stop Notice. Stop Notice took effect on 5 th March 2005. Enforcement Notice takes effect on 31 st March 2005. Compliance period 2 months.	<p>6.4.2005 Enforcement Notice takes effect on 31st March 2005.</p> <p>6.7.2005 Enforcement Notice appealed.</p> <p>5.10.2005 No change.</p> <p>4.1.2006 Appeal dismissed, compliance date 2nd January 2006.</p> <p>5.4.2006 Appeal to the High Court dismissed. Enforcement Notice takes effect 27th April 2006.</p>
4/05 B/1/45/9 Poplar Farm Poplar Farm Drive BASSINGBOURN	Unauthorised Material Change of use of land - operating a road making and ground engineering business from the land	Delegated authority given to take enforcement Notice E503 issued 6 th April 2005 to take effect on 17 th May 2005. Compliance period 2 months	<p>6.7.2005 Enforcement Notice appealed</p> <p>5.10.2005 No change</p> <p>4.1.2006 No change.</p> <p>5.4.2006 Enforcement Notice withdrawn. Application S/2189/05/LDC and S/2190/05/LDC about to be approved. Remove from active list.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>5/05 Unit 135 Cambridge Road MILTON</p>	<p>Unauthorised use of part of warehouse as a showroom for retail sales</p>	<p>Delegated authority given to take enforcement action. Enforcement Notice E501 issued 6th April 2005 to take effect on 22nd May 2005. Compliance period 2 months</p>	<p>6.7.2005 Enforcement Notice appealed</p> <p>5.10.2005 No change</p> <p>4.1.2006 Appeal hearing listed for 14th February 2006.</p> <p>5.4.2006 Enforcement Notice withdrawn. Not expedient to continue. Remove from list.</p> <p>6.7.2005 Enforcement Notice appealed</p> <p>5.10.2005 No change</p> <p>4.1.2006 Appeal dismissed 2nd December 2005. Enforcement Notice takes effect 2nd March 2006 in respect of the garage and 2nd June 2006 in respect of the removal of materials from the site.</p> <p>5.4.2006 Enforcement Notice complied with. Remove form active list.</p> <p>6.7.2005 File submitted to Legal Office for the issue of an Enforcement Notice.</p> <p>5.10.2005 No change</p> <p>5.4.2006 Enforcement Notice E513 issued 19th January 2006.</p>
<p>6/05 S/2490/04/F Threeways 2 Denny Road WATERBEACH</p>	<p>Unauthorised Garage with studio</p>	<p>Development and Conservation Control Committee - 2nd March 2005. Item 11 Members authorised. This issue of an Enforcement Notice to demolish the garage. Enforcement Notice W502 issued 6th April 2005 to take effect 16th May 2005 compliance period 3 months.</p>	<p>Development and Conservation Control Committee 6 April 2005 - Item 16. Members authorised Enforcement action for unauthorised development.</p>
<p>10/05 S/0124/05/F 6A Dale Way SAWSTON</p>	<p>Unauthorised extensions to bungalow</p>	<p>Development and Conservation Control Committee 6 April 2005 - Item 16. Members authorised Enforcement action for unauthorised development.</p>	<p>Development and Conservation Control Committee 6 April 2005 - Item 16. Members authorised Enforcement action for unauthorised development.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			Takes effect 23 rd February 2006. Compliance period six months. 4.1.2006 No change.
11/05 S/0312/05/F Land adjacent 112 Old North Road BASSINGBOURN	Unauthorised extensions to dwelling	Development and Conservation Control Committee 6 th April - Item 29. Members authorised enforcement action for unauthorised development	6.7.2005 Negotiations ongoing to resolve issue. 5.10.2005 Revised planning application S/1717/05/F submitted. 4.1.2006 Application being determined. 5.4.2006 Revised plans approved. Remove from active list.
12/05 S/6283/05/F 17 The Maltings CAMBOURNE	Material changes of use of building for office use	Development and Conservation Control Committee 6 th April 2005 - item 31. Members authorised enforcement action for the use to cease.	6.7.2005 Awaiting issue of Decision Notice 5.10.2005 File submitted to Legal Office for issue of Enforcement Notice. 4.1.2006 No change. 5.4.2006 Appeal made against refusal of planning permission S/6283/05/F.
13/05 B1/45/20 Plots 5,5a, 6, 10 & 11 Orchard Drive COTTENHAM	Stationing of Caravans without permission	Delegated authority given to take enforcement action. Enforcement Notices E506A to E506E inc. issued on 22 nd June 2005 to take effect on 31 st July 2005. Compliance period 3 months.	5.10.2005 Appeal dismissed. Compliance date 30 th September 2005. Enforcement Notices E506A to E506E inc. appealed. 4.1.2006 No change. 5.4.2006 No change

