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29 August 2006

To: Chairman – Councillor NIC Wright
Vice-Chairman – Councillor SGM Kindersley
All Members of the Planning Committee

Dear Councillor

You are invited to attend the next meeting of **PLANNING COMMITTEE**, which will be held in the **COUNCIL CHAMBER, FIRST FLOOR** at South Cambridgeshire Hall on **WEDNESDAY, 6 SEPTEMBER 2006** at **10.00 a.m.**

Yours faithfully
GJ HARLOCK
Chief Executive

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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PROCEDURAL ITEMS	
1. APOLOGIES	
2. MINUTES OF PREVIOUS MEETING To authorise the Chairman to sign the Minutes of the meeting held on 2 August 2006 as a correct record. The Minutes have been circulated electronically, and are available on the Council's website.	
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INFORMATION ITEMS

The following items are included on the agenda for information and, in the main, are available in electronic format only (at www.scambs.gov.uk and in the Weekly Bulletin dated 30 August 2006) Should Members have any comments or questions regarding issues raised by the reports, they should contact the appropriate officer.

21.	APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION Summaries of Decisions of interest attached. Contact officers: Gareth Jones, Head of Planning – Tel: 01954 713155 John Koch, Appeals Manager (Special Projects) – Tel: 01954 713268	173 - 176
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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: Planning Committee6th September 2006**AUTHOR/S:** Executive Director / Head of Planning Services

**S/0824/06/F – BASSINGBOURN-CUM-KNEESWORTH
Conversion into 3 Flats, 57 High Street, for Penbale Ltd****Recommendation: Approval****Date for Determination: 22nd June 2006**

Conservation Area

Members will visit this site on Monday 4th September 2006.**Site and Proposal**

1. The Limes Farmhouse, 57 High Street, Bassingbourn is a Grade II Listed Building located on the north side of the High Street, opposite the junction with Knutsford Road. To the either side and the rear of the property is residential development. The building is currently vacant but was last used as a day care centre although previous planning consents have related to its use for flats (see History below).
2. This full application, registered on 27th April 2006, proposes the conversion of the building into 3 flats. The ground floor would comprise a one-bedroom and a two-bedroom flat, with a three-bedroom flat being provided at first and second floor level.
3. Four car parking spaces are shown being provided within a hardsurfaced area to the east of the building. A fenced garden to flat 1 is provided to the west of the building with additional communal space to the rear.
4. The application is accompanied by an outline specification and schedule of works for the conversion scheme.

Planning History

5. In March 2006 a planning application (**Ref: S/0052/06/F**) for conversion into 4 flats was refused under delegated powers for the following reason.
6. "The proposal fails to demonstrate how adequate off-street parking provision and on-site turning facilities can be accommodated within the site. It is likely to lead to a significant increase in numbers of vehicles reversing from the site onto the public highway and manoeuvring of vehicles within the public highway over that associated with the existing single residential use. This intensification will represent a danger to highway safety, exacerbated by the presence of a bus stop close to the entrance to the site where there will be a significant increase in conflicts between bus and passenger movements and the manoeuvring of vehicles from the site. As such the proposal is contrary to Policy TP1 of the South Cambridgeshire Local Plan 2004 and Policy P8/1 of the approved County Structure Plan 2003, which aim to ensure that adequate car parking is provided whilst providing access from the highway network that does not compromise safety."

7. Listed Building consent was granted for the conversion into 3 flats (**Ref: S/0824/06/LB**) in June 2006.
8. In July 2004 an application (**Ref: S/0925/04/F**) for extension and conversion into 4 flats was refused on the grounds of inadequate parking provision and adverse impact on the Listed Building and Conservation Area.
9. In 1995 planning consent was granted for the change of use of the ground floor of the building into 2 one-bedroom flats (**Ref: S/0318/95/F**). The approved drawings indicate that at that time the upper floors of the building were already in use as a further flat.

Planning Policy

10. **Policy P7/6** of the Cambridgeshire and Peterborough Structure Plan 2003 (“The County Structure Plan”) states that Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.
11. **Policy P8/1** of the County Structure Plan relates to sustainable development.
12. **Policy SE3** of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) identifies Bassingbourn as a Limited Rural Growth Settlement where residential development and redevelopment up to a maximum scheme size of 30 dwellings 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 of 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 (loss of employment sites).
13. **Policy HG7** of the Local Plan sets out the Councils policy in respect of the provision of affordable housing.
14. **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.
15. **Policy EN26** of the Local Plan sets out the criteria against which applications for the conversion of listed buildings to new uses will be judged.
16. **Policy EN28** of the Local Plan seeks to protect the setting of Listed Buildings.
17. **Policy EN30** of the Local Plan requires that development in Conservation Areas should preserve or enhance the character of those areas.
18. **Policy TP1** of the Local Plan – Planning for More Sustainable Travel states that car parking will be restricted to the maximum levels set out in Appendix 7/1 of the Plan. An average of 1.5 car parking spaces per dwelling should be provided.

Consultation

19. **Bassingbourn Parish Council** recommends refusal. “No objection to the conversion into 3 flats. Parking however does remain an issue with insufficient parking on site.

20. The **Conservation Manager** has no objection and comments that the scheme is similar to the approved scheme S/0051/06/LB and the impact on the character of the interior will be no greater. As there are no external alterations no conditions are suggested other than details of any hard landscaping.
21. The **Local Highways Authority** recommends refusal. It is concerned that the parking layout does not work.

Representations

22. None received

Planning Comments – Key Issues

23. The key issues to be considered with this application are the impact of the proposed conversion on the Listed Building, the provision of affordable housing, and parking provision/highway safety.
24. Listed Building consent has already been granted for the alterations to the building that are required to form three flats. There can therefore be no objection to the planning application on these grounds. The Conservation Manager is content that the proposal will not have an adverse impact on the Conservation Area. The Parish Council has not objected to the conversion works.
25. In respect of the provision of affordable housing the applicant points out that the cost of repairs and maintenance to the roof and elevations will exceed normal costs and that preliminary discussions with Housing Associations would indicate that conversion and maintenance costs would preclude a development of this sort from conforming with Housing Association requirements. I am of the view that further information on the costs of the scheme should be submitted by the applicant. Whilst I accept that it would be difficult to provide one of the flats as an affordable dwelling the Authority needs to investigate whether it is possible to secure a commuted sum from the development towards the cost of affordable housing elsewhere.
26. Both the Parish Council and the Local Highway Authority have objected to the application on the grounds of inadequate parking provision. This lack of adequate parking and turning formed the basis of previous refusals on this site. The current application proposes the creation of three flats, a reduction of one from the previously refused scheme. The submitted drawing shows the provision of 4 parking spaces in the area to the east of the building, accessed from High Street adjacent an existing bus stop and shelter. From the drawing it is apparent that the fourth parking space would prove impractical to use and that in effect only three usable spaces can be provided, one for each flat. Turning within the site would be difficult.
27. Although the number of parking spaces that can be provided within the site is below the average required in the Local Plan, I believe that there are factors that should be considered in this case which argue in favour of consent being granted. The site is located close to the centre of the village and behind a bus stop. The site therefore has good access to existing facilities in the village and public transport.
28. In addition it is evident that the building has seen a number of previous uses but most relevant in my view is the 1995 consent for the use of the ground floor as two flats at a time when there was already a flat at first floor level. The current application for use as three flats is therefore no greater than the total number of flats that could have been

resulted from the 1995 consent, although the overall number of bedrooms has increased.

29. When considering these issues it is my view that support should be given to the application with the provision of 3 workable parking spaces. Members will have the opportunity to view the relationship of the site to the centre of the village and the bus stop to assess any highway safety implications of the proposal.

Recommendation

30. That consent is granted subject to safeguarding conditions, including the investigation as to whether it would be appropriate to request a commuted sum in lieu of the provision of an affordable unit in this case.

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:**
 - P7/6** (Historic Built Environment)
 - P8/1** (Sustainable Transport - Links between Land Use and Transport)
 - **South Cambridgeshire Local Plan 2004:**
 - SE3** (Limited Rural Growth Settlements)
 - HG7** (Affordable Housing on Sites within Village Frameworks)
 - HG10** (Housing Mix and Design)
 - EN26** (Conversion of Listed Buildings to New Uses)
 - EN28** (Development within the Curtilage or Setting of a Listed Building)
 - EN30** (Development in Conservation Areas)
 - TP1** (Planning for More Sustainable Travel)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Highway safety

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Files Ref: S/0824/06/F, S/0825/06/LB, S/0052/06/F; S/0925/04/F & S/0318/95/F
- Documents referred to in the report including appendices on the website only and reports to previous meetings

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Services

6th September 2006

AUTHOR/S: Executive Director / Head of Planning Services

S/0706/06/F – BASSINGBOURN-CUM-KNEESWORTH

Erection of New Ward Building to Accommodate Two Secure Wards, One Rehabilitation Unit, Reception and Visitors Centre with New Landscaping, Fencing and 57 New Car Parking Spaces for Partnership in Care Ltd

Recommendation: Approval

Determination Date: 10th July 2006 – (Major Application)

Departure Application

Site and Proposal

1. Members will recall deferring this application at the June meeting (Item 12) in order that officers could consider consultation responses. A copy of the officer report to the June meeting is attached at Appendix 1.

Consultation Update

2. The **Local Highways Authority** has confirmed that the application does not require the submission of a Traffic Impact Assessment.
3. Any additional comments of the **Conservation Manager and Trees and Landscapes Officer** will be reported at the meeting.
4. The **Council's Legal Officer** has reviewed the letter of representation that has been received but is content that officers have had regard to the planning issues that are raised.

Representations

5. Shortly before the June meeting a letter was received from a planning consultant acting on behalf of clients 'who are concerned to ensure that all such facilities and establishments for psychiatric care and rehabilitation are constructed and operated to recommended standards, in the interests of prospective patients, local residents and fair competition.'
6. A copy of the full letter is attached as Appendix 1.

Applicants Representations

7. In response to issues raised a letter has been received from the applicant's agents which is attached as Appendix 2

Planning Comments – Key Issues

8. I would ask Members to refer to the June report for a summary of the key points to be considered with this application. The planning comments below should be read in conjunction with those in the earlier report.
9. The applicant's agent has submitted details in respect of the site area which were not included on the original application form.
10. In respect of the impact of the proposed development on the character and setting of Kneesworth House, a Grade II Listed Building, I am content that the Conservation manager has given careful consideration to this matter before formulating his views which were included in the June report. The letter of representation comes to a different conclusion. I am content that details of materials to be used for the development can be adequately dealt with by condition.
11. I can confirm that this is not an application that requires consultation with English Heritage.
12. The Environment Agency has accepted the Flood Risk Assessment submitted with the application and is content that details can be dealt with by condition.
13. Officers have offered informal advice on this application as they would in any other case. The status of that advice at the pre-application stage is always stressed to an applicant.
14. The Local Highway Authority has confirmed that it does not consider that a Traffic Impact Assessment is required in this case. It has advised that highway matters can adequately be dealt with by condition.
15. There is an 'in and out' access arrangement for the site. The property immediately to the north of the access is owned by the applicants, although there are residential properties on the opposite side of the road, just to the north of the site. I do not consider that there will be a materially adverse impact on the amenity of these properties as a result of the additional vehicular movements that are likely to be generated by this development. No objections to the application have been received from local residents.
16. Additional information has been submitted by the applicants' agent in respect of the trees within the site, and includes an arboricultural report. It states that of the three trees to be removed as a result of this proposal a Horse Chestnut is in poor condition probably due to Phytophthora and has a life expectancy of less than 5 years. The Trees and Landscapes Officer has previously agreed that this tree can be felled along with a further Horse Chestnut that already has consent to be removed. A Lime tree is to be felled to accommodate the proposed building. This tree is the subject of a Tree Preservation Order and Members will have to balance the loss of this tree against the argument put forward by the applicant in support of the proposed development. The Trees and Landscapes Officer has not objected to the application.
17. In respect of car parking provision the applicant's agent has commented that the reference to 57 new car parking spaces on the application form is slightly misleading as it includes 41 spaces located in an existing car park, some of which are to be reconfigured as new spaces. The total number of new spaces to be provided is 35 and overall the Council's car parking standards are not exceeded. A Green Travel Plan is to be required by condition.

18. The applicants agent has confirmed that fencing will be erected to a height of 3m where shown and will be in accordance with details already supplied. The Conservation Manager is happy with these details. The applicants agent states that higher fencing is only required for medium secure units and is not the case for low secure units.
19. In respect to the concern about the amenity of patients within the building the applicants' agent has pointed out that this matter is controlled by other bodies and must meet certain criteria for it to be registered and allowed to operate by the Healthcare Commission.
20. The letter of representation expresses concern that the application was originally to be considered by Members prior to the expiry of the consultation period. The deferment of the application at the June meeting has addressed this point.
21. I am of the view that consent for this development can now be granted subject to safeguarding conditions.

Recommendation

22. That the application be approved subject to safeguarding conditions to ensure implementation within 3 years, submission of details of all materials, submission and implementation of a landscape scheme, schemes for foul and surface water drainage and pollution control, boundary treatment, the submission and timescale implementation of a Green Travel Plan, submission of precise details of compound fencing, highway visibility improvement and maintenance measures, measures to ensure tree protection through the course of development, hand digging in the vicinity of existing trees and to ensure compliance with the method statement for the construction of all new hard surfaced areas, foundation construction details to ensure tree protections, no external lighting without planning approval, scheme for the investigation of archaeological remains and the provision of fire hydrants.

Plus informatives from the Environment Agency

Reasons for Approval

1. Although the development is not in accordance with South Cambridgeshire Local Plan 2004 Policy CS12, it is considered to be acceptable as a departure from the development plan for the following reasons: the proposal is required to provide a better standard of care to patients and to meet nationally recognised shortfall in this type of accommodation. The proposal is not felt to adversely affect the visual quality of the wider landscape or harm the setting of the adjacent Grade II Listed Building.

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

Cambridgeshire and Peterborough Structure Plan 2003 Policies P1/2, P1/3
South Cambridgeshire Local Plan 2004 Policies EN1, EN3, EN4, EN5, EN28, EM7

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 and car parking

- Visual impact on the locality
- Impact upon setting of Kneesworth House
- Impact on existing trees within the site
- Drainage matters

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 reference S/0706/06/F & S/2362/05/F

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee7th June 2006**AUTHOR/S:** Director of Development Services

**S/0706/06/F – Bassingbourn-cum-Kneesworth
Erection of New Ward Building to Accommodate Two Secure Wards,
One Rehabilitation Unit, Reception and Visitors Centre with New Landscaping,
Fencing and 57 New Car Parking Spaces
for Partnership in Care Ltd**

**Recommendation: Approval
Determination Date: 10th July 2006 – (Major Application)**

Departure Application**Site and Proposal**

1. The application site lies to the south and east of the main built up part of the village, adjacent to the village framework for Bassingbourn-cum-Kneesworth. It is accessed directly from the A1198 via an in-out access. The main building on site is Kneesworth Hall, a Grade II Listed Building, which is part of the privately run hospital that cares for patients with mental illness in low to medium secure wards. There are a number of buildings of various ages that form the hospital complex all situated within a parkland setting.
2. The full application, registered on 10th April 2006, proposes the erection of a single storey pitched roof building of approximately 6.2m in height with a floor area of approximately 2990m² to accommodate two 16 bed wards and one 8 bed rehabilitation unit. Patients from the existing Wortham House (20 beds) are to be accommodated in the new wards and this building would be converted to administrative purposes for the hospital. The two secure wards would have their own garden courtyards enclosed by 3m high fencing. The rehabilitation unit would have an additional entrance to allow patients access to external patio and garden and to 'the flats', an existing two storey building which is currently used as offices and is intended to contain additional occupational therapy facilities and activities in due course. All the wards would be accessed via the main entrance in the central link block containing a reception, a new family visitor centre, staff restrooms and facilities.
3. A new access road serving the ward buildings and the extended car park would be constructed across the site of the existing 1950s gymnasium building that is to be demolished. The existing car park to the north of Kneesworth House would be reconfigured and extended in a semi-circle increasing from 25 to 75 the numbers of car parking spaces. The existing entrance to the car park would be closed and access gained via the new driveway. On the south west side of the new road, five additional car parking spaces, including two for disabled plus an additional one close to the entrance of the ward building would be provided.
4. A Lime tree, which is protected by a Tree Preservation Order (TPO), is to be felled.
5. The application was submitted with a planning statement, design statement, flood risk assessment and landscape statement which can be viewed as part of the background papers and will be on display at the meeting
6. A public footpath runs along the north eastern site boundary.

Planning History

7. At the March meeting (**Ref S/2362/05/F** – Item14) Members considered an identical application in terms of the built proposal. It was resolved to give Officers delegated powers of approval/refusal subject to the receipt of further information that retained as many existing trees as possible and demonstrated the ability to adequately safeguard those trees shown to be retained.
8. As the necessary information could not be submitted within the period for determination that application was refused for the following reason:
9. 'The proposal fails to demonstrate how existing trees can adequately be safeguarded from the physical impact of the development. The inevitable loss of trees, shown to be retained, some of which are statutorily protected by Tree Preservation Orders, will damage the parkland setting of the adjacent Grade II Listed Building, Kneesworth House. As such the proposal is contrary to Policies EN4, EN5 and EN28 of the South Cambridgeshire Local Plan 2004.'
10. In the 1980's the use was changed from a school to the hospital within the same use class, C2 without the need for specific planning permission. Various planning permissions have been granted since including improved staff and office facilities and extensions to buildings to provide better patient facilities and accommodation.

Planning Policy

11. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 (the Structure Plan) states that development in the countryside will be restricted unless the proposal can be demonstrated to be essential in a particular rural location.
12. **Policy P1/3** of the Structure Plan states that a high standard of design and sustainability will be required for all new development which minimises the need to travel and reduces car dependency. In addition development is expected to provide a sense of place which responds to the local character of the built environment and takes account of community requirements by including a mix of housing opportunities and designing for the needs of all sections of the community.
13. **Policy CS12** of the South Cambridgeshire Local Plan 2004 (the Local Plan) states that: "The change of use of existing buildings to nursing homes or convalescent homes will be permitted, subject to design, scale, layout, access and parking arrangements. New buildings for such uses will only be permitted within the built-up framework of villages".
14. The supporting text specifically refers to Kneesworth House recognising it as a privately run hospital.
15. **Policy EN1** of the Local Plan states that the District Council will ensure that the local character and distinctiveness of the Landscape Character Areas will be respected, retained and wherever possible enhanced. While recognising that landscape is a dynamic concept, planning permission will not be granted for development which would have an adverse effect on the character and local distinctiveness of these areas.
16. **Policy EN3** of the Local Plan states: "In those cases where new development is permitted in the countryside the Council will require that (a) the scale, design and layout of the scheme (b) the materials used within it, and (c) the landscaping works are all appropriate to the particular 'Landscape Character Area', and reinforce local distinctiveness wherever possible."

17. **Policy EN4** of the Local Plan states: “The District Council will not grant planning permission for development which would adversely affect or lead to the loss of important areas and features of the historic landscape whether or not they are statutorily designated.
18. The supporting text identifies areas of rare parkland as a historic landscape at 11 different locations and states: “There are other man-made landscapes of local value which contribute to the quality of the whole landscape and which, in some cases, form the setting of Listed Buildings. Any development proposal must ensure that there is no adverse impact on either the grounds themselves or the Listed Building whose setting they provide. (Examples include Kneesworth Hall).
19. **Policy EN5** of the Local Plan is concerned with the landscaping of new development.
20. **Policy EN28** of the Local Plan states (in part) that The District Council will resist and refuse applications which would dominate the Listed Building or its curtilage buildings in scale, form, massing or appearance; would damage the setting, well-being or attractiveness of a Listed Building; or would harm the visual relationship between the building and its formal or natural landscape surroundings.
21. **EM7** of 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 amenity, traffic, character etc and would contribute to a greater range of local employment opportunities]. 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 planning application for development.

Consultation

22. **Bassingbourn-cum-Kneesworth Parish Council**
Recommends approval. “There was no objection to this application but Councillors are concerned over the long term plan for development of the site.
23. **Chief Environmental Health Officer**
No objections but requests a condition restricting the hours of operation of power driven machinery during the construction process.
24. **Environment Agency**
Comments will be reported at the meeting
25. **Cambridgeshire Fire and Rescue Service**
Should permission be granted adequate provision should be made for fire hydrants by way of a Section 106 agreement or planning condition.
26. **Cambridgeshire County Archaeologist**
Important archaeological deposits may survive on the site which could be damaged or destroyed by the development. The site should therefore be subject to a programme of archaeological investigation which should be secured through a planning condition.
27. **Local Highways Authority**
Within the last five years there have been three injury accidents directly related to the hospital access(es). It is therefore essential that the junction with the A1198 comprise suitable geometry to facilitate as safe ingress/egress as possible.
28. The junction should comprise vehicle-to-vehicle visibility of 4.5m x 90.0m.

29. The survey drawings submitted in support of the application indicates the provision of such splays. It is noted that existing signboards are to be relocated.
30. A condition should be attached to any consent relating to the provision of such splays.