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>15/05 White House Farm Cambridge Road MELBOURN</p>	<p>Unauthorised erection of wall adjacent to Fowlmere Road</p>	<p>Development and Conservation Control Committee on 3rd August 2005 - item 19. Members authorised enforcement action to demolish wall adjacent to Fowlmere Road, or to reduce to 1 metre in height.</p>	<p>5.10.2005 File submitted to Legal Office for the issue of an Enforcement Notice 4.1.2006 No change. 4.1.2006 Enforcement Notice E514 issued 23rd February 2006. Takes effect on 31st March 2006. Compliance period 3 months. 5.4.2006 No change 5.10.2005 File submitted to Legal Office for the issue of an Enforcement Notice 4.1.2006 No change. 5.4.2006 Enforcement Notice E51 issued 9th November 2005 and took effect on 10th December 2005. Compliance period three months. Planning application S/2386/05/F refused 1st February 2006.</p>
<p>16/05 B/1/45/14 2 Homers Lane Haverhill Road CASTLE CAMPS</p>	<p>Material changes of use of building for residential use</p>	<p>Delegated authority given for the issue of an Enforcement Notice for the use to cease and to remove all associated materials used in connection with the use of the building as a residential dwelling.</p>	<p>5.10.2005 File submitted to Legal Office for the issue of an Enforcement Notice 4.1.2006 Enforcement Notice E517 issued, takes effect 19th December 2005. Compliance period 3 months. 5.4.2006 Site visit to be made. 5.10.2005 Information being obtained about the occupants of the site. 3</p>
<p>17/05 B/1/45/94 S/0687/04/F Manna Ash House Common Road WESTON COLVILLE</p>	<p>Unauthorised erection of chimney stack which is not in accordance with approved plans.</p>	<p>Delegated authority given for the issue of an Enforcement Notice for the chimney stack to be demolished and rebuilt in accordance with the approved plans</p>	<p>5.10.2005 File submitted to Legal Office for the issue of an Enforcement Notice 4.1.2006 Enforcement Notice E517 issued, takes effect 19th December 2005. Compliance period 3 months. 5.4.2006 Site visit to be made. 5.10.2005 Information being obtained about the occupants of the site. 3</p>
<p>18/05 Land off Schole Road</p>	<p>Unauthorised caravans on land subject of extant</p>		<p>5.10.2005 Information being obtained about the occupants of the site. 3</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
(known as Cadwin Lane) WILLINGHAM	enforcement notices E104 issued on 22 nd February 1991 and E104A issued on 10 th June 1991.		plots currently occupied. Planning application S/1653/05/F and S/1654/05/F received 4.1.2006 No change. 5.4.2006 No change
18/99 B/1/45/8 Vatches Barn Comberton Road BARTON	Without planning permission the material change of use from one of residential to a mixed residential and office use. Vatches Barn is a Listed Building and is within a Conservation Area.	At Planning Committee 3 rd November 1999 Members authorised: (i) Delegated authority to issue an Enforcement Notice to cease using the site in association with office use if the current level of activity continues (ii) A compliance period of three months and (iii) That proceedings in the Magistrates Court be authorised against the owner in the event of failure to comply with the Notice and subject to there being no substantial change in the circumstances.	The owner has indicated that the level of business activity will be reduced, and a site visit to assess the situation will be undertaken in January 2000. If the business activity is not reduced to an acceptable level, an Enforcement Notice will be issued. Monitoring of the site reveals that the use continues and the necessary information is being gathered for the issue of an Enforcement Notice. 5.7.2000 To be the subject of a full agenda report to Planning Committee. 4.10.2000 Enforcement Notice E409 issued 9 th August 2000 takes effect 30 th September 2000. At time of drafting no appeal lodged. 3.1.2001 A Stop Notice issued 25 th September 2000 and took effect 29 th September 2000 to cease to park and store on the land vehicles not associated with the domestic residential use of the property. The monitoring of the site indicates compliance, although there is a problem in determining between vehicles associated with the residential use and the commercial activity taking place. The Enforcement Notice is now the subject of an appeal. 2.5.2001 Site inspection took place 9 th April 2001, appeal decision awaited.

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>4.7.2001 As verbally reported 2nd May 2001 the appeal against the Enforcement Notice was refused 20th April 2001 the compliance period of three months remained unchanged and takes effect 20th July 2001. Whilst still within the compliance period, a letter dated 12th June 2001 has been sent to the appellant reminding him of the requirements of the Enforcement Notice and that a site visit would take place after 20th July 2001.</p> <p>3.10.2001 Prosecution file for non-compliance with the requirements of the Enforcement Notice to Legal department 30th August 2001. Inspection made 28th August 2001 and available information, tended to suggest the use had ceased. Since that date there is now evidence that it may be continuing/resumed and this information has been forwarded to the Legal Department.</p> <p>2.01.2002 Case adjourned to Monday 14th January 2002.</p> <p>3.04.2002 This matter was heard at Cambridge Magistrates Court 14th January 2002, when the two charges were proved, and the owner fined £2,500 with costs of £876.50p and the Company fined £2,500. Information and observations tend to confirm the unauthorised use has ceased, and I recommend that this item be removed from the active list, with the Enforcement Notice to remain.</p> <p>5.10.2005 As a result of a recent breach of the enforcement notice a further prosecution file has been submitted to Legal.</p> <p>4.1.2006 No change.</p> <p>5.4.2006 Summons issued for hearing at Cambridge Magistrates Court on 23rd March</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
19/05 Former Plough Public House Swavesey Road FEN DRAYTON	Unauthorised fencing.	Delegated authority given for the issue of an Enforcement Notice for the unauthorised fencing to be removed.	4.1.2006 File submitted to Legal Office for the issue of an Enforcement Notice. 5.4.2006 Enforcement Notice E1519 issued 27 th February 2006. Takes effect 31 st March 2006. Compliance period two months.
20/05 S/2311/04/F 39 Otlands Avenue BAR HILL	Material change of use of land and unauthorised fencing.	Delegated authority given for the issue of an Enforcement Notice to cease to use the land as domestic garden land and to remove the boundary fence. Enforcement Notice E520 issued 17 th November 2005 to take effect on 19 th December 2005. Compliance period 2 months.	4.1.2006 No change. 5.4.2006 Enforcement Notice appealed.
21/05 Rectory Farm Landbeach Road MILTON	Unauthorised marquee.	Delegated authority given on 11 th October 2005 to issue an Enforcement Notice for the removal of the marquee from the site. Enforcement Notice E522 issued 9 th November 2005 to take effect on 12 th December 2005. Compliance period 2 months.	4.1.2006 No change. 5.4.2006 Enforcement Notice reissued as owner claimed it hadn't been required. Enforcement Notice E522A issued 7 th March to take effect on 10 th April 2006. Compliance period two months. Compliance Notice complied with remove from active list.
1/06 B/1/45/74 S/2118/05/F Slate Hall Farm Huntingdon Road OAKINGTON	Without planning permission a material change of use from agricultural building and land to general industrial.	Development and Conservation Control Committee on 4 th January 2006 item 13. Members authorised Enforcement Action to secure the cessation of unauthorised uses of land and the removal of unauthorised structures and hardstandings. Compliance period 6 months	5.4.2006 Enforcement file being prepared.