Conservation Manager

31. Comments on the current application will be reported verbally but in respect of the previous application no objections were raised to the principle of the development subject to acceptable landscaping and material details being secured by condition.
32. "The site is visible from the access drive and given its location between the house and road will have an impact on the setting of the house.
33. It is proposed to enhance the setting of the house by demolishing the old gym. This is a post war building of no historic or architectural merit, which by virtue of its proximity to the main frontage has a very significant impact on the setting of the building.
34. This will be replaced by a new access serving the new units – thus the main house still serves as the main reception area.
35. The majority of the trees to the north west of the house will be retained – these form an important buffer to the new development and will ensure the main setting of the house is thus retained.
36. The new units will be secure areas and all three wings will interlink. Two of the units are proposed to have external exercise yards – these need to have high fencing to enclose them and there cannot be trees in close proximity to avoid them facilitating escape.
37. The design of the units has to meet National Car Standards and NHS Estates Building Note 35 thus the size and form is restricted to some extent by the requirements of this.
38. Design – The pre-application discussions have resulted in the scale and form of the buildings being revised – rather than two storey the buildings are now single storey – a scale far more in keeping with the locality. Mounding is proposed to reduce the impact to the driveway.
39. Whilst the proposals represent a large development the scale of the scheme will still be subservient to the 'two storey with rooms in the roof' scale of the main house.
40. The design is modern and thus will contrast with the form of the main house.
41. The admin house is red brick with a slate roof with lighter brick details. It has large dormers and deep eaves. The chimneys form a major feature on the skyline.
42. The proposal is not considered to diminish the status of the house – the different architecture and height of the buildings will maintain the hierarchy with the main house at the top of the scale".
43. Further comments concern the importance of securing appropriate materials by condition notwithstanding the materials specified in the design statement.
44. The proposal will impact on a TPO tree and therefore the Trees and Landscape Officer should be consulted. Their views on the need to reinforce or replace any of the existing trees will be material to the preservation of the setting to the house.

Trees and Landscape Officer

45. The detail submitted in relation to tree retention and tree protection follows a site meeting. The detail and layout is acceptable. The submitted plan indicates areas of 'No Dig' construction and location of protective fencing, which should be secured by condition. A condition requiring the submission of a detailed landscaping scheme is also required.

Environment and Community Services, Cambridgeshire County Council

46. Supports the application from a strategic planning point of view. Although located in the countryside it can be seen to be essential in this particular location as it is integral to the existing hospital facilities, and is therefore in accordance with Structure Plan Policy P1/2.
47. However, it is suggested that some justification for the number of parking spaces should be sought, as 57 additional spaces may be considered excessive when considered against the Council's parking standard's. As an alternative, a lower number could be sought. Combined with a package to enhance travel by sustainable modes.

48. Anglian Water

Comments are awaited

49. Land Drainage Manager

Comments are awaited

Representations

50. None received at the time of writing the report. In respect of the earlier application a letter of objection was received from a planning consultant acting on behalf of "clients who are concerned to ensure that all such establishments are constructed and operated to recommended standards, in the interests of prospective patients, local residents and fair competition. It is anticipated that a similar later will be received in respect of the current application.
51. The consultation period expires on 8th June 2006.

Planning Comments – Key Issues

52. The key issues to consider are the need for the development, the impact on the parkland setting of Kneesworth House, a Grade II Listed Building, and the impact on the wider landscape and countryside. Members considered these matters at the March meeting and resolved that, provided the impact on existing trees could be satisfactorily addressed, consent could be granted. However as this a new application I have rehearsed the issues below.
53. The site lies beyond the village framework for Bassingbourn-cum-Kneesworth and in the countryside. The proposed new building is therefore contrary to Policy CS12 of the Local Plan in that it would lie outside of the built-up framework of the village.
54. During discussions prior to submission of the earlier application officers indicated that if a proposal could be put forward with sufficient justification i.e. there was a clear and well established need for the hospital to expand and the impact on both the setting of the adjacent Listed Building and the wider landscape and countryside could be minimised to acceptable levels that officers may be able to give general support. Early schemes showed a building that was in part two storey and too close to the NE footpath to allow for new planting.

The single storey approach was previously considered by both the Conservation Manager and the then Landscape Design Officer to have an acceptable impact subject

to appropriate materials and detailing and revisions to the landscape proposals. Any additional comments on the current application will be reported at the meeting

Need

55. The application includes a Planning Statement.

56. ***National context***

It is stated that the closure of many large NHS hospitals has created a shortfall in accommodation for those with mental illness, recognised by the Government in its White Paper "Modernising Mental Health Services". The National Service Framework for Mental Health published in 1999 identifies gaps in medium secure provision and states that patients are often placed inappropriately in higher levels of security than is necessary. It recognises that the independent sector has a role to play in providing additional bed spaces and specialist services. Kneesworth Hospital can provide a 'quality of life' opportunity for individuals to help achieve one of the Government aims in the National Service Framework to ensure that each person with severe mental illness receives the range of mental health services they need.

57. ***Kneesworth House***

The detailed justification is contained within paragraphs 3.1 to 3.7 of the planning statement which can be viewed as part of the background papers. However, the thrust of the argument is that the existing facilities are not up to appropriate standards which is adversely affecting patients and there is a need to bridge the gap in patient accommodation between the medium secure and rehabilitation units by providing new low secure accommodation.

58. It is noted that Cambridgeshire County Council gives strategic support to the application.

Impact on Landscape

59. The Landscape Design Officer commented on the previous application. The character of the landscape is one of large open fields interspersed with hedgerows and lines of trees. The building is single storey and will sit within existing vegetation. There is sufficient scope for new planting which will further help assimilate the building into its surroundings. Various changes to the landscape proposals were suggested by the Landscape Design Officer at the time of the previous application and can be dealt with by condition.

Impact on setting of Kneesworth Hall

60. I note the comments of the Conservation Manager. Of particular concern are the proposed materials. However, these can be considered by way of a condition requiring submission prior to any development commencing. The contrast in design and height coupled with the distance from Kneesworth Hall result in a development that will not adversely affect its setting. In addition the demolition of the modern gym building which is close to Kneesworth Hall and currently has a very significant impact on its setting will improve the setting and is to be welcomed.

Flood Risk

61. A Flood Risk Assessment was submitted prior to consideration of the earlier application and was accepted by the Environment Agency. The same document accompanies the current application.

Highway Safety

62. The Local Highways Authority has confirmed that, subject to the removal of a signboard and the cutting back and maintenance of some existing planting above a height of 600mm, adequate visibility can be achieved.

Car parking standards

63. The Local Plan standard is a maximum of 1 space per 4 staff plus 1 per 3 daily visitors. 52 new posts are to be created giving a required number of 13 spaces + visitor parking. Numbers here are not known though the application states that there is a general shortage of visitor parking on the site and there is a need to provide for this close to the entrance of the new building as it will contain a new visitor centre. Officers have found it difficult to park during visits to the site and parking on the estate roads has been seen. At pre-application stage the suggested number of new spaces was 81. This has been reduced to 54 in this application and I do not consider this to be excessive. However, given the comments of Cambridgeshire County Council, I have asked the applicant to provide additional information in respect of visitor numbers, although Members will note the suggestion of a Green Travel Plan in the next paragraph.

Green Travel Plan

64. The Planning Statement indicates that the proposal will provide employment locally and the hospital is encouraging existing staff to walk and cycle to work. I consider it important to ensure that where possible alternative methods of travel to and from the site, other than by car, are encouraged and secured. I therefore consider a condition requiring the submission of a Green Travel Plan to be justified.

Fencing detail

65. In respect of the proposed fencing to secure compounds the application includes a photograph of the type and design of fencing used on other such sites. This fencing is a dark green metallic 3m high mesh with an inward facing crank. The precise details can be required by condition. I note that the extent of the fencing is kept to a minimum as it is only used to enclose two relatively small areas and will not in my view have any detrimental visual impact particularly if softened with appropriate planting.

Design

66. The design approach is to produce a relatively low lying modern building with low pitched roofs that is in contrast to the 3 storey historic character of Kneesworth Hall. The form of the building has largely been dictated by its functional requirements. I do not find the design to be inappropriate and I note the previous comments of the Conservation Manager in relation to the impact of the proposal on the setting of Kneesworth Hall.

Amenity

67. The nearest residential property to the location of the proposed new building is Hill View, 12-14 Chestnut Lane situated to the north west at a distance of approximately 230m. I consider this to be at a sufficient distance so as not to be materially affected.
68. No. 53 Old North Road has its garden to the north of the main access to the hospital and may experience an increase in disturbance from additional vehicle movements. However the garden is large and the dwelling is some 50m from the access. In my view the amenity of its occupiers will not be adversely affected.

Loss of Trees

69. It is regrettable that a Lime which forms part of a group of trees protected by a Tree Preservation Order is to be felled. However there are 31 TPO trees in the vicinity, the Lime is one of the smaller trees and there is scope for a replacement to be planted close by as part of a landscape scheme. I do not consider that the loss of this tree is so detrimental as to justify refusal of the scheme.
70. Additional information has been submitted with the current application in respect of tree protection and areas of 'no-dig' construction and the Trees and Landscape Officer is of the view that the detail and layout is now acceptable. Conditions should be attached to any consent in respect of tree protection and the submission of a landscaping scheme.

Sustainability

71. The hospital site lies outside of the village but adjacent to it. Bassingbourn-cum-Kneesworth has a good range of local services and the hospital site is accessible by a range of transport options including public transport. I do not therefore consider this proposal to represent an unsustainable form of development.
72. I am of the view that the current application has satisfactorily addressed the reason for refusal of the previous application and therefore I can recommend that consent be granted.
73. The proposal is considered to be essential in this particular location, thereby complying with Policy P1/2 of the Structure Plan 2003. I do not consider there is a need to refer the application to the Secretary of State as a Departure, since it would not significantly prejudice the implementation of the Development Plan Policies by reason of its size, impact on the area and nature and type of development in this particular location.

Recommendation

73. That, subject to the receipt of outstanding consultations, delegated powers be granted to approve the application subject to safeguarding conditions to ensure implementation within 3 years, submission of details of all materials, submission and implementation of a landscape scheme, boundary treatment, the submission and timescale implementation of a Green Travel Plan, submission of details of compound fencing, highway visibility improvement and maintenance measures, measures to ensure tree protection through the course of development, hand digging in the vicinity of existing trees and to ensure compliance with the method statement for the construction of all new hard surfaced areas, foundation construction details to ensure tree protections, no external lighting without planning approval, scheme for the investigation of archaeological remains and the provision of fire hydrants. In addition any conditions necessary as a result any comments from the Environment Agency or Anglian Water.

Reasons for Approval

1. Although the development is not in accordance with South Cambridgeshire Local Plan 2004 Policy CS12, it is considered to be acceptable as a departure from the development plan for the following reasons: the proposal is required to provide a better standard of care to patients and to meet nationally recognized shortfall in this type of accommodation. The proposal is not felt to adversely affect the visual quality of the wider landscape or harm the setting of the adjacent Grade II Listed Building.
2. The development is considered to generally accord with the Development Plan in all other respects and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003 P1/2, P1/3**
 - **South Cambridgeshire Local Plan 2004 EN1, EN3, EN4, EN5, EN28, EM7**

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 reference S/0706/06/F & S/2362/05/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee
6th September 2006**AUTHOR/S:** Executive Director / Head of Planning Services**S/1348/06/F - OAKINGTON****Variation of Condition 5 of Planning Permission S/1745/02/F (Occupancy Condition)
Site at Level Crossing, Station Road for South Cambridgeshire Primary Care Trust****Recommendation: Approval****Date for Determination: 29th August 2006****Site and Proposal**

1. The 0.4 ha linear site lies to the west and alongside the former Cambridge-St Ives railway line and was a former goods yard. A refurbished former warehouse building is set back from the road on its western boundary with car parking to the front and rear. The former railway line to Cambridge is located to the eastern boundary, this is to be the new Guided Bus route. The site access is just west of the level crossing.
2. The full application received on 4th July 2006 proposes to vary Condition 5 of planning permission S/1745/02/F. A copy of this permission is attached for information. The applicant is the South Cambridgeshire Primary Care Trust and would not be able to occupy the building as the condition restricts the occupation to research and development uses.

Planning History

3. Planning permission was granted in 1999 (**S/0739/99/F**) to change the use of the existing warehouse to a research and development use, subject to conditions including the limitation on type of use. The permission was implemented and the building modified. A change of use of the existing building from the permitted use of Class B1(B) research and development to Class B1(A) offices was granted in 2002 (**S/1745/02/F**). This permission has not been implemented but is still extant.

Planning Policy*Cambridgeshire and Peterborough Structure Plan 2003:*

4. **Policy P2/4** supports small-scale employment development in rural areas where it contributes to one or more of the following objectives:
 - (a) Helping to achieve a balance of employment with the type and quantity of local housing;
 - (b) Supporting new and existing business and research and technology clusters (see **Policy P2/4**);
 - (c) Providing opportunities for home working, or making good use of new information and communication technologies;
 - (d) Enabling farm or rural diversification where appropriate to the local area, including appropriate rural tourism (see **Policies P4/1** and **P4/2**);
 - (e) Enabling the re-use of existing buildings;
 - (f) Enabling the re-use of vacant, derelict or under-used land within villages;

- (g) Helping to maintain or renew the vitality of rural areas.

Employment allocations in local plans for rural areas will be predominantly located in Rural Centres (see **Policy P1/1**).

South Cambridgeshire Local Plan 2004:

5. **Policy EM3** Development, including change of use, within Class B1 of the Town and Country Planning (Use Classes) Order 1995 will only be permitted if it is subject to a condition or Section 106 Agreement of the Town and Country Planning Act 1990 which, for a period of 10 years from the first date of occupation, limits:
1. Offices over 300 sq.m. to the provision of a local or sub-regional service or administrative facility principally for persons resident or organisations situated in the Cambridge Area excluding national or regional headquarters offices; or
 2. Research and development to those firms which can show a special need to be closely related to the universities or other research facilities established in the Cambridge Area is essential, in order to share staff, equipment or data, or to undertake joint collaborative projects with such organisations necessary for the investigation, design, and development of an idea, concept, instrument, product or process, up to and including production for testing, but excluding manufacture;
 3. Light industry to a maximum of 1,850 square metres (20,000 sq. ft.) or floorspace; large scale expansion of such firms will not be permitted.
6. **Policy EM4** Proposals for the development of new research establishments (and for the expansion of existing research establishments) will normally be permitted if it can be demonstrated that:
- (a) Such development is intended to provide accommodation for organisations whose primary purpose is to research or investigate ideas, theories and concepts and/or to design and develop instruments, processes or products, up to and including production for testing, but excluding manufacture; and
 - (b) That the organisations are required in the national interest to be located close to existing major establishments in related fields (such as the universities, the teaching hospital or private research establishments) in order to share staff, equipment or data, or to undertake joint collaborative working for the purposes specified in (a) above.

Where there is any conflict between such proposals and other policies and proposals in the development plan this must be outweighed by evidence of need in the national interest as referred to above.

Development under this policy will be regulated by way of a condition(s) or, where appropriate, a planning obligation, to restrict the future occupation and use of the premises for the purposes specified.

Consultation

7. **Oakington and Westwick Parish Council** recommends refusal as they considered that the condition is right and proper and should be retained. The guided bus has been given the go ahead and the entrance to the site abuts the road crossing. There

would be traffic problems especially at peak times. The drivers from Cottenham will have to wait to cross the road to gain access which will create tailbacks across the Guided Busway. This would be unacceptable. The entrance to the site would provide a turning point compounding the road safety risks. Gallaghers are also proposing a new access in close proximity to the entrance.

However, subject to a legally binding agreement that would guarantee this condition would remain enforceable when present applicants vacate the premises, or they intend to use it for some other purpose than is specified in their application we would support the requested change. The proposed use is for a headquarters for staff only and not any form of facility that would attract members of the public (including patients). If the latter is proposed we would strongly oppose this application.

8. **Old West Internal Drainage Board** - no comments.

9. **Chief Environmental Health Officer** - no objection.

Representation

10. None

Planning Comments – Key Issues

11. The key issue is the acceptability of varying condition 5 of planning permission S/1745/02/F to allow the South Cambridgeshire Primary Care Trust to occupy the building. Condition 5 restricts the use of the office building to firms which need to be closely related to the universities or other research facilities in the Cambridge area. The reason for this condition was to ensure that there are a range of premises available to allow the continued expansion of the research and technological firms associated with the universities and other research facilities in the area. The Primary Care Trust (PCT) is looking for offices in the Oakington area in order to set up a base for district nurses and careworkers. This is in advance of permanent facilities, which are due to be built as part of the new settlement at Northstowe. There will be no clinical facilities and the site will not be open to members of the public. It will be purely an administrative function. It is likely that the PCT will occupy the building for at least 5 years.
12. Policy EM3 does allow the conversion of offices over 300 sq.m. to the provision of a local or sub regional service or administrative facility principally for persons resident or organisations situated in the Cambridge Area excluding national or regional headquarters offices. The building has not been occupied. The PCT would meet the criteria for policy EM3 and would be an acceptable occupier of this building. It is considered acceptable to vary Condition 5 of planning permission S/1745/02/F to allow the PCT to occupy the building.
13. The comments of the Parish Council are noted in relation to the highway concerns. However the use of the building is restricted to 10 employees. It is considered that there will be no more impact on the highway with the PCT using the building than a firm associated with the university or other research facilities. A legally binding agreement is not necessary as condition 5 as varied would be enforceable.

Recommendation

14. Approval subject to the following condition:
1. Occupation of the building permitted by planning permission S/1745/02/F shall be restricted to those firms/organisations which, for a period of 10 years from the first date of occupation, are a local or sub-regional service or administrative facility principally for persons resident or organisations situated in the Cambridge Area excluding national or regional headquarters or firms which can demonstrate a special need to be closely related to the universities or other research facilities established in the Cambridge Area.
(Reason - To comply with Policy EM3 of the South Cambridgeshire Local Plan 2004 which seeks to plan for the selective growth of employment in the Cambridge Area sufficient to meet the needs of the workforce.)

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policy:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P2/4** (Small-scale Employment Development in Rural 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:
 - Highway safety

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Files Ref: S/1745/02/F and S/0739/99/F
- Documents referred to in the report including appendices on the website only and reports to previous meetings

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee6th September 2006**AUTHOR/S:** Executive Director / Head of Planning Services

S/1168/06/F - HARSTON**Extension for Storage Purposes – Unit C4, Harston Industrial Estate, Button End for Genesis Engineering****Recommendation: Approval****Date for Determination: 9th August 2006****Departure Application****Site and Proposal**

1. The application site lies within an industrial estate sited on the west side of Button End and within the Green Belt. Unit C4 is used as a light engineering workshop and lies within a block of 5 units sited approximately 60 metres back from the road. Access and parking is to the front/west side of the building whilst there is an open grassed area to the east/rear. Between this grassed area and the road is a residential property, Violet Cottage.
2. The full application, received on 14th June 2006, seeks to erect a single storey lean-to extension, measuring 7.5 metres wide x 3 metres deep, on the rear/west side of the building. A covering letter explains that the extension is required for storage purposes and that no additional jobs would be created nor would any extra deliveries be required.

Planning History

3. There is no planning history that specifically relates to the application site.
4. There have been a number of single storey additions to other units within the industrial estate, namely units A1 (S/1809/86/F), B4 (S/1599/97/F) and D5 (S/0472/86/F)

Planning Policy

5. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 resists development in the countryside unless proposals can be demonstrated to be essential in a particular rural location.
6. **Policy P9/2a** of the Structure Plan states that development within the Green Belt will be limited to that required for agriculture and forestry, outdoor sport, cemeteries or other uses appropriate to a rural area.
7. **Policy GB2** of the South Cambridgeshire Local Plan 2004 states that planning permission will not be granted for inappropriate development in the Green Belt unless very special circumstances can be demonstrated.

Consultation

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

“Inappropriate development within the Green Belt and contrary to Policy P1/2 and Policy P9/2a of the Cambridgeshire and Peterborough Structure Plan 2003 and Policy GB2 of the South Cambridgeshire Local Plan 2004. The firm, as Precision Engineers, generates a high level of intrusive noise, affecting nearby residents, especially when working with doors open. The application fails to demonstrate that the proposal would not affect the present level of undue noise disturbance when the gap between Unit C4 and houses is shortened.”

In a later response, the Parish Council adds further objections:

“...Our collective view is that no further development of the industrial estate should be approved due to the quite impossible situation of huge international lorries who access the site. Expansion of the site should be discouraged. The original sort of businesses on the site were small scale local ‘cottage industry’ type enterprises. In the increasingly competitive commercial environment, economies are made in every quarter. One of these is that larger and larger lorries are used for transportation, load sharing, etc. The unfortunate unintended consequence of this is erosion and destruction of the peace and tranquillity to which the residents of Harston are entitled, when these huge lorries use the narrow and twisting village lanes and roads, often at inappropriate speeds, overrunning footpaths and even gardens in some cases; overnighting on the Button End industrial estate is a regular occurrence, with these huge transporters revving up their engines in the early morning hours, causing noise pollution, inconvenience and stress to the local residents, eroding their quality of life. This erosion of the quality of life of residents is not right, and should not be further encouraged by approving planning applications to expand on this industrial estate...”

9. **The Chief Environmental Health Officer** raises no objections, stating that, from visiting the site and discussing the proposal with the applicants, the application will not result in a significant noise source moving closer to the nearby residential dwelling from which objections have been raised. The extension will be used solely for storage purposes and its size would prevent any future manufacturing use. Also, parts of the existing wall are to remain, with doors added, thereby acting as a barrier from any noise in the existing manufacturing part of the premises. To further mitigate any potential noise, the windows added to the extension should be double glazed.