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>2/06 B/1/45/84 S/2330/05/F The Old Station Yard Mill Green SHUDY CAMPS</p>	<p>Material change of use of land from agricultural to storage.</p>	<p>Development and Conservation Control Committee on 1st February 2006 item 9. Members authorised Enforcement Action for the unauthorised use Compliance period 3 months.</p>	<p>5.4.2006 File submitted to the Legal Office for the issue of an Enforcement Notice.</p>
<p>3/06 B/1/45/67 S/2335/05/F The Village Green High Street LONGSTANTON</p>	<p>Unauthorised walls as entrance feature</p>	<p>Development and Conservation Control Committed on 1st February 2006 item 28. Members authorised Enforcement Action for the removal the walls. Compliance period 1 month.</p>	<p>5.4.2006 File submitted to the Legal Office for the issue of an Enforcement Notice.</p>
<p>4/06 B/1/45/20 S/2227/04/F Land off Water Lane (Plot 15) Smithy Fen COTTENHAM</p>	<p>Material change of use of land to a residential caravan Site and the provision of hardstandings</p>	<p>Development and Conservation Control Committee on 4th January 2006 item 14 injunctive and Members authorised Enforcement Action for the removal of mobile homes, caravans day room and hardstandings. Compliance period 12 months.</p>	<p>5.4.2006 File submitted to the Legal Office for the issue of an Enforcement Notice.</p>
<p>5/06 B/1/45/20 S/2037/04/F Plot 17 Pine View Smithy Fen COTTENHAM</p>	<p>Materials change of use of land to a residential caravan site and the provision of hardstanding</p>	<p>Development and Conservation Control Committee on 4th January 2006 item 15 Members authorised injunctive and Enforcement Action for the removal of mobile homes, caravans, day room and hardstanding. Compliance period 3 months</p>	<p>5.4.2006 File submitted to the Legal Office for the issue of an Enforcement Notice.</p>
<p>6/06 B/1/45/20 S/2049/05/F 79 Rooks Street COTTENHAM</p>	<p>Unauthorised storage shed</p>	<p>Delegated authorised given to proceed with Enforcement Action for the removal of the unauthorised shed.</p>	<p>5.4.2006 File submitted to the Legal Office for the issue of an Enforcement Notice.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>7/06 B/1/45/81 S/1649/05/F Land adjacent to Mill Lane and A1301 SAWSTON</p>	<p>Material change of use of the land for the storage of plant and materials</p>	<p>Delegated authority given to proceed with Enforcement Action for the use to cease.</p>	<p>5.4.2006 File submitted to the Legal Office for the issue of an Enforcement Notice.</p>
<p>8/06 B/1/45/70 S/2006/06/F 1 London Way Clunchpits MELBOURN</p>	<p>Materials change of use of land for use as a builders yard.</p>	<p>Development and Conservation Committee on 7th December 2005 item 16. Members authorised Enforcement Action for the unauthorised use to cease and for the removal of unauthorised structures hardstandings and storage containers.</p>	<p>5.4.2006 File submitted to the Legal Office for the issue of an Enforcement Notice.</p>
<p>9/06 S/1422/03/F Mill View Farm Station Road LONGSTANTON</p>	<p>Unauthorised mobile home.</p>	<p>Development and Conservation Control Committee on 1st March 2006 Item 24. Members authorised Enforcement Action for the removal of the unauthorised mobile home. Compliance period 9 months.</p>	<p>5.4.2006 Further negotiations taking place. Report to be considered at Development and Conservation Control Committee 5th April 2006.</p>

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th April 2006**AUTHOR/S:** Director of Development Services

**Cambourne Section 106 Agreement:
Trailer Compound Provision****Recommendation: No further action at present
Date for Determination: N/A****Purpose**

1. Members will recall lifting the “embargo” on issuing planning permissions for market housing at Cambourne at the March 2005 meeting and continuing this approach at the May and August and November meetings, in order for the developers’ consortium to progress the legal matters associated with the provision of the trailer park. This report updates Members on progress with the trailer park, as requested.

Background

2. Several community facilities had not been provided by the 1000 occupations trigger point, as required by the Cambourne S106 agreement. Progress has since been made on most of the facilities, to the point where most are now in use and have been or are being formally handed over to the Parish Council. Only the trailer park had failed to commence on site or to be at a stage where it was likely to commence, and Members had used the “embargo” to push the developers towards resolving this matter, but had lifted it in March to assist the developers in finalising their legal processes.
3. At the August meeting Members considered a letter received from the developers’ Project Director, indicating that all works relating to the trailer park should be completed “within the next couple of months”, and that the delay (associated with the new legal agreement to bring the site under the umbrella of the main Cambourne S106 Agreement) was not all on the part of the developers. In November, the developers said that they had finished the foul drainage and fencing, with land drainage about to commence. The owner of the site was contractually obliged to erect further fencing and to complete the works to make the site available for use. The developers had given him 6 weeks to do this otherwise they would step in and complete it themselves.

Updated position

4. By now, it was expected that the storage compound would be open. However, the developers have been negotiating to try and purchase the site, in order that they can have complete control over the provision of the facility. I am advised that contracts will have been exchanged for the purchase of the site by the date of this meeting, in which case the completion date will be certain. A verbal update will be given.
5. The required Supplemental Legal Agreement to bring the site under the umbrella of the main Cambourne Legal Agreement has now been finalised, so that it will be ready for completion on the same day as the completion of purchase of the site.

6. I have also requested a new timetable for the opening of the facility and works leading up to it. This involves the laying out of the site, and there may be some change to the permission to accommodate an existing hard standing that could be used as a wash-down facility. A management regime and timing for the use of the new access also remain to be finalised and approved under the conditions of the planning permission. These matters should be fairly straightforward to resolve. A verbal update will be given.

Financial Implications

7. None.

Legal Implications

8. Completion of supplemental S106 Agreement required.

Staffing Implications

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

Sustainability Implications

9. Provision of these facilities is important for community sustainability.

Recommendation

10. That no further action be taken subject to receipt of correspondence from the Consortium's Project Director giving satisfactory assurances and requested information in relation to land purchase and timetables. A verbal update to be given to the meeting.

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

Cambourne Section 106 Agreement dated 20th April 1994.
Outline planning permission dated 20th April 1994, reference S1371/92/0

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee

5th April 2006

AUTHOR/S: Development Services Director

Cambourne Sports Centre and Bowling Green – Proposed Change to S106 Trigger Points

Purpose

1. To consider the request of the Cambourne Consortium to change the triggers points by which the sports centre and bowling green should be provided, effectively delaying provision.

Effect on Corporate Objectives

2. Quality, Accessible Services	The Council is an enabler in terms of sports development, and delaying the provision of the sports centre to investigate alternatives would ensure the most appropriate facility is eventually provided that will be accessible to the most residents.
Village Life	Delaying the provision of facilities has a negative effect on village life, but may ultimately result in better facilities being provided.
Sustainability	Facilities such as these are important in sustaining a community. That is why it is appropriate to ensure that a facility is provided that is viable for the long term.
Partnership	Considering this proposal enables a better working relationship with the Cambourne Parish Council, which has expressed concerns about the costs of taking on their ownership and maintenance, and taking the Parish Council's comments into full consideration demonstrates that the District Council is working in partnership with the Parish Council to provide the most appropriate facilities.

Background

3. A letter has been received from the Cambourne Consortium of developers, stating the following:
4. "We hereby seek your Council's consent to change the trigger point in the S106 Agreement dated 20th April 1994 for the provision of the sports centre and bowling green from the "2000th house occupation" to the "31st December 2007".
5. Although we submitted a new planning application for the centre in March 2005 which complied with the requirements of the s106 Agreement it has subsequently become clear through discussions with various interested parties that everyone has a different view on the size, specification and accommodation of the centre regardless of the legal Agreement. In addition, with the possibility of an extra 700 homes being built at Cambourne through the LDF process it seems prudent to consider incorporating into the scheme the potential for further expansion of the facility, or indeed to build in the extra facilities from day one.

6. From recent discussions with your planning officer it would appear that there is now a strong possibility of the Developers, in conjunction with a commercial company, being able to provide a centre which would meet the aspirations of the majority of the key [stake]holders, a much larger facility which would also easily satisfy and relate to an extra 700 units.
7. It seems sensible therefore to continue the dialogue in the interest of the whole community. I'm sure that the majority of residents will consider the delay in delivery of the centre worthwhile. Kate Wood will I'm sure expand on this matter and confirm that the Parish Council are also keen to delay matters in order to achieve a more substantial and viable facility."
8. From a copy letter from the Consortium to the Parish Council: "In order to avoid any future misunderstanding, I think it is important to mention that our current planning application, which actually meets with the S106 terms and conditions, is not acceptable to SCDC. The developers have discussed with them and indeed Parish representatives, an amended larger scheme, but have been advised that it is not commercially viable. Bearing in mind the possible additional 700 homes, it seemed sensible for us to try and involve a commercial operator who would bring some financial realism to the scheme and enable, through a joint venture, to deliver an even bigger and better scheme which would satisfy a larger Cambourne and which would not be a financial drain on the Parish or residents. Whilst there is a risk that SCDC may impose too many constraints to make the Xpect Leisure scheme viable and that we finish up with the original scheme, I believe we are agreed that the proposed delay to the delivery of the Sports Centre is worthwhile if it gives us the chance to build a bigger, better and viable development."

Considerations

9. The Council has a current planning application for the sports centre (ref: S/6290/05/RM) which it is negotiating in terms of compliance with the S106 Agreement. The Agreement sets certain facility (e.g. sports hall, squash courts) and size requirements and requires the building to be accessible on a "pay and play" basis, not restricted to members only. This application is on hold at present because the developers do not want to progress amended plans that officers have requested to enable the scheme to be recommended for approval, because they are concerned that the scheme as designed would not be financially viable. The Section 106 requires the facility to be handed over by the developers to either the Parish Council or some other approved operator. Their approaches to commercial operators have resulted in concerns being raised about viability. The Consortium is hoping to make arrangements with a private company to provide the sports centre to a different specification, and a company known as Xpect Leisure have made a presentation to the Parish Council and to officers at SCDC about an alternative offer, combining some member-only facilities and some pay and play. That offer is part of ongoing considerations, and the Community Services team is in the process of obtaining a consultant's report on the management options for the various combinations of sports facilities, in order that officers can pursue, and recommend to members, a planning application for the most sustainable, accessible and viable sports centre.
10. In addition, the timing of the provision of the sports centre is likely to coincide with the decision from Government on the LDF. If 700 extra houses are allocated to Cambourne, this may well result in additional sports facilities being negotiated through the new outline application for those houses and its associated S106 Agreement. There is therefore an opportunity now to negotiate what those facilities might be and have them incorporated, rather than arranging an "add-on" later.