Representations

10. Letters of objection have been received from the adjacent dwelling to the east, Violet Cottage, and from the occupier of the adjoining unit (Unit C5).
11. The residents at Violet Cottage raise the following concerns:
1. The structure will be closer to their property thereby increasing noise levels and nuisance;
 2. The windows will interfere with their privacy as the boundary wall has gaps in the brickwork;
 3. This development may encourage other units to expand closer to their boundary affecting privacy, noise levels and property value.

12. The occupier of the adjacent industrial unit states that, to the best of his knowledge, the applicants do not own the open land the application relates to, this land being common land to all units within the Button End industrial estate.

Planning Comments – Key Issues

13. The key issues to consider in the determination of this application relate to:
- a. The principle of the development in light of Green Belt and countryside policies;
 - b. Residential amenity including noise disturbance;
 - c. Visual impact;
 - d. Traffic implications;
 - e. Ownership issues.

Principle of the development

14. The proposal contravenes Policy P9/2a of the Structure Plan which restricts development in the Green Belt to that required for agriculture and forestry, outdoor sport, cemeteries or other uses appropriate to a rural area. It also constitutes inappropriate development in the Green Belt under the terms of Policy GB2 of the Local Plan *unless very special circumstances can be demonstrated*. It is therefore necessary to consider whether there are the very special circumstances required to support inappropriate development in the Green Belt in this instance.
15. The proposed extension is a small single-storey lean-to occupying a total floor area of approximately 22.5m². Although it encroaches onto the open grassed area on the east side of the building, it is sited some 60 metres back from the main road and is seen against the backdrop of the existing buildings. I am satisfied that it would not unduly harm the openness and rural character of the Green Belt and countryside. In addition, although this would be the first extension onto the open grassed area bounded by blocks C and D, this would not be the only extension on the industrial estate. There have been single storey additions to the south side of Unit A1, the east side of Unit B4 and the west side of Unit D5.
16. Whilst the development is contrary to policy P9/2a, it is small scale, there have been other similar extensions within the industrial estate and there would be no material harm to the openness and rural character of the Green Belt. I am satisfied that these constitute the very special circumstances required to support inappropriate development in the Green Belt and the proposal therefore complies with Policy GB2 of the Local Plan.

Residential amenity issues

17. Concerns have been expressed by the occupiers of the adjacent dwelling to the east regarding noise disturbance from the industrial unit given that the extension would bring the building 3 metres closer to their property than at present. The Environmental Health Officer considers the impact on the neighbours would be acceptable on the basis that the extension is to be used for storage purposes and providing the windows in the rear wall of the extension would be double glazed. Should Members be minded to grant permission for the development, I would recommend that conditions be added to the consent restricting the use of the extension to storage purposes only and requiring the rear windows to be double glazed.

18. The extension would be sited some 18 metres away from Violet Cottage's rear boundary and 38 metres away from the cottage itself. Given this distance together with the fact that the extension is single storey, I am satisfied that the proposal would not result in undue overlooking of the neighbouring property.

Traffic Issues

19. The Parish Council has raised strong objections to the application, referring to traffic problems associated with the existing industrial estate and stressing that any further expansion of units should be discouraged. I fully understand the Parish Council's concerns as Button End is a narrow rural road that is arguably not suited to serve an industrial estate of this size/nature. However, it is necessary to focus on the additional harm caused by the extension itself. The application form states that the proposed extension is required for storage purposes only (which, as referred to above, can be controlled by condition) and that there would be no associated increase in staff or traffic numbers. Given the use and small scale of the extension, I consider that a refusal on traffic/highway safety grounds could not be substantiated.

Ownership Issues

20. With regards to the issues raised by the occupier of the adjacent unit, should it be the case that the site is not owned by the applicant, the application would be invalid, as the ownership certificates submitted with the application are incorrect. I have discussed this matter with the applicant's agent who has advised me that the grassed land is not owned by anybody but that the owners of Unit C4 have control over the section of land to the rear of their unit. The occupier of the adjacent unit believes, however, that the ownership of the land is shared between the 19 units on the industrial estate. This situation needs to be resolved and correct certificates submitted (thereby validating the application) before any decision can be issued.

Recommendation

21. Subject to the submission of correct ownership certificates, approval:
1. Standard Condition A (Reason - A);
 2. Sc19 – Matching materials (Rc19);
 3. Notwithstanding the provisions of Regulation 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 premises shall be used for storage purposes only and for no other purpose (including any other purposes in Classes B8 and B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended 2005) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that order)
(Reason – To protect the amenities of adjoining residents)
 4. The windows in the rear/east elevation of the extension, hereby permitted, shall be fitted and permanently maintained with double glazing.
(Reason – To protect the amenities of adjoining residents)

Informatives

Reasons for Approval

1. Although the proposal is not in accordance with Policy P9/2a of the Cambridgeshire and Peterborough Structure Plan 2003, it is considered that the small scale nature of the development, the presence of similar extensions to other units within the industrial estate and the lack of harm to the openness and rural character of the Green Belt, constitute the very special circumstances required to support inappropriate development in the Green Belt.
2. The development is considered generally to accord with the Development Plan in all other respects and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P1/2** (Environmental Restrictions on Development);
 - **South Cambridgeshire Local Plan 2004: GB2** (Green Belts)
3. 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 privacy issues;
 - The principle of the development in this countryside/Green Belt location;
 - Traffic impact.

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/1168/06/F, S/1599/97/F, S/1809/86/F and S/0472/86/F

Documents referred to in the report including appendices on the website only and reports to previous meetings.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee6th September 2006**AUTHOR/S:** Executive Director / Head of Planning Services

S/1489/06/F- HARSTON**Conversion of Existing Workshop to Form Dwelling at Land Adjacent Holly-wood,
Button End for Mr and Mrs Gatwood****Recommendation: Refusal****Date for Determination: 20th September 2006****Site and Proposal**

1. The site is located on the western side of Button End, outside the Harston village framework and in the Green Belt/ countryside. It currently comprises a 1½ storey weatherboard and slate building that is set back approximately 10 metres from the road behind a wide grass verge, mature hedge and trees with open land to the rear.
2. A caravan site and industrial units owned by the applicants are located to the west of the site. Open fields lie to the south. A post and rail fence defines the boundary. Hollywood is a bungalow that is situated to the north. A chain link fence and trees define the boundary.
3. The application, received on the 26th July 2006, proposes conversion of the existing workshop to a dwelling. No external alterations are proposed. Two parking spaces and a garden are to be provided to the rear of the dwelling with access off the existing driveway that serves the industrial units and caravan site.

Planning History

4. Planning permission was refused in June 2006 (reference **S/0789/06/F**) for conversion of the existing workshop to a dwelling. The reason for refusal related to the principle of residential development outside the village framework and in the Green Belt and the loss of the site for local employment.
5. Planning permission was granted at appeal in September 1955 (reference **C/0050/55**) for use of the building for making concrete tiles.

Planning Policy

6. Policy **P9/2a** of the Cambridgeshire and Peterborough Structure Plan 2003 seeks to limit development in the Green Belt, including change of use, to that required for agriculture and forestry, outdoor sport, cemeteries, and other uses appropriate to a rural area.
7. Policy **P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 restricts development in the countryside to that which is essential to a particular rural location.

8. Policy **GB2** of the South Cambridgeshire Local Plan 2004 states that planning permission will not be granted for inappropriate development in the Green Belt unless very special circumstances can be demonstrated. Any development that is considered appropriate must be located and designed so that it would not adversely affect the rural character and openness of the Green Belt.
9. Policy **SE8** of the South Cambridgeshire Local Plan 2004 outlines the presumption against residential development outside village frameworks.
10. Policy **HG/8** of the South Cambridgeshire Local Development Framework (Draft January 2006) states that planning permission for conversion of rural buildings for residential use will not generally be permitted. Planning permission will only be exceptionally granted where it can be demonstrated, having regard to market demand or planning considerations that it is inappropriate for any employment use and it is inappropriate for employment with residential conversion as a subordinate part of business re-use.

Consultation

11. **Harston Parish Council** – No comments received to date.

Representations

12. The applicants make the following points in support of their application: -
 - i) *“The change of use to residential would be a benefit to us because it would enable us to control and run the Caravan Club site more easily. The entrance to the site is situated right beside the building and arriving and departing caravans would be seen instantly and dealt with immediately;*
 - ii) *The Caravan Club site was approved as a suitable location within this rural setting and change of use of the building would enhance the operation and security of the site and therefore have an important bearing on the service we provide to the community;*
 - iii) *Our present dwelling at Spingdean has Holly-wood between us and the caravan site and barn entrance and we are prevented from seeing visitors arrive and depart unless we physically go round and wait at the entrance. The site has become popular with many people from all over the UK and overseas because of its high standard, the secluded and peaceful location with the added bonus of being sufficiently near the M11 motorway and the many local attractions. We put a lot of effort into running the caravan site to a high standard with the least possible inconvenience to neighbours and traffic coming to the end of the lane where they leave their cars to go walking. If the change of use were granted, it would remedy the existing situation;*
 - iv) *The alternative would be to use the building for industrial purpose. This, however, could not operate hand in hand with the existing caravan site and would result in its closure and loss of a very popular facility which brings visitor and revenue to the area;*
 - v) *Several neighbours have written letters in support of our application and they have told us that they would much prefer to have a dwelling rather than the building being used for industrial purposes. We also have the support of Harston Parish Council and the District Councillor.”*

13. Mrs Lockwood, the local member for Harston comments: -
“ I realise that it was refused on a previous application as there was no supporting opinion to consider it further. I feel strongly that it is in the interest of the small local community as well as the applicants, and that it does not alter the street scene at all although it is outside the village framework and should therefore be approved.”
14. Five letters of support from residents of Button End were submitted with the application.

Planning Comments – Key Issues

15. The main issues to be considered during the determination of this application relate to:-
i) The principle of residential development in this location;
ii) The impact upon the character and appearance of the Green Belt/ countryside;
iii) The impact upon the amenities of neighbours;
iv) Highway safety.
16. Whilst the proposed conversion of the workshop to a residential property need not necessarily represent inappropriate development that is, by definition, harmful to the Green Belt in policy terms or have a materially greater visual impact upon the surrounding area than the existing use, it is considered unacceptable in principle, as the site is located outside the village framework of Harston and in the countryside.
17. The property has not been marketed to demonstrate that it could not be used for a low-key employment use, or another appropriate use such as a small office for the caravan site.
18. The applicants state that the use of the building as a dwelling would provide safety and security for visitors and enable the caravan site to be run more efficiently to a higher standard. The development of a residential unit for this purpose is not considered to be essential in this particular rural location, principally as the applicants currently reside at a dwelling just 20 metres to the north of the site at ‘Springdean’.
19. I do not consider that the proposed conversion would harm the amenities of neighbours or be detrimental to highway safety.
20. Whilst the current building is considered structurally sound and capable of conversion without major or complete reconstruction that would require planning permission, recent alterations appear to have been made to the building from its original state in 1955. From the inspectors appeal decision for the use of the building for making roof tiles, he notes that “the appeal site consists of an old agricultural building some 40 feet long by 16 feet wide, with a lean-to corrugated asbestos addition about 24 feet by 9 feet”. This is not the case today and from a representation submitted with the earlier 2006 application, the occupier of the opposite property ‘Whitegates’ states that “the building has already undergone substantial rebuilding from derelict barn to a building intended for, and ready for residential use. The roof has been raised several feet and connection made to the gas supply”. These alterations would have required planning permission and from checking the planning history of the site, no such application has been made. If the building were in a state of disrepair today, the conversion would represent inappropriate development within the Green Belt. This matter will be investigated and enforcement action taken if necessary.

Recommendation

21. Refusal.

The proposed conversion of the existing workshop building to a dwelling would result in residential development outside the Harston village framework and in the countryside. The applicant has not demonstrated that the proposed development is essential in this particular rural location and that the existing workshop building could not be used for any purpose other than a residential use. The proposal is therefore contrary to Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policy SE8 of the South Cambridgeshire Local Plan 2004 that outline the presumption against residential development outside village frameworks in order to preserve the openness and rural character of the countryside, and Policy HG/8 of the South Cambridgeshire Local Development Framework (Draft January 2006) that states planning permission will only be granted for residential conversions in exceptional circumstances having regard to market demand or planning considerations.

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

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- Planning File References S/1489/06/F, S/0789/06/F and C/0055/55

Documents referred to in the report including appropriate on the website only and reports to previous meetings.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee6th September 2006**AUTHOR/S:** Executive Director / Head of Planning Services

S/1345/06/F - LINTON**Erection of 2 Bungalows and Garage Following Demolition of Existing Bungalow and Garage at 1a Hillway for S G Impey****Recommendation: Approval****Date for Determination: 29th August 2006****Adjacent to Conservation Area and Listed Building****Site and Proposal**

1. This 0.09 hectare application site is located on the corner of Symonds Lane and Hillway and is occupied by an L-shaped bungalow and single garage which are accessed via Hillway. There is a steep embankment along the Symonds Lane frontage of the site and the land then continues to rise gradually from south to north so that the site sits in an elevated position some 2 metres above the level of Symonds Lane. To the north of the site is a bungalow whilst to the west is a two-storey cottage. The property lies immediately outside the Conservation Area whilst, on the opposite side of Symonds Lane to the south, is No.65 High Street, a Grade II Listed Building that has a single storey outbuilding along the road frontage. There is a Judas tree adjacent to the southern boundary of the site.
2. The full application, submitted on 4th July 2006, seeks to erect 2 bungalows and a garage on the site following the demolition of the existing bungalow and garage. Plot 1 would comprise an L-shaped hipped roof bungalow that would be sited adjacent to, and follow the curvature of, the Symonds Lane/Hillway corner. Access to this plot would be taken from Hillway in a position directly adjacent to the existing access. Plot 2, which would be accessed from Symonds Lane, would also comprise a hipped roof bungalow set approximately 8 metres back from the Symonds Lane frontage of the site. Both bungalows would be 6 metres high to ridge, 2.4 metres high to eaves and would comprise brick walls and tiled roofs.

Planning History

3. **S/1025/06/F** – An application to erect a house, bungalow and garage on the site, following the demolition of the existing bungalow, was withdrawn. Officers had intended to refuse the application due to its impact upon the amenities of the adjoining properties to the north and west.

Planning Policy

4. Linton is identified within **Policy SE2** of the South Cambridgeshire Local Plan 2004 as a Rural Growth Settlement where estates, groups of dwellings and infilling are acceptable subject to development being sympathetic to the character and amenities of the locality.

5. **Policy P1/3** of the Cambridgeshire and Peterborough Structure Plan 2003 stresses the need for a high standard of design and a sense of place which corresponds to the local character of the built environment.
6. **Policy P7/6** of the 2003 Structure Plan requires development to protect and enhance the quality and distinctiveness of the historic 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 or adjacent to a Conservation Area to either preserve or enhance the character of the area.

Consultation

9. **Linton Parish Council** objects to the application stating:
 - a. Council remains concerned regarding access to Plot 2 and ask that CCC Highways inspect the site
 - b. Council remains concerned regarding drainage and excess run off of rain water due to hard landscaping
 - c. Council remains concerned regarding the visual impact on the street scene (Policy HG12 (4). Although hipped roofs have been shown this too is not in keeping with the street scene and does not show the roof height in relation to Richmonds, a listed building
 - d. Council believes this application constitutes over development of the site and has concerns that Plot 1 is situated very close to the corner of Hillway and Symonds Lane
 - e. Should this application be approved Council would wish it to be conditioned that no windows be inserted into the roof space and the dwelling remains single storey
10. **The Conservation Manager** raises no objections, advising that the existing bungalow is of no architectural interest and that the proposed frontage bungalow has been sited so as to address the junction of Hillway with Symonds Lane and to mirror the outbuilding to the listed building opposite. The proposed rear bungalow is set back behind the line of the front bungalow and will be partially screened by the front bungalow together with the existing mature tree to the garden fronting Symonds Lane. The proposal would therefore not harm the setting of the adjacent Conservation Area or Listed Building. The only concern relates to the wellbeing of the Judas Tree on the site. This tree makes a very positive contribution to the streetscape on Symonds Lane and should not be compromised by the proposed bungalow.
11. **The Chief Environmental Health Officer** raises no objections in principle although does express concern about noise disturbance to nearby residents during the construction period. As such, a condition restricting the hours of use of power operated machinery during the construction period needs to be attached to any planning consent.
12. **The Local Highways Authority** raises no objections, stating that each access has been located as far from the Symonds Lane/Hillway junction as possible and each has been provided with suitable pedestrian visibility splays.

In addition, the access to plot 2, due to the gradient, has been provided with a drainage channel to prevent surface water from discharging to the highway.

13. **The Trees and Landscape Officer** raises no objections stating that the proposal provides for the retention of the Judas tree. Any consent should be subject to a condition requiring the erection of protective fencing around the tree during the construction period.

Representations

14. Letters of objection have been received from No.65 High Street and No.4 Symonds Lane. The main points raised are:
 - a. The erection of 2 dwellings on the site would make the site appear overcrowded to the detriment of the character of the area;
 - b. Hard landscaping will increase water run off causing further damage to the outbuildings and garden at No.65 High Street and possible flooding of No.4 Symonds Lane;
 - c. The proposed bungalow nearest to the corner of Hillway and Symonds Lane has too small a garden area to be in keeping with the character of the area;
 - d. Increased parking associated with 2 dwellings will create additional hazards on the blind corner of Symonds Lane and obstruct visibility from No.4's access;
 - e. The development would result in a loss of privacy to No.4 Symonds Lane.

Planning Comments – Key Issues

15. The key issues to consider in the determination of this application relate to:
 - a. Impact upon the setting of the adjacent Conservation Area and Listed Building;
 - b. Residential amenity;
 - c. Highway safety;
 - d. Impact on trees;
 - e. Flood risk.

Impact upon the character of the area

16. The site is presently occupied by a bungalow that is considered to be of little architectural merit. The dwelling on plot 1 would be sited much closer to the south-eastern corner of the site than the existing dwelling. However, the Conservation Manager has advised that this would mirror the form of the outbuilding to the listed building opposite and would not harm the character of the Conservation Area or the setting of the Listed Building. The use of good quality materials would be essential and these could be secured through conditions of any planning consent.
17. With regards to concerns expressed by the Parish Council, the use of a hipped roof for the dwelling on plot 2 was, as discussed in paragraphs 19-21 below, considered to be essential for neighbour amenity reasons. To ensure a consistency in design across the site, it was also necessary to incorporate hipped ends to the bungalow on the frontage plot (plot 1). Whilst there are no hipped roofs in the vicinity of the site, there is a variety in the design of dwellings in the immediate area and it would be difficult to argue that the introduction of hipped roofs would be unduly harmful to the character of the area.

18. The plans indicate that the finished floor levels of both bungalows would be 12.6 metres ODN and, to preserve the character of the area and the amenities of neighbours, this level should be stipulated within a condition of any consent.

Residential amenity

19. The previous application sought to erect an asymmetrical design two storey dwelling on plot 2. This property was 8 metres high, incorporated gable ends and occupied the same footprint as the bungalow now proposed for plot 2. No.1b Hillway, the bungalow sited to the north, has a number of windows in its south side elevation including two windows serving the lounge area. These windows presently look out across the open garden area on the west side of the existing bungalow and the two storey dwelling originally proposed to be sited in this area, by filling virtually the entire width of the plot at a distance of just 7 metres to the south of No.1b, seriously harmed the outlook from and light to these windows. No.4 Symonds Lane, sited to the west, has an extremely small garden area located predominantly on the east side of the dwelling, with the main sitting out area in the north-eastern corner directly adjacent to the dwelling on plot 2. The erection of a two storey dwelling on plot 2 would have resulted in a serious loss of light and outlook to this sitting out area.
20. In the current application, the dwelling proposed on plot 2 is now a bungalow which, at 6 metres high, is 2 metres lower than the previously proposed house and incorporates hipped ends on its eastern and western sides. I consider the reduction in height, together with the introduction of hipped ends to this dwelling, preserves a good degree of openness in the outlook from, and avoids a significant loss of light to, No.1b Hillway's south facing lounge windows. I am also satisfied that the reduction in scale of this dwelling overcomes concerns about the overbearing impact upon No.4 Symonds Lane's private garden area.
21. In order to protect the amenities of occupiers of both adjoining properties, a condition should be added to any consent preventing the insertion of rooflights in the roofspace of both dwellings given that they could result in overlooking problems (as well as having a potentially harmful visual impact upon the character of the area).

Highway Safety

22. The Local Highways Authority has raised no objections to the highway safety implications of the application. Conditions would need to be added to any consent to secure the provision of pedestrian visibility splays as well as on-site turning and parking for both plots, to restrict the gradient of the access to plot 2 and to require the closure of the existing access to plot 1.

Impact on trees

23. The Conservation Manager has advised that the Judas tree on the site makes a very positive contribution to the streetscape on Symonds Lane and must therefore be retained. The Trees Officer has confirmed that the proposal would not compromise this tree and has therefore raised no objections. There are other trees within the garden of plot 2 that would be removed but no objections are raised in respect of the loss of these trees.