Obviously this is at the developers' risk in terms of the LDF outcome, but the Consortium has agreed to accept the risk.

11. A date of 31st December 2007 has been requested as the new trigger point, instead of 2000 occupations. It is considered that naming a date is more appropriate than a house occupations trigger point, bearing in mind the unpredictable speed of the housing market. At present about 1900 houses are occupied, so the 2000 trigger will likely be reached around this summer. The delay is therefore approximately 18 months. The December 2007 trigger point is tight – working back from a 12 month build, that only leaves this year to make a planning application, negotiate and receive planning permission, produce working drawings and put them out to tender.
12. The bowling green also has a 2000 occupations trigger point, and the Council also has a current application for it (ref: S/6336/06/RM), to be located adjacent to the MUGA. The Consortium's letter does not clarify the reason for requesting a delay in this trigger point, but my understanding is that it is to allow flexibility in the design (and consequent impact on siting) of the sports centre, so that the bowling green could be accommodated in a slightly different location if necessary to accommodate the sports centre (although still in the vicinity).

Options

13. Option A – agree the change to the trigger points for the sports centre and bowling green from 2000 occupations to 31st December 2007. This has been discussed above.
14. Option B – refuse to agree the proposed change to the trigger point. In reality, it will not be possible to meet the trigger, so it would simply mean that house building is stopped again, thereby further delaying the trigger points for other facilities being reached (police and fire stations, and any facilities negotiated as a result of a new outline permission and S106 for 700 more houses if the LDF is approved as submitted). Of course, delaying house building would hit the Consortium financially, and could therefore be seen as a form of punishment, but that is not what is best for the residents of the village.

Financial Implications

15. If the most financially sound and sustainable sports centre is eventually provided, there will be less burden on the District and Parish councils, for example from requests for grants or ongoing revenue support.

Legal Implications

16. Approval of the proposal to change the trigger points will require an amendment to the main Cambourne S106 Agreement.

Staffing Implications

17. None

Risk Management Implications

18. Public perception of delay in provision of yet more facilities at Cambourne. The reasons for approving this proposal will need to be publicised locally to provide explanation.

Consultations

19. **Cambourne Parish Council** recommends approval to the request to change the trigger point for the completion of the Sports Centre, subject to the provision of an agreed timetable of milestones for the key stages in provision of the Sports Centre. It is proposed that the bowling-green is progressed separately to the Sports Centre. In agreeing to the change of the trigger points the Parish Council is doing so as a one off to ensure the best provision of facilities and should not be seen as setting a precedent for future trigger points.

Conclusions/Summary

20. Delaying the trigger point will enable the best possible sports centre, in terms of facility being both viable and accessible. It will ensure that the Council can make a better informed decision with regard to options available. Agreeing to the new trigger point does not imply that any particular option for the provision of the sports centre will be more or less acceptable than any other.

Recommendation

21. APPROVE the change to the trigger points for the sports centre and bowling green from 2000 occupations to 31st December 2007, to be secured through a deed of variation to the S106 Agreement.

Background Papers: the following background papers were used in the preparation of this report: Cambourne Section 106 Agreement 20th April 1994; letter from David Chare (Cambourne Consortium) to SCDC 9th February 2006, copy of letter from David Chare to Cambourne Parish Council 16th March 2006.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee

5th April 2006

AUTHOR/S: Pam Thornton, Senior Planning Assistant

Cambourne Phase 6 GC09, 10 & 11 Development Briefing Document

Purpose

1. To approve the Cambourne Phase 6 GC09, 10 & 11 Development Briefing Document ("the Brief") for Development Control purposes as part of the Cambourne Design Guide.

Effect on Corporate Objectives

2. Quality, Accessible Services	By providing consistent and transparent planning guidance
Village Life	By safeguarding the separate character of the Cambourne villages
Sustainability	The location is close to village services. Space is to be made for large trees.
Partnership	Cooperation with the Cambourne Developer to deliver appropriate development.