Drainage/flood risk issues

24. Concerns have been raised by the Parish Council and local residents about surface water run off from the site and flood risk implications to surrounding properties.

A full width rainwater channel, draining to a soakaway within plot 2, has been included across the bottom of the drive to plot 2 and the Local Highways Authority considers this approach to be acceptable.

I am awaiting the advice of the Council's Building Control Department on this matter and will advise Members accordingly at the Committee meeting.

Recommendations

25. Approval:

1. Standard Condition A – Time limited permission (Reason - A);
2. Sc5a – Details of materials for external walls and roofs (Reason – To ensure that the development would not detract from the character and appearance of the Conservation Area);
3. Sc51 – Landscaping (Rc51);
4. Sc52 – Implementation of landscaping (Rc52);
5. Sc56 – Protection of the judas tree during construction (Rc56);
6. Sc60 – Details of boundary treatment (Rc60);
7. Sc5f – Details of materials to be used for hard surfaced areas within the site (Reason – To ensure that the development would not detract from the character and appearance of the Conservation Area);
8. Sc22 – No windows in the roofspace of the bungalows, hereby permitted (Rc22 and to protect the character and appearance of the adjacent Conservation Area);
9. The finished floor level of each dwelling shall be 12.6 metres ODN unless otherwise agreed in writing with the Local Planning Authority (Reason – To ensure that the development would not detract from the character of the area or the amenities of adjoining residents);
10. Before the occupation of each of the dwellings, hereby permitted, the accesses from the existing highway shall be laid out and constructed to the satisfaction of the Local Planning Authority after consultation with the Local Highways Authority (Reason – In the interests of highway safety);
11. The existing access onto Hillway shall be permanently and effectively closed within twenty eight days of the bringing into use of the new access (Reason – In the interests of highway safety);
12. The gradient of the new access onto Symonds Lane shall not exceed 1 in 10 for a distance of five metres from the edge of the existing carriageway (Reason – In the interests of highway safety);
13. The permanent space to be reserved on both plots for turning and parking shall be provided before the occupation of each of the dwellings, hereby permitted, and thereafter maintained (Reason – In the interests of highway safety);

14. Visibility splays shall be provided on both sides of each access and shall be maintained free from any obstruction over a height of 600mm within an area of 2.0 metres x 2.0 metres measured from and along respectively the highway boundary (Reason – In the interests of highway safety);
15. During the period of construction no power operated machinery shall be operated on the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions (Reason – To minimise noise disturbance to adjoining residents).

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
P1/3 (Sustainable design in built development) and
P7/6 (Historic Built Environment)
 - **South Cambridgeshire Local Plan 2004:**
SE2 (Development in Rural Growth Settlements),
EN28 (Development within the curtilage or setting of a listed building) and
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:
 - Impact on character of the area;
 - Residential amenity;
 - Highway safety;
 - Surface water drainage/flood risk

General

1. Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.
2. During construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.
3. Before the existing property is demolished, a Demolition Notice will be required from the Environmental Health Department establishing the way in which the property will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working operation. This should be brought to the attention of the applicant to ensure the protection of the residential environment of the area.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Refs: S/1345/06/F and S/1025/06/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 6th September 2006
AUTHOR/S: Executive Director / Head of Planning Services

S/1360/06/O – LINTON

Erection of 8 Dwellings and Garages at Land Rear of Newdigate House, Horseheath Road for D Fairey

Recommendation: Approval
Date for determination: 30th August 2006

Members will visit the site on Monday 4th September 2006

Site and Proposal

1. The application site, excluding the access, measures 55m x 48m (0.26 hectares/0.65 acres) and currently forms part of the large rear garden of Newdigate House, a two-storey red brick and pantile detached house with a pitched roof garage to the rear standing some 3 metres above the level of Horseheath Road. The site rises gently to the northeast. There is a spinney of trees within and along the northern boundary, with Linton Heights Junior School's playing field and outdoor swimming pool beyond. An area of young trees up to approximately 4 metres high lie within and along the eastern boundary with the rear gardens of two-storey houses in Dolphin Close beyond. Newdigate House is to the south. The northern part of the western boundary is marked by chain link fencing with the School playing field beyond with the southern part of this boundary marked by close boarded fencing with the new housing development off Parsonage Way/Fairfield Way beyond.
2. This outline application, registered on the 5th July 2006, proposes the erection of 8 dwellings and garages. Two of the eight dwellings would be affordable. The point of access, a new access to the east of the existing access to serve the proposed development and Newdigate House and the stopping-up of the existing access to Newdigate House, forms part of the application. Whilst all other matters are reserved, an indicative layout showing 6no. detached units and a pair of semi-detached units has been submitted. The density, excluding the access, equates to approximately 31 dwellings to the hectare.

Planning History

3. An outline application for a minimum of 11 dwellings on the site plus a very small piece of additional land was refused in May 2006 under reference **S/0348/06/O** for the following reasons:
 1. *In view of the need to ensure that development respects the character of the area, the amenity of the occupiers of neighbouring properties is adequately safeguarded and the junior school outdoor swimming pool immediately to the north of the site is not overlooked, the Local Planning Authority is not satisfied that the site can satisfactorily accommodate the proposed minimum of 11 units. The Local Planning Authority is therefore not satisfied that the development would comply with the requirements of Cambridgeshire and Peterborough Structure Plan 2003 Policy P1/3 and South Cambridgeshire Local Plan 2004*

Policies SE2 and HG10 which require residential development in Linton to be informed by and sensitive to the character of the village and to be sensitive to the amenities of neighbours.

2. *The application indicates that only 2 of the minimum of 11 dwellings would be affordable. The proposal is therefore contrary to South Cambridgeshire Local Plan 2004 Policy HG7 which requires approximately 30% of the dwellings to be affordable.*

An appeal has been lodged.

4. Permission was granted for a house and garage on the site now occupied by Newdigate House and its garden in 1965 under reference **SC/651/64**.

Planning Policy

5. 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.
6. Local Plan 2004 **Policy SE2** states that residential development will be permitted on unallocated land within the village framework of Linton provided that (a) the retention of the site in its present form is not essential to the character of the village; (b) the development would be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours; (c) the village has the necessary infrastructure capacity; and (d) residential development would not conflict with another policy of the Plan, particularly policy EM8 which relates to the loss of employment sites. It also states that development should provide an appropriate mix of dwellings in terms of size, type and affordability and should achieve a minimum density of 30 dwellings to the hectare unless there are strong design grounds for not doing so.
7. Local Plan 2004 **Policy HG7** states that the Council will negotiate with applicants to secure the provision of accommodation to meet some of the continuing need for affordable housing in the District before it determines any application for planning permission for residential development of more than 10 dwellings on land within the framework of any village of more than 3,000 population. It goes on to state that such affordable housing shall represent approximately 30% of the total number of dwellings for which planning permission may be given.
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 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.
9. Local Plan 2004 **Policy HG11** states that development to the rear of existing properties will only be permitted where the development would not: result in overbearing, overlooking or overshadowing of existing residential properties; result in noise and disturbance to existing 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.

10. Local Plan 2004 **Policy CS10** states that, where permission is granted for residential development of 4 or more dwellings, financial contributions will be sought towards the provision of additional permanent or temporary education accommodation in those cases where the new development would cause the planning capacity of permanent buildings at the local primary or secondary schools to be exceeded during the 5 years following the date of the application.
11. Local Plan 2004 **Policy EN5** states that the District Council will require trees to be retained wherever possible in proposals for new development.
12. Local Development Framework Submission Draft January 2006 **Policy DP/4** states that planning permission will only be granted for proposals that have made suitable arrangements for the improvement or provision of infrastructure necessary, including affordable housing, to make the scheme acceptable in planning terms. It states that the nature, scale and phasing of any planning obligations sought will be related to the form of the development and its potential impact upon the surrounding area.
13. Local Development Framework Submission Draft January 2006 **Policy DP/5** relates to cumulative development and states that development will not be permitted where it: forms part of a larger site where there would be a requirement for infrastructure provision if developed as a whole; would result in a piecemeal, unsatisfactory form of development; or would prejudice development of another site adjacent or nearby.

Consultations

14. **Linton Parish Council** recommends refusal stating:
 - a) "Council asks that CCC Highways check safety of access in conjunction with the Rhugarve Gardens junction and Horseheath Road part of the Safer Routes to School initiative. Please see letter from Mr Mulley of 7 Horseheath Road
 - b) Council requests that the proposed rumble strips be removed
 - c) Council has concerns regarding possible future development of the site to encompass Borley and Newdigate Houses increasing traffic and leading to greater hazards
 - d) Council has concerns regarding the retention of the broad belt of boundary trees (7.5metres in depth) to the rear and east of the site (total 420 sq metres). Council would wish these trees to be retained in perpetuity
 - e) Council has concerns as to who will maintain the open space and trees
 - f) Council believes this is overdevelopment of the site – seven dwellings would be more acceptable
 - g) Council remains concerned that this application is contrary to Policy HG12 sections 2 and 5
 - h) Should this application be approved Council would wish it to be conditioned that no development be permitted in the roof space and dwellings should be no more than two storey
 - i) Council objects to this application"
15. **Chief Environmental Health Officer** recommends that conditions relating to the times when power operated machinery shall not be operated during the construction period except in accordance with agreed noise restrictions and driven pile foundations are attached to any approval. He also recommends that an informative is attached to any approval stating that there shall be no bonfires or burning of waste on site during construction except with his Department's prior permission.

16. **Local Highway Authority** raises no objections to a new access in the position proposed but, as the point of access forms part of the application, requests an amended plan showing the point of access fully dimensioned, junction radii given and the ramp/rumble strip repositioned.
17. **Cambs Fire & Rescue Service** is of the opinion that additional water supplies for firefighting are not required.
18. **County Financial Officer** was consulted in relation to possible need of an education contribution. No comments had been received at the time this report was compiled.

Representations

19. Objections have been received from the occupiers of 2 and 7 Horseheath Road, 27 Dolphin Close and 4 Rhugarve Gardens on the following grounds:
 - a) Due to the position of the proposed new access and the presence of parked cars on Horseheath Road, it would be extremely dangerous to exit the access to the left as vision up Horseheath Road would be obstructed;
 - b) Creation of a dangerous crossroads where proposed access joins Horseheath Road opposite Rhugarve Gardens;
 - c) Noise generated by cars travelling over the proposed rumble strips would be unacceptable to occupiers of the adjacent property, 7 Horseheath Road;
 - d) Overlooking of neighbouring properties from 2 or 2½ storey houses;
 - e) Inadequate parking provision within the site would lead to additional parking on Horseheath Road and hence additional dangers on this already fast road used heavily by children pedestrians due to the close proximity to local schools;
 - f) Overdevelopment of the site;
 - g) This currently undeveloped site brings a sense of open space to this part of the village;
 - h) Indicative plan shows boundary trees removed;
 - i) If approval is given, consideration should be given to keeping all the existing trees and ensuring that new buildings are no more than 2 storey;
 - j) This application involves further piecemeal development;
 - k) Drainage; and
 - l) Above concerns would be compounded if Borley and Newdigate Houses are redeveloped in the future.

Planning Comments – Key Issues

20. The main issues in relation to this application are: whether 8 units can be satisfactorily accommodated on the site; highway matters; and affordable housing.
21. The site is within the village framework and, in my opinion, the retention of the site in its present form is not essential to the character of the village. The principle of residential development is therefore supported. The previous application for a minimum of 11 dwellings was refused on the basis that, in view of the need to ensure that development respects the character of the area, the amenity of the occupiers of neighbouring properties is adequately safeguarded and the junior school outdoor swimming pool immediately to the north of the site is not overlooked, the Local Planning Authority is not satisfied that the site can satisfactorily accommodate the proposed minimum of 11 units. To satisfactorily address all of these matters, I consider that the existing trees/planting along the northern and eastern boundaries would need to be retained, overlooking of the school swimming pool avoided and an imaginative layout designed.

Whilst the previous application did not persuade me that this could be achieved with a minimum of 11 units and the illustrative layout submitted with this application also would not constitute an acceptable scheme, I am satisfied that a development of 8 dwellings on the site, which equates to a density of approximately 30 dwellings/hectare, could be designed that satisfactorily addressed all of these issues. Unhelpfully, and this may have led to some of the objections, whilst the application forms and supporting statement clearly state that the boundary trees would be retained as part of the development, the illustrative layout plan shows many of them removed. It would therefore be prudent to specifically exclude the illustrative layout from any permission.

22. Should Members be minded to approve the application, I do not consider that it would be necessary to specifically require that the dwellings are no more than 2-storey as the Parish Council and objectors request, but any reserved matters application would need to show that it satisfactorily addresses all of the issues highlighted in the preceding paragraph.
23. The Local Highway Authority has carefully considered the proposed access arrangement and has raised no objections to the principle of a new access in the proposed position but has requested a plan detailing the junction of the new road and Horseheath Road. The Local Highway Authority considers that the ramp/rumble strips, to which the Parish Council and occupier of 7 Horseheath Road object, are necessary and I consider that it would be difficult to demonstrate that it would result in a serious noise disturbance to the occupiers of 7 Horseheath Road.
24. The applicant seeks to argue that as the application is for less than 11 dwellings, no dwellings need to be affordable in terms of the Local Plan requirement. Nevertheless, the application proposes that 2 of the 8 units would be affordable in recognition of the informative attached to the permission for 10 dwellings on the adjacent site (S/0520/05/F) which stated that the development approved under reference S/0520/05/F was considered to be the first phase of development on land at Nos. 1 and 3 Horseheath Road and development on these sites will be considered together in terms of establishing whether affordable housing and public open space should be provided as part of the developments and, if so, what level of provision of appropriate. I consider that the proposal for 2 of the units to be affordable is reasonable and should be secured by a means of a Section 106 Agreement.

Recommendation

25. Subject to the receipt of an amended plans that satisfactorily addresses the comments of the Local Highway Authority and the prior signing of a S.106 Legal Agreement to ensure that 2 of the dwellings are affordable and, if recommended by the County Chief Financial Officer, an education contribution, approval subject to the following conditions:
 1. Standard Time Condition B – Time limited permission (Reason B);
 2. SC1 a, b, c (except point of access) and d – Reserved matters (RC1);
 3. During the period of construction ... SC26 (0800, 0800, 1800, 1300) – Restriction on hours of use of power operated machinery during construction period (RC26);
 4. SC52 – Implementation of Landscaping (RC52);
 5. SC60 – Boundary Treatments (RC60);
 6. The illustrative layout shown on drawing no. 2 is specifically excluded from this permission (RC The Local Planning Authority is not satisfied that the layout shown on this drawing would adequate safeguard the amenity of neighbours and users of the adjacent school swimming pool, constitutes the necessary high standard of design that responds to the local character of the built environment or shows an appropriate road layout in highway terms);

Plus conditions recommended by the Local Authority Highway

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P1/3** (Sustainable Design in Built Development)
 - **South Cambridgeshire Local Plan 2004: SE2** (Residential Development in Rural Growth Settlements), **HG7** (Affordable Housing), **HG10** (Housing Mix and Design), **CS10** (Education Contributions) and **EN5** (Retention of Trees)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise: pedestrian/highway safety; amenity of neighbours; character and appearance of the area; piecemeal development; and drainage.

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
- Local Development Framework Submission Draft January 2006
- Planning file Refs: S/1360/06/O, S/0348/06/O, S/0520/05/F and SC/348/64

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee6th September 2006**AUTHOR/S:** Executive Director / Head of Planning Services

S/0625/06/RM - LONGSTANTON
Erection of 87 Dwellings and Ancillary Works on Land West of Longstanton
(Phase 3a - Home Farm) for
West Longstanton Ltd

Recommendation: Delegated Approval

Date for Determination: 28th June 2006 (Major Application)

Update

1. The application was considered at the June 2006 Committee Meeting. Delegated powers of approval were granted at that meeting subject to the conditions referred to in the report from the Director of Development Services in order to resolve outstanding design issues in conjunction with the local Member.
2. Attached as Appendix 1 is the report to the June 2006 committee meeting.
3. The application has been amended following a detailed consideration of the design and layout of the scheme involving the case officer, Mr Nigel Blazeby, the Council's appointed urban design consultant, Mr Nicholas Parkinson, the agents, applicants and the Local Member Mr Alex Riley.

Consultation responses**Longstanton Parish Council**

4. Makes no recommendation. It states: "Plot 16 should be rotated 90° so that main windows do not overlook existing properties. The hedgerow along the High Street to be maintained".

Willingham Parish Council

5. Recommends refusal. It states: "Willingham Parish Council would not be willing to see a development of that size until there is a bypass around Willingham to take the increased traffic which would be generated. It is also a matter of concern, as this development gets larger and larger, as to how much more waste water the pumping station at Haden Way, Willingham, will be able to take".

Bar Hill Parish Council

6. Recommends refusal. It states: "Objection on the grounds of excess traffic in to Bar Hill and possibility of flooding due to so many new dwellings with no plans as yet to alleviate these problems".

Local Highways Authority

7. "In addition to the fundamental issue of the acceptability of the off-site traffic claming scheme, there are just two issues within the site that need addressing:-
1. The parking for plots 73 and 74 requires attention. With only some 4.0m distance between parked vehicles and the opposite side of the private drive there is insufficient space to allow vehicles to enter/exit the spaces without overrunning the verge and maybe the footpath. I suggest that the garage be moved further into the plots to allow a greater depth of parking space in front of the garage doors and thus increase the manoeuvring space to the rear.
 2. Why is a ramp proposed within the carriageway in front of plot 45? This entire street is shared surface commencing at the table/square at the junction in front of plots 10-14. Consequently, there should not be any further change in vertical alignment along the entire street".

Cambridgeshire Fire and Rescue Service

8. Ask that adequate provision be made for fire hydrants and that access and facilities for the Fire Service be provided in accordance with Building Regulations.

Environment Agency

9. Repeats comments made on original proposal.

Ecology Officer

10. "Conditions required for scheme of pond restoration, nest box provision, wild flower planting in boundary (but this should really be integrated with landscaping).

I welcome the footpath link to the Fishpond Lane. I would suggest that it is given some form of very low-key surfacing such as compacted hoggin 1.8m wide. Otherwise it will become muddy with regular use. It should not have the same surfacing as the main footpaths as it is a countryside linkage. Condition to control vegetation removal during bird nesting season."

Head of Housing Strategic Services

11. "There is no affordable housing obligation on this site (unless or until the number of homes proposed exceeds the 500 for which outline planning consent has been granted).

I would generally comment that it would be preferred if the market housing mix could include a wide range of housing types/sizes in order to provide opportunities for a mix of household incomes/sizes.

It is not clear from the plan provided what the house sizes proposed are although given the dominance of what appears to be large detached homes across the site it does not appear that there are very many smaller homes proposed which would be more affordable to middle income households (see previous comments along these lines).

Cambridgeshire Constabulary Community Safety Officer

12. "The proposals are characterised by a significant degree of back to back development within curtilage parking or parking courts serving a small number of dwellings. From a crime prevention viewpoint this is welcomed.

The degree of permeability through the site is dictated to some degree by the neighbouring site. The routes are, by and large, well overlooked without sharp

uninviting bends. I would, however, like to see the footpaths made at least 3 metres wide to allow people to pass without infringing each others' personal space with at least a 2 metre verge on either side.

There appears to be planting between the southern side of the footpath running alongside plots 26-28 to 67 and the adjoining housing. It is recommended that this planting is low level to enhance natural surveillance and to prevent the creation of hiding places. This is particularly important in relation to the LAPs near plots 28 and 53.

The path and verges between plots 40 and 41 are rather narrow, lack high levels of natural surveillance and, given the access provided opposite 67, the benefits of access to the open space might be outweighed by the provision of escape routes and anonymity to offenders.

Overall the layout provides dwelling frontages that benefit from high levels of natural surveillance from other dwellings or the street. Plot 84, effectively accessed via a small shared parking court, is unfortunately an exception”.

Anglian Water

13. Comments that it should be able to provide a response late August or early September.

Cambridgeshire County Council Countryside Access Team Definitive Map Officer

14. Disappointed that footpath link onto Fewes Lane has been omitted – “would be a good opportunity to provide sensible ‘soft access’ linking the development to Public Footpath no. 3, Longstanton... this link is likely to be a route that is used anyway as a desire line and it would be sensible to formalise this and provide suitable surfacing at this stage.”

“The reference to a footpath link to the High Street near plots 8 & 9 is confusing as it is not a Definitive Footpath, but a footway adjacent to the road.

The developers should consider whether it would be necessary to ensure public safety to temporarily close Public Footpath No.3 for the duration of the build.”

15. Comments are awaited from Over and Swavesey Parish Councils, the Councils Trees and Landscape Officer, Lands Drainage Officer, Cultural Services Manager, Strategic Development Officer, Chief Environmental Health Officer, Chief Financial Planning Officer Cambridgeshire County Council, Waste Minimisation Officer, Cambridge Water Company, Middle Level Commissioners, English Nature and The Ramblers.

Representations

16. Three letters have been received from the occupiers of The Retreat, Fewes Lane and 135 and 155 High Street.

1. The Retreat

Pleased to note there are a reduced dormer proportion of houses.

Objections remain in relation to overlooking from plot 16 (former plot 5).

Do not wish to see any trees removed adjacent to boundary of The Retreat.

Site entrance is also the main link road to Over Road part of the site. The Council should ensure this is not used as a rat run before the bypass is built.

Can the developers contribute towards a footpath/cycleway link along the High Street/Station Road to the railway crossing. Why no apparent contribution from developers towards village amenities?

2. *Old Farm, 155 High Street*

Inaccuracies in boundaries and position of drainage pipes shown on plans.

Drainage and highway safety concerns.

3. *135 High Street*

All access to the site for contractors' vehicles should be via the proposed distributor road from Over Road, not via the entrance on High Street which is unsafe.

Concerned that hedges and trees to be retained on the site continue to be protected and properly maintained to encourage wildlife. Of particular importance is the hedgerow along Fews Lane.

Planning Comments

17. Many of the points raised through the consultation and notification process in relation to the amended plans are dealt with in the earlier report (see Appendix 1).
18. In my opinion the revised proposal addresses nearly all of the concerns raised by statutory consultees and other interested parties. I note that some further minor revisions are being requested by the Local Highways Authority and a neighbour has raised issues of inaccuracies on the plans.
19. With particular regard to the concerns of overlooking of The Retreat from Plot 16 raised by the occupiers of The Retreat and the Parish Council, this house type has been amended from a 2½ storey house to a 2 storey and provides a distance of approximately 10m to the rear garden boundary of this property and 48m back to back distance between the two properties. In my opinion this affords a satisfactory amenity relationship.
20. The footpath link between the development and Fews Lane has been omitted as it was felt to be unnecessary. This green area will be available as informal open space.

Other revisions include:-

- (a) Widening of carriageway around bend fronting plots 8 and 9 (i.e. no overrunable strip of contrasting material).
- (b) Plots 26 and 45 adjusted to squeeze enclosure onto adoptable area.
- (c) Units arrangement to north-western corner amended to incorporate modified layout.
- (d) Footpath incorporated as link between shared surface roads around north-eastern site area and units amended accordingly.

- (e) House type 131 updated and accommodates reduced roof dormer proportion.
- (f) Chimneys now indicated on house types, layout and street scenes.
- (g) 'Angled' garage structure between plots 83 and 85 is now incorporated and detailed.
- (h) Reduced uniformity through the variation in house type designs and the positioning of dwellings and garages.
- (i) Greater ecological emphasis including widening the link onto Fishponds Lane.
- (j) Refuse collection vehicle access concerns addressed.
- (k) More traditional window detailing.
- (l) Small LAP revised to better relate to the street scene.
- (m) Footpath strategy produced.
- (n) More enclosed feel to the south western area of the site through the 'narrowing' of the streetscape and the revised layout of dwellings and the extension of the altered surface area to the north to better distinguish this character zone from the more open and green character of the north western part of the site. This better reflects the approach contained within the Design Guide for the site.
- (o) Highway revisions to accommodate requirements of the Local Highways Authority.

Recommendation

21. Delegated approval subject to the revisions required by the Local Highways Authority and the submission of accurate plans (if necessary following a detailed consideration of the concerns of the occupiers of Old Farm, 155 High Street) and subject to conditions relating to the details of siting, design, means of access and the landscape structure without the need to further consult statutory consultees, residents or other interested parties.

Background Papers:

- Reserved Matters Application File Refs S/0625/04/RM
- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- Development Brief for Home Farm, Longstanton 1998

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee

7th June 2006

AUTHOR/S: Director of Development Services

**S/0625/06/RM - Longstanton
Erection of 87 Dwellings and Ancillary Works on Land West of Longstanton
(Phase 3a - Home Farm) for West Longstanton Ltd**

**Recommendation: Delegated Approval
Date for Determination: 28th June 2006 (Major Application)**

Site and Proposal

1. This open and largely featureless site extends to approximately 4.6 hectares and has, until recently, been in agricultural use. Agricultural land extends to the north, the High Street and existing farm buildings and dwellings are situated to the east and to the west is agricultural land that will form part of Phase 3b. Running through the middle of the site from south west to north east is a hedgerow and a number of trees bisect the site roughly north to south with clumps around the existing farm buildings and a pond which lies in the south western corner.
2. This reserved matters application, received on 29th March 2006, provides details of the siting and design of and the means of access to 87 dwellings on the part of the third of three phases that are intended to provide 500 dwellings (outline planning permission S/0682/95/O). The proposed density is 19 dwellings per hectare.
3. The proposal includes two areas of open space within the development which would accommodate Local Areas for Play (LAPs) and a larger area of approximately 1,350sq.m, which will incorporate a locally equipped area for play (LEAP).
4. The development would be comprised of 4 (5%) no. 3-bedroom, 68 (78%) no. 4-bedroom and 15 (17%) no. 5 plus-bedroom houses.
5. Approximately 49% of the dwellings (43) would be 2-storey, and 51.% (44) would be 2½ storey. The ridge heights of the proposed dwellings range from 7.9 to 10.3 metres.
6. The access would be off High Street, and this would serve a number of secondary roads and shared surface access ways which cut through the existing hedgerow in two places within the site.
7. The application is accompanied by a Design Statement, a Tree and Hedgerow Survey, a Habitat Survey and a further Tree Survey.

Relevant Recent History

8. Outline planning permission for comprehensive phased development to provide B1050 Bypass for Longstanton and related road works together with housing (21Ha), a business park (6.3Ha), extension to village recreation ground (2.8Ha), village green including land for local shop and surgery, open space, landscaping and related infrastructure` on land west of Longstanton, including the application site, was granted in October 2000 (**S/0682/95/O**). The Decision Notice was issued following

the signing of a legal agreement relating to education contributions and highway works. Condition 16 restricted development to no more than 500 dwellings unless otherwise agreed by the Local Planning Authority.

9. **S/1762/03/RM** - 91 dwellings and ancillary works (Phase 1) - approved 22.12.03.
10. An appeal against a refusal to vary condition 16 of the Outline Planning Consent **S/0682/95/O** to allow the construction of more than 500 dwellings was dismissed by an Inspector's letter dated 29th November 2004.
11. **S/0246/04/RM** - Duplicate application for 200 dwellings (Phase 2) - Appeal allowed 23rd August 2005 and reserved matters granted for 196 dwellings.
12. **S/2069/04/RM** - Reserved matters consent issued 5th May 2005 for 153 dwellings and ancillary works (Phase 2).
13. **S/0845/04/RM** and **S/1429/04/RM** - Duplicate Reserved Matters applications for 103 dwellings on part Phase 3 were both withdrawn in March 2006.
14. **S/1864/04/F** - Application for balancing pond and scheme of ditch widening to serve development approved by virtue of outline planning permission **S/0682/95/O** – provisionally approved at DCCC meeting 10th May 2006.

Planning Policy

15. The site forms part of the 21 hectare area of land allocated for some 500 dwellings on land north of Over Road, Longstanton in South Cambridgeshire Local Plan: 2004 **Policy HG5**.
16. 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 Hattons 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".
17. Longstanton is defined as a Group Village in South Cambridgeshire Local Plan: 2004 (**Policy SE4**).
18. Structure Plan 2003 **Policy P1/3** requires all new developments to incorporate high standards of sustainability and design and to provide a sense of place which:
 - "Responds to the local character of the built environment;
 - Is integrated with adjoining landscapes;
 - Creates distinctive skylines, focal points, and landmarks;
 - Includes variety and surprise within a unified design;

- Includes streets, squares and other public spaces with a defined sense of enclosure;
 - Includes attractive green spaces and corridors for recreation and biodiversity;
 - Conserves important environmental assets of the site;
 - Pays attention to the detail of forms, massing, textures, colours and landscaping.”
19. Structure Plan 2003 **Policy P5/3** states that densities of less than 30 dwellings per hectare will not be acceptable “Local Planning Authorities should seek to maximise the use of land by applying the highest density possible which is compatible with maintaining local character”.
20. 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.
21. Local Plan: 2004 **Policy TP1** states that the Council will seek to promote more sustainable transport choices and one of the ways this can be achieved is restricting car parking for residential developments to a maximum of an average of 1 ½ spaces per dwelling with a maximum of 2 spaces for 3+ bedroom dwellings in poorly accessible areas.
22. A development brief for the Home Farm site, covering matters such as development aims, design philosophy, scale of development, built form (advocating a series of townscape zones including greenways, village lanes, village streets and hamlets), architectural form and open space was adopted by the Council as Supplementary Planning Guidance in 1998. Whilst design guidance has evolved since this brief was adopted, many of the principles contained within the brief remain relevant.
23. Government’s **Planning Policy Guidance (PPG) 3**, “Housing” (March 2000) aims to avoid developments which make inefficient use of land (those of less than 30 dwellings per hectare). In terms of village expansion, development should be designed sympathetically and laid out in keeping with the character of the village. Design and layout should be informed by the wider context, having regard to the townscape and landscape of the wider locality.

Consultation

24. **Longstanton Parish Council** makes no recommendation. It comments:
- “The Longstanton Parish Council makes no recommendation for approval or refusal of the application. However, if approval is granted the following points are noted:

Density

The density is within the range that would keep housing numbers within agreed limits.

Existing Housing

The front of plot #5 overlooks an existing property (The Retreat). Using three-storey house style 185, we believe it will not be in keeping with the existing style (a bungalow), will cause unnecessary blight on the existing houses, and will create an unjustified decrease in privacy of the property (since the upper floor will have a clear view into the back gardens and windows of the existing property). Recommend the house style be substituted for one with no more than two storeys.

Public Open Space

- (a) Recommend no work may begin until a plan for future maintenance is agreed.
- (b) Recommend all structural planting to be completed within one year of the beginning of construction in order to ensure the structure is established as early as possible.

Drainage

The land is not on the current Environment Agency indicative flood map. However, its location and topography means that it will drain into the already over-capacity Longstanton Brook. This will increase flood risk to existing homes whether or not the new homes are occupied. Recommend the Home Farm drainage strategy, including balancing pond and ditch improvements, be implemented fully before construction begins. Existing ditches must remain intact and operational. 5-metres strips around the drainage must be delineated such that they cannot become garden extensions, parking areas, etc.

It is also noted that the Cofton appeal to the planning inspector succeeded on the basis that PPG3 housing densities must be considered, even though PPG3 post-dated the outline consent. It is therefore utterly correct that the District consider PPG25 as well. In fact, it would be utterly inconsistent if the District Council did not consider PPG25. Specifically, flood risk should not be mitigated by hard engineering solutions if possible. With the solution of a brook diversion so obviously feasible, the Parish Council recommends that planning approval only be granted under condition that a brook diversion be implemented prior to completion of the 87 homes. If a balancing pond is not also provided, then the diversion must be fully implemented before construction of any homes (noting, as above, that rains do not consider whether or not a house is occupied when infiltrating or running off land).

Foul Drainage

Anglian Water, in their comments on the original Phase I 88-home application, confirmed that any more than 88 homes would require structural improvement to foul drainage capacity. Given that sewage flooding remains an issue for the village with current housing numbers:

- (a) We recommend that no houses can be occupied until plans are in place and works complete for sewage works improvements. We appreciate that this imposes a condition that may be beyond the ability of the developers to address, but it is required in order to prevent exacerbating already unacceptable sewage flooding.

Access

- (a) Recommend that construction traffic to and from the south must enter the site via Phase III and traffic to and from the north must enter via Station Road in order to limit traffic through the village.
- (b) Recommend that wash stations be required, and that District Council inspection of their correct installation be required prior to home construction.

Ecology

- (a) Recommend clarity be required as to how the recently unearthed well around plots 61 and 62 will be dealt with.
 - (b) Recommend that the recommendations of Haydon's and Hillier's tree and pond surveys be conditions of approval (with implementation by the developers) with the following limitations:
 - (i) The Leyland Cypress are not removed, as they belong to The Retreat, not the development. The same is true of trees and shrubs at the back of The Retreat.
 - (ii) Pollarding of willows to be to 3 metres, not 2 metres.
 - (iii) Willows 2A and 2B to be replaced with oak of similar species.
 - (iv) That the pond be reinstated as recommended. It is noted in particular that this is currently often wet, and not a dry pond as stated.
 - (v) The Aspen is pollarded rather than removed.
 - (vi) No trees other than those noted for treatment are removed or modified, noting that there are several worthy specimen trees around the pond.
 - (vii) Recommend that the recommendations in the WSP habitat survey be conditions of approval. In particular, that provision be provided for protection of existing hedgerows and retained trees."
25. **Swavesey Parish Council** – recommends refusal because the balancing pond required to serve the development has not been provided. This was to be in place and operating before the first residents moved in. The Parish Council believes that drainage and flood risk around Swavesey will be greatly affected by the Home Farm development and therefore before any further development is permitted the balancing pond must be approved and operating.
26. **Willingham Parish Council**
Comments are awaited
27. **Bar Hill Parish Council**
Comments are awaited
28. **Over Parish Council**
Recommendation of refusal. Concern about local roads being able to cope with the inevitable increase in traffic.

29. **Environment Agency** objects. It comments:
Details in respect of surface 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.
30. The proposal is contrary to South Cambridgeshire District Councils Local Plan Policy reference CS5, which seeks to prevent development which would either be at risk of flooding, or may cause, or exacerbate flooding to existing buildings”.
31. **Middle Level Commissioners** comment: “The Commissioners, on the Board’s behalf, have previously concluded negotiations with the applicant’s consultant and the Environment Agency to ensure that this development does not detrimentally affect the Board’s area. It has been agreed that a flow-balancing pond will be constructed near Gravel Bridge to accommodate flows within Longstanton brook whilst Webb’s Hole Sluice is closed during periods of high water levels in the River Great Ouse System. This pond was the subject of planning application S/1864/04/F which was provisionally approved at the 10th May 2006 DCCC meeting.

During the above negotiations, it was agreed that:

- i) The plans submitted with this planning application meet the Board’s approval and are based upon the current proposals for 500 houses at Home Farm.
 - ii) The balancing pond must be completed to its maximum dimensions and the necessary flow-regulation structures installed and operational before work on the Home Farm development commences on site, i.e. not a phased construction to match the various development stages.”
32. **Anglian Water**
Comments are awaited
33. **The Cambridgeshire Fire & Rescue Service** asks that adequate provision is made for fire hydrants by way of Section 106 agreement or condition. Access and facilities for the Fire Service should also be provided in accordance with the Building Regulations Approved Document B5, Section 17.
34. **Local Highways Authority** - The proposed traffic calming measures have been the subject of a safety audit. The LHA requires that these be made part of the planning application and notes that these works are dependant upon the bypass roundabout to the north being in place. The LHA requests that a composite layout plan be prepared to aid consideration of future phases of development. Detailed amendments to the scheme are requested to be provided:
35. **Finance Officer Cambridgeshire County Council**
Comments are awaited.
36. **Cambridge Water Company**
Comments are awaited
37. **Chief Environmental Health Officer**
Comments are awaited
38. **Police Architectural Liaison Officer**
Comments are awaited

39. **Council's Lands Drainage Manager:**

Comments are awaited

40. **English Nature** comments:

"English Nature has no objection to this application and advise that providing the proposed mitigation measures, set out in section 4 of the Phase 1 Habitat Survey document, are adhered to disturbance/damage to species and/or features of nature conservation importance will be minimised. More specifically English Nature advise that:

- (a) Provision for badgers should be made both during and after construction i.e. avoiding blocking of well used badger footpaths, ensuring that adequate badger foraging area is maintained, further assessment to ensure that the status of badgers at the site has not changed between the start of construction and the time of the original survey and incorporating tunnels and fencing to ensure that badger road kills are minimised).
- (b) Prior to the commencement of construction a reptile survey should be undertaken to ensure that all necessary measures are put in place to avoid damage/disturbance to these species both during and after construction. This survey information should be used to feed into an appropriate mitigation strategy.
- (c) Incorporating appropriate landscaping for breeding birds, badgers and bats and if necessary reptiles.
- (d) No vegetation clearance will be undertaken during the bird breeding season.

In addition to the above English Nature would advise that any demolition of buildings and/or the removal of mature trees should be undertaken with care to ensure that if bats are present they are not harmed by the proposed works. If bats are discovered during such works, all works should cease immediately and English Nature be contacted for further advice".

41. **The Council's Ecology Officer** comments:

"The application makes no reference to the pond at the southern boundary of the site, yet during informal discussions I was under the impression that the pond would now be restored. A condition requiring the restoration of the pond is recommended.

Furthermore, the boundary to plot 3 is a little unclear with respect to the illustrated tree canopy near to the pond. Plot 3 must not adversely impact upon the pond nor compromise its restoration. I would welcome clarification upon this point.

I don't feel that a great deal of attention had been paid to creating a footpath/wildlife link to the adjacent Fishponds Lane. The development should perhaps aim to mimic some of the Cambourne greenways.

Badgers currently forage along Fishponds Lane and I was expecting this application to provide details on badger tunnels beneath the by-pass.

It would be useful to have a Design Statement that clarifies how the details of the 20/01/06 meeting have now been taken into account. To rely on all biodiversity issues by condition is not desirable i.e. inclusion of fruit bearing tree species, avoidance of street lights by hedges, use of meadow mix at hedge bases, lizard survey at Old Farm, hedge protection strategy.

What types of nest boxes and bat boxes are to be provided? And where?"

42. **The Council's Housing Strategic Services Officer** comments:
"I believe there is no affordable housing requirement in respect of the Home Farm development (unless development exceeds 500 units presumably).

In general I would comment that the scheme seems to be almost exclusively for detached (larger) homes with some of the semi-detached units looking to be larger units (3 storey) and therefore does not provide a range of house types to meet the needs of various household sized./types. Is this phase 'balanced' by earlier phases? To help ensure an appropriate mix for the overall development of 500 homes, which, given its size will have a significant impact on the sustainability of the local established community as well as the community it will be able to develop/sustain within the development".

43. **The Council's Strategic Development Officer**
Comments are awaited.

44. **The Council's Trees and Landscape Officer** comments:
"I have attended meetings in relation to this application and visited the site with the architect.

The group of trees adjacent to plots 81-83 were not included in the original survey. Detail is still lacking. The Oak trees together with the Birch and Cherry do form an important group and from the detail supplied do not appear to be afforded enough clearance. I am referring particularly to the Oak to the rear of the garage for plot 83, the Cherry and Oak to the rear of garage plot 82 and the Oak location to the south east of plot 82. This area should be looked at in specific detail with a view to adjusting/relocation footprints.

The garage unit plot 68 should be adjusted/constructed to accommodate the young Horse Chestnut.

The garage units plots 74 and 75 should be adjusted to ensure retention of hedge at the rear.

With regards to the tree survey submitted by Haydens relating to the southern corner of the site – I have no objection to the recommendations, but would point out that the report refers to pond/habitat retention – this conflicts with plot 3"

45. **The Council's Waste Minimisation Officer** comments:
There is no refuse collection vehicle access to plots 5, 18, 19, 28, 32, 65 and 80. In each case the recommended distance from the property to the nearest collection point is in excess of the recommended 25 metres.

46. **The Council's Cultural Services Manager**
Comments are awaited

47. **County Principal Archaeologist**
Comments are awaited.

Representations

48. The Occupiers of five properties in Longstanton object to the scheme on the following grounds:

- (a) The proposed access from High Street would be dangerous even if the proposed by-pass were to be in position. The access is too close to a dangerous bend.
 - (b) Overlooking from a 3 storey property to Striplands Farm.
 - (c) Insufficient parking for the larger properties.
 - (d) The entrance drive to Old Farm is to be shared with a new property. The intensification will add to existing problems on this dangerous bend.
 - (e) The application should only be considered when there is a properly considered plan for the whole area including Northstowe and is premature prior to the by-pass.
 - (f) Loss of trees and hedgerow.
 - (g) Ditch and road maintenance issues.
 - (h) Overlooking from Plot 5 to the bungalow and garden of 'The Retreat' particularly as the land here is higher.
 - (i) No contribution to community facilities.
 - (j) Drainage and sewage problems and potential flood risk.
 - (k) Ecological concerns.
 - (l) Three storey dwellings are out of keeping with the surroundings and will be viewed from long distance particularly in light of the raised ground levels.
 - (m) Phase 2 was to be completed first in the original masterplan to enable the by-pass to be completed. The Home Farm site is being developed on a piece-meal basis.
 - (n) How will the hedges, shown to be retained, be controlled to ensure their long term survival?
 - (o) Object to link from development to Fewes Lane – this will result in the loss of hedgerow and also remove the countryside feel of the lane by creating a form of access over the ditch.
49. Some of the objectors do comment that the plan has much to recommend it environmentally and a 5m maintenance strip for the ditch is to be welcomed.
50. **Longstanton Residents for Dry Homes has commented:**
 "Longstanton Residents for Dry Homes objects to the Home Farm Phase 3A housing application on two grounds: (1) it is inconsistent with latest government policy on drainage and (2) foul drainage has not been considered. Details are below.
- (1) Phase II developers Cofton successfully appealed against refusal of their increased housing numbers. The planning inspector held that PPG3, although post-dating Home Farm outline consent, must still apply (and therefore higher densities should be sought). It would be entirely inconsistent if the District Council did not also require Home Farm applications to be consistent with PPG25 regarding drainage. PPG25 specifically discourages "hard engineering" solutions to drainage problems. Clearly, part of the intent is that hard

engineering structures are more likely to fail over time than passive mechanisms. Geoff Burrows, the engineer commissioned by developers to develop the Home Farm drainage strategy has himself stated to the SCDC Drainage Advisory Board that the proposed balancing pond would require "Expert Tuning" to reach its intended protection potential. Clearly, then, if it is not precisely tuned, the development may be flooded and cause flooding elsewhere. Flooding is not something that can be experimented with, and LRDH opposes a solution that has a correctness of tuning that can only be verified after a flooding event. Further, a solution such as a balancing pond requires continued maintenance to maintain effectiveness. It is unreasonable to declare that the Bar Hill pond (which failed in 2001, exacerbating flooding downstream) was somehow an anomaly. It is typical of what happens over time: maintenance fails. This is even true within the current Longstanton Brook, where access restrictions mean that the banks are only cleared regularly where it is convenient to do so. In conclusion, decrease in maintenance standards over time is the norm, not the exception, and planning must acknowledge this reality.