Background

3. The draft Brief has been prepared by the Cambourne Developers' Masterplanners, Randall Thorp, and has been discussed and amended in accordance with Planning Officers' advice.
4. These housing sites lie between Lower Cambourne and Great Cambourne astride School Lane. On the east side GC11 abuts Monkfield Park Primary School playing fields, while GC09 is bounded by the Eco Park play area, and Oak Wood on the north side. The western side abuts The Oaks (a detached dwelling set back from the road) and the Eco Par car park. To the west GC10 is bounded by the Country Park and Crow Dean track, and a newly, planted woodland (structural landscaping) wraps around the south of GC10 and 11. The area forms part of a green wedge between Lower and Great Cambourne, and is framed by open spaces with existing and emerging woodland.
5. **Local Development Framework**
Because of these characteristics the approved Phasing Schedule allocates 11 dwellings on each site, and it is subject to **Policy SP/5** in the Local Development Framework Submission Draft January 2006 (LDF) which states "**Residential development within the Cambourne School Lane Special Policy Area shall not exceed a density of 12 dwellings per hectare.**" The supporting text explains "This site forms part of a green wedge between Great and Lower Cambourne, incorporating the eco-park to the north and the country park to the south. Development on the site must remain at very low density in order to maintain the separation and "three villages" character of Cambourne."
6. **South Cambridgeshire Local Plan 2004 (Local Plan)**

HG10 – housing mix to include a range of types and sizes, including 1 and 2 bedroom dwellings, making the best use of the site and promoting a sense of community which reflects local needs. The design and layout should be informed by the wider character and context of the local townscape and landscape.

EN5 – retention of natural features, new planting appropriate to the character of development, its landscape setting and the biodiversity of the locality.

Cambourne 1 – Development in accordance with Cambourne Masterplan

Cambourne 2 – Development in accordance with Cambourne Design Guide

SE2 – Rural Growth Settlements

SE7 – Development in accordance with Cambourne Masterplan and Design Guide.

TP1 – Promotion of sustainable transport choices, restriction of car parking to the maximum levels in appendix 7/1.

7. The Cambourne Master Plan Report identifies this area for low-density housing in the gap between villages; the Cambourne Design Guide indicates how this “gap” character can be emphasised by clustering the dwellings and creating substantial lengths of hedgerow (with space for large trees). The Inspector’s Report on the Cambourne Enhanced Section 78 appeal agreed with the Council’s view that the green wedge fulfils a useful function, essential to the separation of Great and Lower Cambourne.

Considerations

8. The Brief describes the characteristics and setting of the site, and the requirements of the other agreed Cambourne guidance, such as the Play Strategy. Local Areas for Play (LAPs) are required for each parcel. The general character requirement is for a low density area, reflecting its position between the Country Park and the Eco Park, forming a distinct break between the villages of Lower and Great Cambourne. The Brief states: “The entire area should have a well vegetated feel to it, once established, with a predominance of forest size trees creating focal areas, and hedges used wherever possible along boundaries. The area should have a soft, green, rural character, dominated by landscape elements rather than built development.” These principles are enlarged in the advice on such matters as built form, frontage treatment, views and vistas and landscape themes, so that the advice can be applied to specific proposals in accordance with the Development Plan policies for the area. With regard to the height of buildings, the Brief requires “Residential unit height should generally be 2 storey with some 1 and 1.5 storey variance in the roofline achieved by garages, extensions etc; 2.5 and 3 storey units may add further variety but should only be used in the most spacious, green surroundings.”
9. The Brief accords with the issues outlined in paragraphs 5–7 by proposing low-density residential development with substantial landscaping space to integrate it with the surrounding woodland and parks, and to give the area a distinctive character to maintain the separation and “three villages” character of Cambourne as required in the emerging LDF. The emphasis on the wider character and context of the local townscape and landscape informs the guidance in accordance with Local Plan Policy HG10. The Brief requirement for substantial spaces for planting oak, ash, field maple and alder trees accords with Local Plan Policy EN5. The requirement for footpath links to the greenway and Country Park strengthens the accessibility of the development in accordance with Local Plan Policy TP1.

Financial Implications

10. None

Legal Implications

11. None

Staffing Implications

12. None

Risk Management Implications

13. None

Consultations

14. Cambourne Parish Council – the document was well received, but any development should be predominantly 2-storey or less to maintain a low-density appearance and keep the visual impact to a minimum.
15. County Highway Authority – request that the Cambridgeshire County Council Housing Estate Road Construction Specification should be added to the list of documents..

Conclusions/Summary

16. The Brief as amended provides valuable guidance, which accords with other adopted policy, to potential applicants/developers and to Council officers and Members in considering proposals for housing on these sites.

Recommendation

17. **Approve** the Cambourne Phase 6 GC09, 10 & 11 Development Briefing Document as part of the Cambourne Design Guide.

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

Local Development Framework Site Specific Policies of the Development Plan Document
Submission Draft January 2006
South Cambridgeshire Local Plan 2004
Cambourne Master Plan
Cambourne Design Guide

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development Control and Conservation Committee

5th April 2006

AUTHOR: Development Control Quality Manager

Cambridgeshire Guided Busway - Discharge Of Conditions

Purpose

1. To agree the consultation and decision-making process for the discharge of conditions imposed on the planning permission.

Effect on Corporate Objectives

2. Quality, Accessible Services	To improve access to public transport and to employment, retail, community, leisure and education
Village Life	To minimise the visual and environmental impact upon villages
Sustainability	To provide a high quality public transport link
Partnership	To work with Parish Councils and other organisations to ensure that the details of the development are acceptable

Background

3. On 21st December 2005, the Secretary of State for Transport directed that planning permission be deemed to be granted for the development included in the Cambridgeshire Guided Busway Order. The permission is subject to ten conditions (see attached annex 1).

Considerations

4. The Secretary of State did not consider that details of the scheme for approval should be dealt with by the Cambridgeshire County Council. He saw no good reason in this case to depart from the normal, well-established practice of requiring details to be approved by the local (district) planning authorities. This would help ensure that there is effective input at the local level into consideration and approval of the details of the scheme, in accordance with normal planning authority responsibilities.
 - 4.1 A number of conditions require submission and approval of details before any work commences. Other conditions require details to be submitted and approved before work starts on particular matters.
 - 4.2 The County Council aims to appoint a Preferred Bidder in April to start the design work. It intends to submit applications to discharge conditions in July or August 2006 for approval by November 2006 so that a start on site clearance can commence before the bird-nesting season (see annex 2 for County Council's proposed programme.)

Options

5. The discharge of planning conditions is normally delegated to the Director of Development Services, having regard to comments made by statutory consultees,

organisations or officers with particular responsibility or expertise in the matter which is the subject of a condition.

- 5.1 This process should continue, but, given the level of public interest in the scheme, I consider that matters relating to design and external appearance, landscaping, lighting, drainage, ecology and code of construction should also be the subject of consultation with Parish Councils along the route (Fen Drayton, Swavesey, Over, Longstanton, Rampton, Oakington, Histon, Impington and Milton) and individual residents adjoining sites which are the subject of details submitted pursuant to Condition 3 (Design and Landscaping.)
- 5.2 To assist in this process and to ensure a consistent approach, the County Council suggests that a joint officer advisory group should be established. This would comprise of development control and specialist officers from the district authorities and the County Council. It would help to inform discussions prior to submission. The County also intends to consult statutory authorities and interest groups before schemes are submitted.
- 5.3 The decision-making process should continue to be delegated to the Director of Development Services unless a written objection is received and it cannot be resolved by negotiation. In that case the decision will be referred to this Committee. Any District Councillor may also request that any submission be referred to this Committee for decision. In either case the reason for referral should be based on a material planning consideration relevant to the submission and not one concerned with the principle of the Guided Busway.

Financial Implications

6. None other than that involved in carrying out the consultation process.

Legal Implications

7. It is important that the process of consultation and decision-making is agreed to minimise the risk of a legal challenge.

Staffing Implications

8. Officers of the Council will be engaged in assessing the merits of the submissions.

Risk Management Implications

9. The Council should be clear in the procedures to be adopted in order to avoid any delay in the implementation of this public transport project.

Consultations

10. Development Control Officers from Huntingdonshire, South Cambridgeshire, Cambridge City and Cambridgeshire County Council have discussed the process with the Guided Busway Team at the County Council (see Para 5.2 above).
- 10.1 In addition it has been suggested by officers of these authorities that a Monitoring and Liaison Group be established once work commences. This would comprise of County, District and Parish Members, Officers and, as and when required, various specialists, to monitor construction and implementation in accordance with approved schemes, to record complaints and action taken, to discuss any matters of concern to

Parish Councils and/or residents during the construction/implementation stage and to feedback information to local communities.

Conclusions/Summary

- 11. The District Council will be responsible for the discharge of conditions. It is important that it has the benefit of local Parish and, in some cases, residents' comments, as well as those of relevant statutory authorities and specialist groups and officers.
- 11.1 The approval of details required by the conditions should be managed in an efficient way having regard to the nature of representations.

Recommendation

- 12. It is recommended that the consultation arrangements specified in Para 5.1 of this report be agreed and that the discharge of conditions be delegated to the Director of Development Services unless the circumstances specified in Para 5.3 of this report arise.

Background Papers: the following background papers were used in the preparation of this report: The Secretary of State's decision letter dated 8th December 2005 confirming, with modifications, the Cambridgeshire Guided Busway Order and the Secretary of State's letter dated 21st December 2005 granting planning permission.

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