Therefore, in order to comply with PPG25 (with which the recent appeal implies SCDC planning decisions must comply), a balancing pond requiring expert tuning and constant maintenance to continue to function is unacceptable. **The only sensible solution is that offered by a failsafe diversion of Longstanton Brook along the western edge of the B1050 bypass.**

- (2) Anglian Water, in their response to the 88-home Persimmon application for Phase I, stated that any more homes than those proposed would require sewage works improvements. Such works have not even been proposed let alone implemented. It would therefore be reckless for SCDC to approve this application until the works are approved, and reckless for them to approve home occupation until the works are completed."

Planning Comments - Key Issues

51. The principle of erecting 500 dwellings on the Home Farm site has already been established by the grant of the outline permission. The permission allows for the phased development of the site, and includes conditions relating to the phasing of the residential development, business park, open spaces and the timing/thresholds for the provision of the necessary infrastructure and roads.
52. This reserved matters application provides details of the siting, design, and means of access to Phase 3a of the residential element of the development approved in 2000 (S/0682/95/O) only, and these are the matters to be considered. Landscaping is excluded and remains reserved for future consideration.
53. The key issues are:
- (a) Density and numbers;
 - (b) Highway safety;
 - (c) Design and layout; and
 - (d) Drainage.

Density

54. The density of development on the site is guided by:
- (a) The outline planning permission, condition 16;

- (b) The adopted South Cambridgeshire Local Plan 2004 Policies SE4, HG5 and 'Longstanton 1';
 - (c) The adopted Development Brief for Home Farm;
 - (d) The approved Structure Plan Policy P5/3; and
 - (e) PPG3, Housing.
55. Condition 16 of the outline permission states that "Not more than 500 dwellings shall be constructed on the site unless otherwise agreed by the Local Planning Authority". This equates to approximately 24 dwellings to the hectare. The reason for condition 16 is "To ensure an appropriate balance is achieved between scale of development and the provision of essential services, infrastructure and the Longstanton Bypass". In his January 2002 report, the Local Plan Inspector recommended that Longstanton be downgraded from a Rural Growth Village to a Group Village in view of its relative poor level of sustainability. The District Council incorporated this change in its adopted Local Plan (Policy SE4).
56. The proposed density of 19 dwellings to the hectare on Phase 3A would satisfactorily implement condition 16 of the outline planning permission when viewed within the context of the overall scheme for 500 and would comply with Policies SE4 and Longstanton 1 of the Local Plan.
57. Reserved Matters on Phase 1 have been approved at 29.3d/h, Phase 2 at 24d/h (153 scheme) and 30.75d/h (196 scheme). A residue of some 256 (213 if the 196 Phase 2 scheme is implemented) dwellings is available on 11.5 hectares in Phase 3 at a density of 22.3 d/h (18.5 d/h). Although this density of 19 is lower, it is only part of Phase 3 and is, in my opinion, realistic having regard to the Development Brief which, envisages greater areas of lower density in the form of 'village lanes' and 'hamlets' in Phase 3, whilst still incorporating some higher density areas of 'village streets'.
58. Having regard to the outline planning permission Condition 16 and the adopted Development Brief's illustrative Master Plan, it is, in my view, appropriate for the density of the whole of Phase 3 to be lower than the approved density of Phases 1 and 2.
59. Clearly the approved Structure Plan Policy P5/3 and PPG3 advice would support a higher density than that proposed in this application. However the circumstances which led to the imposition of condition 16 on the outline planning permission have not materially changed. The applicants have the option of reviewing numbers on the whole site by other means. That will be the opportunity to consider the costs and benefits of any additional dwellings in terms of transport, education, open space and affordable housing obligations, together with impact upon infrastructure capacities. That application would also need to be considered in the context of Development Plan Policies (see above) or those appertaining at the time of determination of the application.
60. As a Reserved Matters application, I consider the density is acceptable on this particular part of the site, having regard to its location at the northern edge of the allocation and the character of the surrounding area.

Design and Layout

61. The adopted Development Brief sets out a series of design principles to ensure the new development is appropriate in terms of scale and style. An assessment of the design and layout proposals of the scheme is being carried out for this Council by an experienced Design Architect. The findings will be reported verbally at the meeting.

62. The assessment, will be discussed with the applicants once produced. At the time of preparing this report I am hopeful that many of the comments will be addressed, either through amended drawings or by conditions.

Landscaping

63. The landscaping has been considered through the original Outline consent by virtue of conditions requiring a scheme to be submitted. I am awaiting comments from the Landscape Design Officer but I anticipate that the proposed layout will accommodate space for appropriate landscaping of the site particularly considering the strong belt of structural landscaping already controlled to the north shown outside of the red edged site.

Revisions

64. In a meeting with the developers and the Design Architect held on 17th May 2006 various issues were raised in relation to the design of the scheme as well as points of clarification and revision concerning points raised through the consultation process. These include:

- (a) Revisions to the hard landscaped area in the south western area of the site where it links through to the future Phase 3B. It is felt that this needs to have a more enclosed feel to the street scene with better definition of streetscape to reflect the approach contained within the design brief of character zones – perhaps more terracing and linking of buildings together with a general tightening of the street to form a more strongly continuous street scene. This area would benefit from a higher density appearance which could extend somewhat to the north and then give way to the larger houses on the northern end and their open lower density character. These in turn could be improved by creating more green space within and around the dwellings. There is generally too much hard surfacing within the scheme.
- (b) Greater variation could be achieved through setting back some of the garage plots, varying the door canopy detail and varying the hard surface materials.
- (c) Ecology report to be submitted to address the concerns of the Ecology Officer by outlining the ecology objectives for the scheme.
- (d) Ecology officer will provide an approach for the treatment of Fishponds Lane and the areas that link through to the site.
- (e) The 2½ storey dwelling on Plot 76 (referred to as overlooking Striplands Farm) can be replaced with a 2 storey property to improve its relationship with that dwelling and also lessen the impact of the dwelling on the High Street edge of the development.
- (f) Plot 4 will be revised to incorporate a front garden giving a more satisfactory visual impact on the street scene
- (g) The developers will produce a footpath strategy that will resolve various footpath issues within the site.
- (h) The small LAP area is to be revised to better relate to the street scene.
- (i) Introducing more projecting gables (particularly Plot 46)

- (j) More traditional window detail avoiding modern windows in traditional design.
 - (k) Explore the possibility of two or three 'feature' plots of more contemporary design.
 - (l) Plot 5 to be re-orientated to overcome overlooking problems with The Retreat and possibly to take it further away from the pond. This will also provide additional security by improving surveillance of the area to the south west.
 - (m) The refuse collection vehicle access will be addressed.
 - (n) The links onto Fishponds Lane will be widened to address ecology concerns.
65. Members will be updated with regard to progress in addressing the above at the meeting.

Highway safety

66. The comments of the Local Highways Authority are noted. The necessary traffic calming measures can be controlled through conditions requiring such works to be completed prior to development commencing.
67. The developers have agreed to produce a more detailed layout of the internal access ways and shared surface areas for consideration by the Local Highways Authority in particular in relation to dimensioned turning heads and more detailed dimensioned plans. Amended plans showing the details requested by the LHA are awaited.

Drainage

68. Conditions attached to the outline permission state that no development shall commence until a phased scheme of foul and surface water drainage has been approved by the Local Planning Authority and constructed. Discussions between the applicants and the relevant parties (Environment Agency, Council's Drainage Manager, Middle Level Commissioners and the Longstanton Residents for Dry Homes Group) have concluded in the agreement of a surface water drainage strategy. This strategy does not impact upon the layout of this reserved matters application but is to be taken forward by virtue of the application referred to in Paragraph 14 above.
69. Although the capacity does not yet exist in the foul water drainage system to cater for development in excess of some 100 dwellings, condition 23 of the outline planning permission precludes development being occupied until the necessary improvements to the infrastructure have been completed. These comprise an upgrade to the existing pumping station, which will then pump all the sewage to Utton Drove Sewerage Treatment Works via a new rising main.
70. All necessary conditions are already imposed on the outline planning permission. No further drainage-related conditions are necessary or appropriate at this reserved matters stage. Therefore, there is no reason to withhold approval of reserved matters on this ground alone.

Other Matters

71. A condition of the outline planning permission requires the provision of fire hydrants.

Recommendation

72. I shall report progress on the submission of amended drawings but I anticipate being in a position to recommend delegated approval of details of siting, design and means of access for the erection of 87 dwellings and ancillary works subject to a condition requiring provision of off-site traffic calming measures and the revisions to design and layout and subject to further consultations and appropriate safeguarding conditions. If the application is not satisfactorily amended, I would recommend refusal.

Background Papers:

- Reserved Matters Application File Ref S/0625/06/RM and application files referred to in the 'History' section of this report.
- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- Development Brief for Home Farm, Longstanton 1998

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee6th September 2006**AUTHOR/S:** Executive Director / Head of Development Services

**S/1415/06/F - MELBOURN
House, Land Adjacent 6 Portway for Mr and Mrs Read****Recommendation: Approval****Date for Determination: 11th September 2006****Site and Proposal**

1. Portway is a cul-de-sac on northeastern edge of the Melbourn village framework that is characterised by pairs of ex-local authority semi-detached properties many of which have generous gardens to the side. Abutting the southwestern boundary of Portway there is the newer and more densely planned residential estate of Armingford Crescent. The once spacious and uniform character of Portway has been altered by the extension of various dwellings in the cul-de-sac.
2. The full planning application, received on the 20th July 2006, proposes to erect a detached three-bedroom dwellinghouse on land adjacent to number 6 Portway. The proposed dwellinghouse will have two parallel parking spaces at the front of the plot and have a hipped roof incorporating a two-storey gable end extending to the rear. A minimum gap of 1m will be kept between the dwelling and the side boundaries of the site and the external materials are to be agreed subject to consent being granted. The proposed dwelling equates to a density of approximately 33 dwellings per hectare.

Planning History

3. On June 7th of this year Members voted to approve an outline application for a dwelling adjacent to number 8 Portway, in line with the officer recommendation **(S/0669/06/O)**. A previous outline application for a dwelling at the aforementioned site was refused by the LPA in 2000 **(S/0648/00/O)** and later dismissed at appeal.
4. In between the two applications above an appeal was upheld for an outline application for a dwelling adjacent number 4 Portway **(S/1484/05/O)**. This appeal decision has subsequently become a material planning consideration in the determination of applications for dwellings in Portway. Another application **S/2127/05/F** was also recently approved for the conversion of a significant extension to the side of 21 Portway into a separate dwelling.
5. An outline application submitted in 2005 **(S/2425/05/F)** for a dwelling adjacent 6 Portway was withdrawn earlier this year in favour of the submission of this full application.

Planning Policy

Cambridgeshire and Peterborough Structure Plan 2003

6. **Policy P1/3** states that a high quality of design will be required for all new developments and promotes more compact forms of development through higher densities.
7. **Policy P5/3** requires Local Authorities to increase the density of new housing developments in order to maximise efficiency in the use of sites.

South Cambridgeshire Local Plan 2004

8. **Policy SE5 'Rural Growth Villages'** sets out the requirements for new dwellings in rural growth village frameworks considering issues of impact upon character and amenities of the locality.
9. **Policy SE8 'Village Frameworks'** sets out the requirement for new dwellings to be located within village frameworks.
10. **Policy HG10 'Housing Mix and Design'** sets out the requirements for residential developments to make the best use of sites in addition to being informed by the wider character and context of the surrounding area.

Consultation

11. **Melbourn Parish Council** – Recommends that the application be refused for the reasons previously stated, narrow road, no footpath, increase in vehicular usage if permission granted and safety concerns for children.
12. **Chief Environmental Health Officer** – Has no objection, though recommends that any consent granted be conditional to limit the impact upon neighbour amenity through the hours of operation of power operated machinery.

Representations

13. None received, though it is recognised that the period for representations still had several days to run before the deadline of this report.

Planning Comments – Key Issues

14. Although previously resisted by the Local Planning Authority the principle for further dwellings adjacent to the existing properties in Portway has been considered acceptable in terms of the impact upon the character of the area. Moreover given the greater densities of the adjacent residential area and recent planning decisions in favour of other developments in Portway the principle behind this latest application can no longer be considered unacceptable.

Design

15. The character of Portway is presently defined by the pairs of hipped roofed semi-detached properties that line either side of the public highway. The terracing of these semi-detached properties is an option and has been permitted at number 21, though the visual impact of the additional bulk of development on the street scene does little to maintain the open feel of the area. It is therefore considered that in cases where

there is sufficient land to accommodate a detached dwelling, without harm to neighbour amenity or the character of the area, then detached properties are the best way to accommodate further dwellings.

16. Given the fact that there will be a distance of over two metres between the proposed dwelling and number 6, and the fact that the south-eastern neighbour has a single storey extension adjacent the plot, the proposal still allows for a good degree of visual separation between the new dwelling and the two adjacent properties. The gable end to the rear of the proposed dwelling is a unique feature in Portway, though is not considered to be unacceptable on design grounds, and is considered appropriate as it retains a hipped roof, in keeping with the other properties in Portway.

Neighbour Amenity and Highway Issues

17. In terms of the impact upon neighbour amenity the fact that the new dwelling will respect the existing building line means that its physical bulk will not have an unacceptable impact on either neighbouring property by virtue of being unduly overbearing. The rear windows in the first floor of the development will face those of properties in Armingford Crescent, and the vegetation along the rear boundary of the site is less substantial than that of the neighbouring properties. However, given the distance between the windows of the proposed property and those of number 12 Armingford Crescent (in excess of 20 metres) any loss of neighbour amenity is considered acceptable, and the repositioning of the proposed dwelling to increase the distance between the two properties would be unreasonable.
18. During the determination of the two previous applications approved by the Local Planning Authority the issue of whether Portway could accommodate additional dwellings was raised by the Parish Council. The view of the Local Highway Authority has consistently been that Portway, although lacking pavements, is acceptable to accommodate the additional vehicular movements created by an increase in the density of the cul-de-sac and the highway is sufficiently wide to accommodate vehicles and pedestrians. At no point in the history of planning refusals in Portway has highway safety been considered an issue either by the Local Planning Authority or the Independent Inspectorate
19. Taking into account the concerns of the Parish Council about the suitability of Portway to accommodate additional dwellings and the recent planning history relating to the area I see no reason why the Local Planning Authority should not support this application.

Recommendation

15. Approval – Subject to the following conditions -
 1. Standard Condition A – Time limited permission (Reason A);
 2. Sc5a – Details of materials for external walls and roofs (Rc5a);
 3. Sc51 – Landscaping (Rc51);
 4. Sc52 – Implementation of landscaping (Rc52);
 5. Sc60 – Details of boundary treatment (Rc60);
 6. The parking areas shown at the front of the new dwelling, hereby approved, and number 6 Portway shall be provided before the new dwelling is occupied and thereafter retained exclusively for the parking of vehicles. (Rc In order to provided and retain sufficient space within the site for the off road parking of vehicles.

7. Sc5f – Details of materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas (Reason – To minimise disturbance to adjoining residents);
8. Restriction of hours of use of power operated machinery;
(Reason - To minimise noise disturbance to adjoining residents.)

Informatives

Two informatives from the letter of the Chief Environmental Health Officer of the 7th August 2006.

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P1/3** (Sustainable design in built development) and **P5/3** (Density);
 - **South Cambridgeshire Local Plan 2004: SE2** (Development in Rural Growth Settlements), **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:
 - Highway safety and increased vehicular movements.

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/1415/06/F; S/0669/06/F; S/2425/05/F; S/2127/05/F, S/1484/05/O; and S/0648/00/O

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**REPORT TO:** Planning Committee6th September 2006**AUTHOR/S:** Executive Director / Head of Planning Services**S/0032/06/F – LANDBEACH, MILTON AND WATERBEACH**

Change of Use of Land to Create a Multi-Sport Park, Construction of Lakes with Water Storage, Canal, New and Changed Roads, Cycling and BMX Tracks, Bridges (3), Engineering Operations, Embankments and Landscaping and Outline Permission to Construct a Sports Centre, Boathouse, Finish Line Towers (2), Warden Accommodation (2) and Amenity Blocks (3) at Land Between Milton & Waterbeach In the Parishes of Milton, Landbeach & Waterbeach for Cambridge Sport Lakes Trust

Recommendation: Delegated Approval**Date for Determination: 11th April 2006 (Major)****Conservation Area**

Members will visit the site on Monday 4th September 2006.

Site and Proposal

1. The site is located between Milton Country Park to the south and the village of Waterbeach to the north, about 3 miles north of Cambridge, and close to the A14. The site is a narrow triangle joined to the River Cam at the south end and running north easterly, widening towards Waterbeach. The site runs parallel and adjacent to the Cambridge/Ely railway line on the south east side, and is about a field's depth away from the A10 trunk road on the northwest side.
2. The Eastern end is bounded by the Car Dyke, which is a Scheduled Ancient Monument. The site falls partly within the Baits Bite Lock Conservation Area, in particular the southernmost end, where the proposed canal links to the River Cam. The site is generally low-lying, flat and open. It is dissected by several man-made drainage channels including Award Drains 288, 291 and 393. There are a few hedgerows, trees and tree belts within the site. The current land uses are agricultural. The total area of the application site is 95.1 Ha (235 Acres), although the site area has been amended to include a small area of Fen Road, Milton to provide a safe approach to the railway crossing from the proposed bridge.
3. The application is submitted in part full, part outline and proposes:

Full planning permission for use of the land for the development of:

- a) two connected lakes for rowing, canoeing, kayaking and associated sports;
- b) a storage lake designed to assure water quality which can also be stocked for angling;
- c) a canal to link the lakes to the River Cam,

- d) BMX, cycling and triathlon tracks,
 - e) a sports centre,
 - f) a country park,
 - g) three bridges,
 - h) associated engineering operations, embankments and landscaping,
 - i) new and changed roads.
4. The embankments are designed to provide the essential windbreak for the rowing lakes as well as opportunities for other activities such as walking and jogging. Allowances have been made for appropriately designed external areas to cater for the identified sports.

Outline planning permission for:

- a) construction of a sports centre,
 - b) a boathouse,
 - c) two finish line towers,
 - d) two dwellings to provide for warden accommodation,
 - e) and three amenity blocks.
5. The application has been amended to withdraw all the concept drawings for the aqueduct, railway culvert, Cam Towpath bridge, start bridge, a typical cross section and the Fen Road bridge. It is intended, following discussions with the Environment Agency, that details for all these structures would be developed as a consequence of the stage 2 Flood Risk Assessment.
6. The application is accompanied by a Planning Statement, Environmental Impact Assessment and draft Section 106 agreement.

Planning History

7. **S/0810/92/F** for change of use of land to rowing lake and country park was withdrawn, as it had been superseded by the application below. It had been resolved at Committee in August 2002 that the principle of a rowing lake was accepted however a number of issues needed to be resolved.
8. **S/0917/93/F** for change of use of land to rowing lake and country park, construction of new and changed roads, a canal, bridges, embankment and boathouse including wardens accommodation (2 residential units) was refused in 2005 on grounds that a Section 106 had not been signed and the Environmental Impact Assessment had become out of date in the intervening period.

Planning Policy

9. **Policy P1/2 – Environmental Restrictions on Development** of the Cambridgeshire and Peterborough Structure Plan 2003 (The Structure Plan) restricts development which is likely to adversely affect amongst others, Scheduled Ancient Monuments and flood plains. It also restricts development in the countryside unless the proposals can be demonstrated to be essential in a particular rural location; where there is an unacceptable risk to the quality of ground or surface water; where the best and most versatile agricultural land would be significantly affected; to prevent sterilisation of workable mineral deposits; where there could be damage, destruction or loss to areas that should be retained for their biodiversity, historic, archaeological, architectural, and recreational value.

10. **Policy P1/3 – Sustainable Design in Built Development** of the Structure Plan requires a high standard of design and sustainability for all new development which minimises the need to travel and reduces car dependency and provides a sense of place which amongst others responds to the local character of the built environment; is integrated with adjoining landscapes; creates distinctive skylines, focal points, and landmarks; includes attractive green spaces and corridors for recreation and biodiversity; conserves important environmental assets of the site; and makes efficient use of energy and resources.
11. **Policy P4/1 – Tourism, Recreation and Leisure Strategy** of the Structure Plan states that new or improved tourism, recreation and leisure development should, amongst others, maintain or increase employment opportunities; meet the needs of local communities as well as visitors; be accessible by a choice of sustainable transport modes; protect or improve the local environment, landscape and residential amenity.
12. **Policy P4/2 – Informal Recreation in the Countryside** of the Structure Plan requires Local Plans and major new developments adjoining the countryside to include proposals for informal leisure and recreation, including country parks and routes for walkers, cyclists and horse riders. Such proposals should be accessible to the main centres of population and reached by a choice of means of transport. Provision will form part of a network of safe routes in the countryside and will be suitable for use by people with disabilities.
13. **Policy P4/4 – Water-Based Recreation** of the Structure Plan encourages the development of appropriate strategies for the enhancement of the recreation and the tourism potential of the River Cam where there is sufficient environmental capacity.
14. **Policy RT1 - Recreation and Tourism Development** of the South Cambridgeshire Local Plan 2004 (Local Plan) sets out the requirements for proposals to develop recreational facilities including the need for such facilities and the benefits which might accrue. It states that proposals will be resisted that would:
 - a. result in the irreversible loss of the best and most versatile agricultural land (grades 1, 2 and 3a);
 - b. not be in close proximity to and not be well related with an established settlement and its built-up area;
 - c. result in buildings and other structures not directly related to the proposed use;
 - d. by reason of its scale, form, design and materials of the proposal, together with any associated development such as clubhouses, pavilions, and other buildings and structures would create an intrusive feature in the landscape or surrounding area;
 - e. result in the loss of ecological, wildlife and archaeological interests;
 - f. generate significant motorised traffic movements;
 - g. have inadequate provision for parking and manoeuvring of cars and service vehicles to the District Council's standards;
 - h. not provide appropriate provision for screening and to minimise the visual intrusion into neighbouring development and the countryside;
 - i. not undertake adequate measures for the screened storage and safe disposal of refuse.
15. **Policy RT13 – The River Cam** of the Local Plan sets out the issues for development of the River Cam. It is now slightly out of date, as the 2002 application was subsequently refused (see paragraph 7 above). Paragraph 9.38 of the supporting text states:

The River Cam is a major recreation resource and has a variety of users. There is a very real danger of overuse and management is therefore important. The River Cam is navigable from its junction with the Ely Ouse at the “Fish and Duck” to Jesus Lock at Jesus Green in Cambridge. Boats may progress further upstream towards the Mill Pond at Silver Street with permission, but restricted to winter months. Extensive use of the river is made by rowers from both the university colleges and a number of rowing clubs in the City. The District Council has approved plans for a new purpose built 2,000m rowing lake between Milton and Waterbeach. The legal agreement concerning this development has not yet been signed. If the development proceeds, pressure from rowing on the River Cam may be eased.

16. **Policy P6/1 – Development Related Provision** of the Structure Plan and **Policy CS1 – Planning Obligations** of the Local Plan permit development only where the additional infrastructure and community requirements generated by the proposals can be secured, which may be by condition, legal agreement or undertaking.
17. **Policy P6/3 – Flood Defence** of the Structure Plan and **Policy CS5 – Flood Protection** of the Local Plan will not allow development in areas where flood protection is required unless flood defence measures and design features are included that give sufficient protection to ensure that an unacceptable risk is not incurred, both locally and elsewhere. The provision and maintenance of flood defences that are required because of the development will be funded by the developer. It is vital that appropriate arrangements are made for the adoption and long-term management of such defences.
18. **Policy P6/4 – Drainage** of the Structure Plan requires all new development to avoid exacerbating flood risk locally and elsewhere by utilising water retention areas and other appropriate forms of Sustainable Drainage Systems (SuDS) for the disposal of surface water run-off. SuDS may include such methods as swales, soakage lagoons, reed beds, retention ponds, filter strips, infiltration and permeable paving. In designing SuDS, agreement must be reached between the Environment Agency, Local Planning Authorities, Anglian Water, relevant Internal Drainage Board and the developer regarding the adoption and maintenance of such systems. Where appropriate, developers will be expected to make financial provision towards the long-term maintenance of the system through a Section 106 agreement.
19. **Policy P7/2 – Biodiversity** of the Structure Plan seeks new developments that conserve and enhance the biodiversity value of the areas which they affect. Landscape features of major importance to wild fauna and flora will be retained, managed and enhanced. Where damage is unavoidable agreements will be sought to re-create features on or off-site. This is reiterated in **Policy EN12 – Nature Conservation: Unidentified Sites** of the Local Plan.
20. **Policy P7/4 – Landscape** of the Structure Plan and **Policy EN1 – Landscape Character Areas** of the Local Plan state that development must relate sensitively to the local environment and contribute to the sense of place, identity and diversity of the distinct landscape character areas. In paragraph 7.14 of the supporting text it adds:
21. Where development is intrinsically unsuited to the character of a particular area it should be resisted. Proposals for prominent structures will only be permitted if they are essential in the countryside and if the location, siting and design minimise adverse impact on the environment. Special attention needs to be paid to:

1. the need to integrate proposals with existing landscape features to conserve and enhance local character;
 2. the scale of the development, its siting, design and the materials and colours used, which must be in sympathy with the surroundings.
22. **Policy EN2 – The River Valleys** of the Local Plan states that development which has an adverse effect upon the wildlife, landscape and the countryside character of the River Valleys of South Cambridgeshire' will not be permitted.
23. **Policy EN3 - Landscaping and Design Standards For New Development in the Countryside** of the Local Plan 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.
24. **Policy EN5 – The Landscaping of New Development** of the Local Plan requires trees, hedges and woodland and other natural features to be retained wherever possible in proposals for new development. Landscaping schemes will be required to accompany applications for development where it is appropriate to the character of the development, its landscape setting and the biodiversity of the locality. Conditions will be imposed on planning permissions to ensure the implementation of these schemes
25. **Policy P7/6 – Historic Built Environment** of the Structure Plan requires Local Planning Authorities to protect and enhance the quality and distinctiveness of the historic built environment.
26. **Policy EN4 – Historic Landscapes** of the Local Plan restricts development that 'would adversely affect or lead to the loss of important areas and features of the historic landscape whether or not they are statutorily designated. The supporting text lists Car Dyke in its examples.
27. **Policy EN15 – Development Affecting Ancient Monuments or Other Archaeological Sites** of the Local Plan seeks to protect, preserve and enhance known and suspected sites and features of archaeological importance and their settings by requiring, where possible, assessment and retention in situ of remains, or if not possible, a programme of excavation and recording remains prior to the commencement of development by a suitably qualified individual.
28. **Policies EN30 and EN31 - Development in Conservation Areas** of the Local Plan set out standards of design, materials and landscaping f developments in Conservation Areas. Proposals will be expected to preserve or enhance the special character and appearance of Conservation Areas.
29. **Policy P8/1 – Sustainable Development - Links between Land Use and Transport** of the Structure Plan requires new development that:
- a. is located in areas that are, or can be made, highly accessible to public transport, cycle and on foot;
 - b. is designed to reduce the need to travel, particularly by car;
 - c. provides opportunities for travel choice;
 - d. provides for the needs of pedestrians, cyclists and public transport users;
 - e. provides appropriate access from the highway network that does not compromise safety.

30. **Policy P8/2 – Implementing Sustainable Transport for New Development** of the Structure Plan and supported by **Policy TP1 – Planning for More Sustainable Travel** of the Local Plan require new development to make provision for integrated and improved transport infrastructure to increase the ability to move by cycle, public transport and on foot. Travel Plans are required to accompany new non-residential developments as a means of reducing car dependency and promoting alternative modes of travel.
31. **Policy P8/8 – Encouraging Walking and Cycling** of the Structure Plan states: ‘The capacity, quality and safety of walking and cycling networks will be increased to promote their use, minimise motorised travel and to realise health improvements. All new development must provide safe and convenient pedestrian and cycle environments including adequate cycle parking, and contribute towards the wider encouragement of cycling and walking’.
32. **Policy TP5 – People With Disabilities and Limited Mobility** of the Local Plan requires suitable provision to be made in new developments for the safe and convenient access for people with limited mobility or those with other impairments such as of sight or hearing.
33. **Policy P9/2a – Green Belt** of the Structure Plan and **Policy GB2 – General Principles** (Green Belt) of the Local Plan set out the extent and purposes of the Cambridge Green Belt. These policies establish development types that are acceptable within the Green Belt, including changes of use and developments that are required for agriculture and forestry, outdoor sport, cemeteries, or other uses appropriate to a rural area.
34. **Policy GB5 – Recreational Role of The Green Belt** of the Local Plan states that the Council will not support proposals for outdoor sport and outdoor recreation in the Green Belt which require substantial buildings, car parks, floodlights or which frequently attract large numbers of participants or spectators or which would result in the loss of the best and most versatile grades of agricultural land.
35. **Policy GB6 – Access to the Countryside - Footpaths, Bridleways and Cycleways** of the Local Plan states that the Council will, in partnership with the County Council, will investigate the opportunities to improve and maintain access to the countryside through the maintenance of existing rights of way and the provision of new footpaths, bridleways and cycleways, including circular routes.

Consultations

36. **Horningsea Parish Council** – no response received.
37. **Landbeach Parish Council** – makes no recommendation but comments:
 - a) The Parish Council has no objection in principle to the Multi-Sport Park, but is concerned that the increased traffic movements created by this development would have traffic implications on the A10 that already has to cope with substantially more traffic than the road was designed for.
 - b) Our other concern would be the Slap-Up junction on the A10, this is already an accident black spot. If the park is approved we would like to see incorporated in the plans an initiative to improve the junction, as the extra traffic that will be generated by the park will only lead to further accidents at this point as the

current junction is not planned well enough to take additional movements.
This is an issue which Highways should look to address.

38. **Milton Parish Council** – Recommend that the application be refused. It raises a number of specific concerns, summarised below:
- a) As the scheme will have a major impact upon Milton and Waterbeach queries whether a Public Inquiry should be held.
 - b) Traffic management at the A10/Car Dyke Road.
 - c) There is a need for speed restrictions for the full length of Car Dyke Road.
 - d) Improved pedestrian and cycle access from the site to Waterbeach Station is required.
 - e) Some free parking will be required on site in order to prevent car parking on the road.
 - f) Details required for access to the drove road near the bridge as it is not clear whether there is any access.
 - g) It is concerned about parking at, access for and services to the crossing keeper's cottage and the lock cottages and it notes the observations & objections in a letter dated 28 June 1993 sent to SCDC by the resident of the crossing keeper's cottage.
 - h) It is concerned about different levels between Fen Road and the drove. The bridge is 1.5m above the existing road level which is close to what will be the water level in the Training Lake under the bridge. As the headroom is only 1.5m and if the towpath continues under the bridge it would need to be sunk down below water level in order for people to walk along it.
 - i) The road will apparently slope at 1:20 (max) on the approach to the bridge, so 30m of road approaching the bridge will form a slope:
 - 1. This should be shown in the red line area (this has now been amended to show this).
 - 2. The access to the last field on the left before the lake must be maintained. It is concerned about the level of slope from the road into the field.
 - 3. Either another 30m length of the Drove Road should possibly be within the red line area, or a parallel flat access to the field and the Drove Road needs to be within the red line area. (This will also mean altering drainage ditches and channels under the road.)
 - 4. Access to the land opposite will be affected.
 - 5. Paragraph 9.7.1 of the Environmental Statement says that there will be pedestrian access from Fen Road to the site. A very informal and not publicised pedestrian entrance in Fen Road for residents of Milton should be provided - to prevent car parking on Fen Road (in the same way that parking for the Country Park is provided at the official car park while Milton residents use other entrances to access the park).
 - j) It is concerned as to how the construction traffic will access the cut between the railway and the river without using Fen Road.
 - k) Noise levels must be kept to a minimum early & late in the day.
 - l) Work should be restricted to half day on Saturdays and none on Sundays / Bank Holidays.
 - m) A detailed construction plan is required so that we can be reassured that no construction traffic uses Fen Road. Large articulated lorries using Fen Road is a scenario that we cannot even contemplate. A condition should be imposed that "no construction traffic should use Fen Road."
 - n) Consideration should be given for a local archaeology display to be incorporated in the development. (A condition of the "golf club" permission allowed for part of a Heritage Centre).

- o) It wishes to see a detailed drainage plan. Landowners and farmers in the village need to know how the drainage will work.
- p) Milton currently enjoys drainage under gravity to the river. It trusts that proposals are being put forward to ensure that this is maintained.
- q) Under this scheme it wishes to know whether the watercourses which are intercepted will be able to drain under gravity to the river via the perimeter drain
 - a. in normal conditions
 - b. in 1 year in 100 flood conditions
 - c. in 1 year in 100 + climate change conditions.
- r) It is concerned that the informal, natural underground drainage could be impeded by the lake's clay basin.
- s) If the scheme for drainage relies on the Pump House being operational it is concerned as to the management arrangements to ensure that it remains operational at all times in the future. It needs assurance that the CSL will manage the drainage of the village.
- t) There must be a sluice gate at the railway culvert;
- u) Vehicle access to the Award Drain for maintenance between the aqueduct and the railway.
- v) A stand by / back up for pumps in event of a power failure, seepage; and run off from the lake after heavy rainfall. The main flash flood water from Milton is intercepted by this project. The climate is changing. During the last heavy rains (4.5" two years ago) Milton's drainage struggled to cope then.
- w) Queries the capacities of the perimeter drains.
- x) If the gradients of banks are greater than 1 : 3 we are concerned that there may be a slip as has happened on more than one occasion at the A10/A14 interchange embankments.
- y) There appear to be numerous drainage problems yet to be resolved.
- z) Planning Officers should ensure that Planning policies are not breached.
- aa) Conservation Officers should consider any conservation area problems.
- bb) It wants the trees along the drove road near the new bridge to be maintained.
- cc) Requires clarification on the opening days and that the maximum 65 days closure for events includes the 50 days for management exclusions.
- dd) A condition should be imposed requiring that no power boats will be used on the water.
- ee) A condition should be imposed requiring that the BMX track will be for push bikes only.
- ff) There should be some control over and protection from noise levels from the site at all times.
- gg) The Cambridge Sport Lakes Trust should have to submit a business plan to demonstrate that they can maintain the park as envisaged and not merely for the foreseeable future.
- hh) It is unhappy that the consultation committee has no power - Sections 3(a) and 3(c) of the third schedule define the maximum number of days when the park can be closed to the public. The scope of the consultation committee defined in the second schedule implies that the Owners can vary the rights of public access by consulting with the committee [second schedule, section 2(a)(iv)]. However, the agreement gives the consultation committee no veto whatsoever. The owners, therefore, can override sections 3 (a) and 3(c) of the third schedule simply by consulting with the committee but can choose to ignore the committee if it disagrees with them. It would like reassurance that the consultative committee is set up to ensure its views are not overturned.
- ii) It requires reassurance that certain conditions are attached to the land purchase.
- jj) The 6th Draft of the Section 106 is much stronger than the 10th and it prefers the statements in the 6th Draft concerning:
- kk) Guarantee to Complete or Reinstate

- ll) Management and
- mm) Public access.
- nn) The Environment Statement Volume 4 Annex E 1.10 Badger - there are two badger setts -1 active - within 30 metres of the site.

39. **Waterbeach Parish Council** – In principle the Council is in favour of the concept of the facility of a multi-sport park however after careful consideration it was agreed that this application should be refused as the access to the site from Car Dyke Road is unacceptable. The Council are of the opinion that there will be considerable nuisance and disruption to the village and its residents particularly on event days. Furthermore the Council already have reservations about the safety of the A10/Car Dyke Road junction and consider that an increase in traffic will exacerbate the situation. The Council believe that it would be preferable for the vehicular access to be off the A10 into the middle of the site thus causing less congestion in the village of Waterbeach and at the junction of Car Dyke Road and the A10. In the event that this application is granted planning permission the Council would want to see:
1. some works to improve the Car Dyke Road/A10 junction
 2. no left turn from the village into the site off Car Dyke Road
 3. no right turn out of the site onto Car Dyke Road towards the village
 4. a footpath/cycleway on the south side of Car Dyke Road from the site entrance to the A10
40. **East Cambridgeshire District Council** – has raised the following concerns:
- a) Traffic impact upon the A10.
 - b) The cycle track, BMX circuit, amenity block and accommodation would be better located nearer to concentrations of population in order to be sustainable.
 - c) There does not appear to be extensive public transport to the site, and the cycle link to Cambridge has not been clearly identified.
 - d) The impact upon the open rural landscape could be extensive, and would need to be the subject of a full landscape impact assessment with the proper consideration of mitigation measures and whether or not these can in fact be effective.
 - e) The development merges Milton and Waterbeach, potentially contrary to the preservation and development of individual settlements.
 - f) Is there a demonstrable need for the development, both in general recreational strategy and / or in terms of this particular location?
 - g) Is there a clear functional justification for the accommodation on site?
41. **Cambridge City Council** – Comments:
- a) This is an exciting proposal which we strongly support.
 - b) The River Cam suffers from congestion and this proposal would relieve this pressure.
 - c) It meets a recognised need for additional facilities for rowing in the sub-region and is supported in the Draft Major Sports Facilities Strategy for the Cambridge Sub-Region.
 - d) It would also improve the range and quality of recreational opportunities in close proximity to Cambridge, and help meet the needs of this major growth area.
42. **National Federation of Anglers** – no comment received.
43. **Cambridge Fish Preservation and Angling Society** – no comment received.

44. **National Federation of Anglers** – no comment received.
45. **British Cycling** – no comment received.
46. **British Triathlon** – Support the proposals commenting that the facility will provide an outstanding venue for Triathlon competition and training from grass roots to international level. The Lakes will make Triathlon much more accessible to those in the Cambridge Area – especially children, for whom safe places to cycle and compete are particularly difficult to find.
47. **British Canoe Union** – Support the proposals which will cover all classes of both canoeing and kayaking including Olympic disciplines. There are only three sites in England and Wales at present and one in Scotland that are capable of holding training and events over 1 and 2 kilometre distances. As a result, there is little water time available and more is sorely needed.
48. **Drainage Manager** – comments:

This is a very substantial development that impacts on a number of award drains in the immediate vicinity and upstream including locations in the Cambridge City Council area. The following is relevant:

a. *Legal*

The Section 106 must contain clauses that will indemnify the Council against possible claims for negligence as a result of inadequate maintenance by the owners within the development area.

b. *Access and maintenance*

The developer must ensure that the Council's 5-metre access strip is available at all times both during the construction phase and in the future so that maintenance may take place along the award drains affected by the development. The Stage 2 FRA must show access routes to all award drains with a clear indication on drawings giving dimensions of any obstructions including trees, shrubs and other planting, fences, buildings or any other impediments to access. The location of all bridges or culverts must also be included so that the permanent access routes are clearly defined.

c. *Proposed siphon on award number 291*

This is a vital aspect of the entire development and failure to demonstrate that the proposed siphon is suitable will mean the scheme is unworkable. The Stage 2 FRA is expected to provide details of the siphon at the junction of award 291 and the Canal. This proposal represents a major obstruction along the award drain and is likely to require substantial maintenance over and above the present level. Additionally, the Council is concerned to ensure that the proposed siphon will not cause upstream flooding along the award and the developer will be expected to demonstrate this to the Environmental Agency. It will be necessary for the Council's Land Drainage Advisory Group to consider all aspects of the proposed siphon and advise the Environmental Health Portfolio Holder on its acceptability, future maintenance requirements and any other drainage related issues.

I have had some discussions with the Environment Agency regarding the proposed siphon and its future maintenance. As the watercourse is awarded to the Council, it seems that the Agency is reluctant to carry out the checking on the hydraulic design of the siphon in order to ensure it will not impact on the

award drain. The Environment Agency will expect the Council to ensure that the proposed siphon will operate in line with parameters as set out by the Council - e.g. for flood events of a certain return period, the acceptable degree of increase in upstream water level, flood protection works upstream etc. Up to now, this is something that was always advised by the Environment Agency - as statutory consultee. However, the Agency view now is that if aspects of the design prove faulty, then the Agency may be held liable for approving faulty design concepts.

The two proposals put forward at the last meeting with the developers represented hydraulic solutions that were likely to be problematic. The Agency's advice at the time was that the preferred solution would involve the siphon and the developer's consultants felt this could be justified. On that basis it would seem reasonable to allow the developers to produce a design solution that would be hydraulically acceptable. However, if the Environment Agency is not prepared to approve the design, the Council will need to appoint consultants to advise on the proposals.

In order to produce a suitable design, it will be necessary to carry out computer modelling on the existing system. It will then be necessary to check this model with the siphon included. The Agency have advised that this is a time consuming and expensive process and the final design may involve off-site improvement works upstream or downstream of the siphon.

d. *Maintenance and commuted sums for future expenditure*

It will be necessary for the developer to pay a suitable commuted sum of money to cover all future expenses that will be incurred by the Council on the award drains as a result of the development. This figure shall be written into the S 106 agreement following negotiation and agreement with the developer.

e. *Structures*

All new structures associated with the development shall be the responsibility of the developer/owner of the site and must be maintained in a sound and reasonable condition at all times in the future. These shall include all access ways, bridges, culverts and the proposed siphon at award No. 291.

49. **Cultural Services Manager** – Supports the proposals, commenting:

- a) It is an ambitious project but will cater for all ages and abilities and will provide great community benefit within the sub region.
- b) The Draft Major Sports Facilities Strategy is now in its final stages and identifies a multi-lane rowing facility for training, sports development activities and events as a priority and is needed.
- c) Rowing has a strong history in the area and in recent years interest in rowing has extended and the Olympics has raised its profile
- d) The Cambridge Sports Lakes Trust has a very well established and successful sports development programme in South Cambridgeshire.
- e) Sport England and the Government are currently pushing for more active lifestyles and also the added value that multi-sports venues offer.
- f) This venue is important not just for elite athletes but also for informal recreation and physical activity.
- g) Other similar facilities (e.g. Holme Pierpoint Water Sports Centre in Nottingham) is often full of families, older people and young children enjoying an active walk around the perimeter of the lake that is clean and dry under foot in winter and offers a safe environment for family walking and cycling activities. This linked to a

cafe facility provides an excellent afternoon out for families and would greatly enhance current opportunities in and around Cambridge.

- h) The Council along with Cambridgeshire County Council is signed up to the Local Area Agreement target of increasing physical activity of the population by 1% per year. This provision will help achieve this target.
 - i) The links to Milton Country Park offer great potential for combined management and economy of scale with the potential for jointly funded ranger services and close working between the Council and the Trust.
 - j) She emphasises the importance of public rights of way linking up and ensuring that existing rights of way are not badly affected by the proposal. Cycling is very popular in Cambridge and safety for recreational cycling and also competitive activities is of great importance. The velodrome will provide an invaluable, low cost and easily maintained and managed facility for cycling. This, added to the BMX facility, offers real added value to the community as well as for existing clubs and groups.
 - k) The facilities will be of particular interest to young people and offer great opportunities to attract more young people into sport. The sports of cycling and rowing are both likely to attract medals in the next Olympics in China. With the 2012 Olympics approaching the sports of cycling and rowing are expected to enjoy even greater interest and success rates within the UK and the provision of new and purpose built facilities in South Cambridgeshire will help ensure that potential local elite participants are properly provided for.
 - l) The proposed earth grandstand is illustrated at being approximately only 4m above ground level. This will help improve the facility in a number of ways:
 - m) It will help reduce side wind and therefore the potential for accidents on the lake. A number of years ago there was a fatal accident at Holme Pierpoint due to high winds and the orientation of the lake. The earth grandstand will help make the lake safer for users.
 - n) It will also offer a very valuable spectator grandstand where families can sit and enjoy the activities, picnic and support the competitors.
1. Notes concerns about traffic and access by residents of Waterbeach however, the facility will be used largely outside of "peak" traffic times such as weekends and evenings.
 2. Angling organisations need to be consulted as there is a need to ensure that the facility meets their requirements. There is an assumption that the income from Anglers will be substantial and help meet the operating costs.

50. **Landscape Design Officer** – Summary of comments:

- a) The general landscape character of the area is large, flat and open, this scheme would significantly change the character over a large area. If everything is to be up by 5m and all facilities are at least 7m up this will result in built forms and lighting being significantly higher and long distance views will be lost. How tall are all the proposed buildings?
- b) There is lack of detail in several areas which affect the landscaping for example:
 1. Extent of lighting both in the approach roads and within the site, will the cycling track have lighting e.g. for evening events.
 2. Surfacing of roads is not detailed i.e. will they all be tarmac?
 3. Clearer detail of car parking areas is required in order to avoid large expanses of tarmac in such a rural location. Cross sections and layout plans appear to give differing treatment.
 4. Cars appear to be being parked on some of the highest areas and presumably will require lighting in areas where they are proposing shrubs due to difficulty of planting establishment. Queries why the car parks could not be lower down and therefore better screened?

5. The management of planting and watering needs to be specified.
 6. Size of tree stock is not referred to and densities etc. will depend on this, some areas may require under storey planting.
 7. Concern is raised that evergreens proposed will dominate the skyline.
 8. It will be appropriate to establish some planting in ditches.
 9. Hedges should have the trees within them clearly marked from day one so that they are not cut in the early years, as it would be preferable to have standards rather than stooled trees.
 10. Queries how much of the vegetation on Car Dyke is to be lost to the visibility splays - looking at drawings this will be significant.
 11. Queries that all the trees adjacent to the training lake can be kept as indicated.
 12. There definitely should be a link to Milton Country Park and is the footpath link at the side of the golf course still being proposed?
 13. Questions the practicality of retaining the hedgerow along the access road.
 14. There is a need for the car park areas to be broken up
 15. There do not appear to be any details about the cycle track and BMX track, in particular levels. Are spectator areas to be banked etc.?
 16. Queries what is to be parkland or woodland and how much of each.
 17. In previous discussions there have been inferences that the planting could be significantly reduced if budgetary restraints required this – we need full and clarified details of the landscaping ideally prior to permission being granted rather than as condition.
 18. There are conflicting statements about the types of planting between the differing sections.
- c) If it is to be constructed in two phases and the spoil has to remain on site, how will much of, if any of the planting can be implemented in the early stages? It is unclear with the proposed phasing as to how much of the planting can be carried out early or at the end of phase one as it is likely that spoil from phase two will still need to be spread on site.
- d) The appropriateness of some of the species proposed is questioned. For example:
1. Woodland is an issue in terms of initial loss and as the type of tree planting proposed in some areas is not ideal from landscape or eco aspects- some replacement could be less than positive.
 2. Dense conifers are inappropriate.
 3. Gorse and Broom are not local species - they tend to be found more in heathland.
- e) The photo montage points selected do not realistically show the impact and other sites should be included:
- View 1 does not include view of churches
 - View 2 no mention of the longer views or the loss of the wider panoramic vistas. This indicates a total change - not necessarily better.
 - View 3 taken from a point where the intervening tree belt was average., several sections are very poor giving wider views. Also there does not appear to be any recognition of the poor state of many of these trees many of which have been pollarded or fallen in the last year.
 - Whilst summer views are of value winter ones should also be provided.
 - The applicants have not considered views from several key points e.g. Fen Road, the footpath cycle way further up towards Waterbeach, the caravan park, the Slap Up pub (as was).
- f) Concern about the height and massing of the mounding proposed. The site may currently have good drainage but even with new drains being created how are

they intending to retain the structure of the sub soils with all the earth movement and compaction that will occur. Will the increase in mounding to 10m high for substantial areas have an impact on the underground water levels and immediate vegetation off site. How big are and where are the settling basins? Some areas the slopes appear quite steep – practicality of establishment and what means of stabilization are being considered?

- g) Top soil must NOT be piled high as possible but stored in accordance with Good BS practice to ensure retention of structure.
- h) The loss of all existing features on the site, and the potential impact to adjoining ones:
 - 1. Habitats - vegetation that is to be lost, whilst this is of varying quality they provide linkages and are the only features currently on the site.
 - 2. How can they state that grassland impact is neutral if the majority of not all is being lost?
 - 3. Queries how are they going to ensure that it is the local species that are returned - will seed collection, cuttings and temporary transplanting be required
 - 4. Will archaeology restrict planting and if so details are required this now?

51. **Trees and Landscape Officer** – Is concerned that there is a lack of detail with regard to the extent of trees and hedgerows which will be removed. A detailed tree survey is required for further comment to be made.

52. **Ecology Officer** – Following an initial objection a revised ecology report was received. Preliminary comments on this are as follows, further comments as necessary will be reported verbally at Committee:

- a) This proposal has the potential to create a significant amount of new habitats to make a significant contribution towards county BAP targets. The second paragraph of the *Update on ecologist assessment and response to planning*, CSL 2006 states, “The proposed Cambridge Sports Lakes development provides an opportunity to significantly enhance the ecological importance of the region.” However, the submitted information fails to clarify how this will really be achieved as no figures for habitat creation are provided. Whilst I appreciate that the scheme is yet to be produced to the detailed design stage it should have been possible to provide indicative figures for expected hedgerow planting, standard trees, scrub, grassland, open water, new ditches.
- b) Summary of remaining areas of concern:
 - 1. Mitigation strategy against impact on known Badgers sett/s needs to be checked. Clarify if an artificial sett will need to be provided to compensate for the one that will be lost. A badger mitigation strategy could be requirement by condition if we are in agreement with the 2006 findings.
 - 2. Water vole distribution is reported as unchanged. The survey data from May 2006 should be provided in the update. It is stated that re-surveys will be undertaken prior to the start of construction, this is acceptable. It is also stated that the habitat creation measures are likely to occur 2 years in advance of the construction (this is good and a firm commitment to advance habitat creation works is needed along with details of the new ditch shapes and bankside seeding/planting. Indicative ditch cross sections should be provided. A commitment to advance creation of the new habitats at least 1 year prior to the destruction of the present watercourses. This could be conditioned as part of an agreed strategy for water voles).

3. There is concern that the survey of wintering birds has not been carried out, but it is appreciated that there is seasonal nature to the survey. The update acknowledges the survey's need and states that it will be undertaken if planning permission is obtained (thus it could be conditioned as part of the site's on-going monitoring work)
 4. Further mitigation could be proposed for Nightingale and Grass Hopper Warblers – it is felt that in the form of control on the timing of works in the area of sensitivity to avoid April to August needs to be confirmed. Also, the triathlon track could be moved a little away from the boundary to provide more space for screen planting. We should request more clarification on the proposed scrub planting near to the Car Dyke SAM, in particular, will it be allowed, is it on the valuable grassland? The landscape plans should be checked to see if habitat creation measures could be include grassland areas.
 5. Reptiles – the proposed approach is acceptable.
 6. Amphibian – the proposed approach is acceptable.
 7. It is accepted that on programme of on-going monitoring will be required. However, it is also important to formally agree the post-project monitoring for a 10 year period in order to report on the biodiversity successes of the scheme. Could this be included in a Section 106?
 8. The provision of various nest boxes and bat boxes is welcomed. Further details should be sought through condition.
 9. The provision of otter holt(s) has not been taken forward and should be.
 10. The retention of large standing deadwood (i.e. the re-erection of cut oak tree trunks) should be undertaken to compensate for the loss of large standing deadwood. This could be undertaken in a quiet area where the public will be excluded (so as to reduce the risk of falling timber). Furthermore, the placement of felled scrub in selected areas will provide short to medium term nest sites and mitigate for some of the scrub loss.
 11. A commitment must be secured to achieve monitoring of the site's biodiversity not just through the construction phase but for 10 years following the project's completion (this could incorporate the wintering bird surveys and continuing walk over surveys for protected species).
 12. The creation of new grassland is welcomed, but an enforceable management commitment is required in order to ensure that an ecologically valuable habitat is created and maintained for at least 10 years.
 13. Habitat creation – little suitable habitat is provided that will be suitable for skylarks, perhaps off-site habitat works could address this such as on the CCC land near to Waterbeach Station car park. No commitment is given to the provision of otter holts. No commitment is given to retaining deadwood habitats through the use of the cut oak trees or removed scrub. The amount of habitat creation has not been clarified within the 2006 Update. Concern still remains that this area of undisturbed farmland is significantly changing and that little actual provision for biodiversity in proportion with the scale of the development is being provided.
 14. Policy context - PPS 9 seeks habitat enhancement and restoration, EN13 seeks to protect protected species, EN12 seeks to protect unidentified nature conservation, EN5 – biodiversity in landscape schemes, P7/2 – biodiversity conservation and enhancement).
 15. Not all of the points of previous concern have been satisfactorily addressed following the Update 2006.
53. **Conservation Officer** –comments to be reported verbally.
54. **Cambridgeshire County Council Archaeology** – Comments:

- a) Car Dyke Scheduled Ancient Monument should be afforded protection by fencing during the construction process - in areas where a new bus shelter and road works are to take place and also along the Access road into the site. English Heritage should be consulted further on this issue.
- b) It confirmed that it accepts the revised project design for the combined mitigation scheme and investigation and protection for the extensive archaeological landscape known to be within the site area.

55. **English Heritage** – does not object subject to the following comments:

- a) The excavation of the proposed large Sport Lakes is likely to lower the water table in the adjacent Roman canal known as the Car Dyke, which is a scheduled ancient monument of national importance (Cambs no.3). A small evaluation excavation in 1993 revealed the presence of waterlogged fills which were apparently Roman, and which have great potential for environmental remains. It is important to mitigate the impact of the Sport Lakes construction so that there is minimum impact to the level and characteristics of the groundwater level in the infilled Car Dyke. There is a presumption, expressed in PPG16 on Archaeology and Planning, that scheduled ancient monuments should be physically preserved. Our position is that we do not object to the proposal provided that a mitigation scheme regarding the Car Dyke is put in place, as set out in the Environmental Statement.
- b) The mitigation scheme set out in section 5.2.7 of Volume 5 of the Environmental Statement should be implemented in full. English Heritage should be consulted on each stage of the scheme, in order to ensure that the waterlogged deposits in the scheduled Car Dyke are safeguarded.
- c) It would also like to be consulted if the method statement describing the construction of the clay seal around the perimeter of the proposed water features is amended, so as to be able to advise the applicant on how to avoid inadvertent damage to scheduled waterlogged deposits.
- d) It recommends that appropriate conditions regarding the dewatering mitigation scheme are attached to any planning consent.

On receipt of the matrix it further comments:

- a) Page 8, first comment from Cambridgeshire County Council - Archaeology. Because of English Heritage's statutory role in advising on the management of scheduled ancient monuments such as the Car Dyke, I suggest the following addition after "Authority" in the seventh line of the suggested condition: ", following consultation with English Heritage".
- b) We have no comments on the proposed amendment regarding the red line extension (Fen Road).

56. **The Wildlife Trust** – objects, commenting:

- a) The proposed development is being strongly marketed as a great enhancement for biodiversity; it is our opinion that the biodiversity enhancements the scheme is offering are greatly over-stated, and the plan is out of keeping with the local landscape.
- b) Of the total site area just under half will become open water, the plan makes a point of stressing the great value of these new water bodies for wildlife. The rowing lakes, because of their intended use have completely uniform linear edges not sympathetic to the surrounding landscape, nor wildlife. Because of the need to maintain completely clear channels for rowing, the new lakes will have limited

biodiversity value. There will be no aquatic vegetation in the main rowing lakes, and limited marginal vegetation in the storage lake. The proposed annual flushing of the rowing lakes with water from the storage lake, will also limit the development of wildlife in the storage lake. Therefore overall the lakes are likely to have questionable value for wildlife.

- c) Despite this proposed annual flushing, the water in the lakes may still quickly become nutrient enriched with the likelihood of nuisance eutrophic weed growth. In such a scenario how would this nuisance be controlled; would chemical management be required? If so there are potential pollution concerns over discharge of chemicals into the River Cam.
- d) The development will result in loss of existing ditch habitat for water voles, the plan does make provision for the creation of new habitat (the new ditch extending around the perimeter of the development), however, the landscaping design suggests to us that this new ditch is unlikely to be particularly suitable for water vole use.
- e) A hedgerow is planned for one side of the ditch, and cantering track and trees will be planted very close (within 5m) on the other side. There is a need for open bank aspects to allow water vole food plants to grow. We would recommend a wider margin on either side of the ditch to create a more desirable vole habitat; this will allow diverse marginal and bank side vegetation to establish and reduce the chances of the banks scrubbing up with woody vegetation. We would like to know what construction profile is planned for the ditches and what materials will be used.
- f) We also have concerns over the proposed translocation of water voles from the existing ditches that will be destroyed in the construction of the lakes. The Environmental Statement makes no mention of translocation methods that would be used, nor gives details of a suitable receptor site for the removed animals. We suggest a more thorough water vole survey of the site is required to ascertain water vole numbers; this information is crucial for any translocation plan. There also needs to be a plan for monitoring the results of any vole translocation.
- g) The development will result in significant loss of mature scattered trees together with some hedgerows considered to be of importance under the Hedgerow Regulations. This loss is particularly pertinent in the Cambridgeshire landscape where such features are currently in short supply. The plans for replacement planting includes a significant proportion of exotic tree species; this includes coniferous waterside planting to act as a wind break with limited leaf fall. A significant proportion of the tree types and planting density are chosen to have the most effect in reducing the influence of the wind and are not chosen for their biodiversity value or naturalness in the local landscape. The Focal Specimen clusters of trees (mainly exotic species) are not considered appropriate for the site; we suggest these should instead be native local species such as Oak, Ash, and Willow species.
- h) The plans for grassland areas on the site comprise of unimaginative grass seed mixes which are to be used throughout the site. The emphasis is on non-native hardy grass species (that can take visitor/spectator wear and tear; this also applies to newly created woodland areas). Whilst we appreciate the need for hardier swards for spectator and formal recreation areas, we believe it is important that some provision should be made for creating areas of wildflower species rich grassland. In addition, rides in the newly created woodland could instead be created using an appropriate woodland seed mix that would encourage a more varied and interesting mix of flora. Such simple measures would assist the establishment of wildlife, and make for a more attractive site for visitors to enjoy.
- i) The project's aim to increase opportunities for informal recreation for local people is a commendable one; this is indeed very important for Cambridgeshire which

has limited open countryside for such recreational use.

The plan vaguely mentions the possibility of a potential link with Milton Country Park. We believe this should be a key component in the scheme, and would like to see some concrete suggestions for how this link will be created.

- j) As the plan currently stands we consider the biodiversity proposals for such a large development to be wholly inadequate, and overall believe the scheme would make a very questionable contribution to the local BAP. We therefore object to the planning application.
- k) We believe there is a good opportunity to greatly improve the quality of the environmental contribution of the scheme, by creating a link between the planned development and fields to the north-east of the development site (on the east side of the railway line, an area known as Waterbeach Meadows). Linking this area into the scheme would allow the opportunity to create a true green corridor for northern Cambridge, creating a natural link between Waterbeach and Milton. The meadows have the potential for habitat creation and would offer an accessible green space for the nearby community. It would also provide another point of access into the newly created "Country Park", and by linking up with the River Cam tow path would form an attractive "green" circular walk linking Waterbeach, Milton Country Park and Milton itself. Incorporating these meadows into the scheme, therefore, has the potential to greatly enhance the biodiversity value of the overall project, and improve access and recreation opportunities for local people, producing a "Country Park" of real benefit.

57. **Network Rail** – no comment received.

58. **GO- East** – no comment received.

59. **Anglian Water Services** – Require a condition that details of foul and surface water drainage be submitted to and approved by the Local Planning Authority prior to works commencing on site.

60. **The Ramblers Association** – comments:

- a) The project will occupy a large area of countryside which lies within the Cambridge Green Belt, but to which there is currently very little public access. To this extent, any additional access to the site will be of advantage to walkers, riders and cyclists. However there will also be environmental damage and loss of amenity due to parking, traffic flow on the A10, noise, appearance of buildings in an otherwise open landscape, and particularly increased cycle traffic on the popular Fen Rivers Way footpath along the River Cam towpath. There is also potential detriment to the neighbouring village of Horningsea, itself a conservation area (see Environmental Statement, Para. 2.4). We would expect to see considerable improvements in public access to the site, in compensation for such collateral losses, as well as in recognition that public money is likely to be expended on the development, from which the wider public ought thus to benefit.
- b) Accordingly we are encouraged to note (Environmental Statement: Executive Summary) that "Pedestrian & cycle access to the site for the public would be improved with new paths that link Waterbeach to Milton & Cambridge". However such access must be on public rights of way, in order to be effective. We would not wish to see a scheme resembling some other "recreational" facilities, such as the fishing lakes by Marsh Lane near St. Ives, where only local people have access, and the general public are left to walk along a busy road with no footway.
- c) (see Planning Statement, para. 2.2.4) Policy RT4 seeks to extend the network of routes for recreational walkers including circular walks. See also SCLP Section 9.16 "Changes to the path network", and Environmental Statement Para. 2.8

which states that "The Structure Plan encourages developing strategies for enhancing informal countryside recreation". Details of the proposed internal pathways are not readily apparent from the tiny plans with the application, but provided that these pathways are freely available to people at all times, and adequate connections are made with the external path network, the scheme will serve both Policy RT4 and the Structure Plan objective reasonably well.

- d) (see Environmental Statement, Para. 2.3.8) "The impact upon existing public rights of way should be examined, both during construction and operational phases, and mitigation measures identified," We support this statement.
- e) Links would be needed with Milton Country Park (which is itself readily accessible from Milton village) and also with Waterbeach village, and with the River Cam towpath especially through the new Cow Hollow Wood at Waterbeach. They should be public rights of way. The Design Statement, Scheme Context, Para. 4.7.1 refers to "Designated footways for walkers, bird watchers et al.", to be provided around the sides of all the lakes. These interconnect within the park and at the south end connect to the Cam towpath and Milton Country Park. At the north, they connect with Waterbeach. Again, all such links should be public rights of way. (cf. Environmental Statement, Para. 2.3.8- "Potential new linkages to Cambridge City Centre and Milton County Park should be explored and proposals for provision, maintenance and management of public access in the new Country Park should be identified" (See also Design Statement - Scheme Context, Para. 4.4.1 "A network of walking and cycling paths with a connection to the Milton Country Park".) We support these statements - subject to para. 3 below regarding public access.
- f) Free entrance: the Planning Statement, para. 1.4.3 refers to a "regional facility open to the general public"; see also Environmental Statement, Para. 1.1.2 "100 acres of wooded parkland & 10 miles of bank habitat for the public to enjoy". The value of this will be small unless it is freely available. If any charge is made, inevitably it becomes high because of the cost of collection, with the result that it may be hardly used except by "one-off visitors from outside the area - as has happened for example with the Cambridge University Botanic Garden which is rarely used by ordinary local people outside the winter period when it is free on weekdays.
- g) Separation of routes for walkers, riders and cyclists: again, there is insufficient detail in the application to show whether any kind of segregated routes are to be considered. Experience with shared routes on Cambridge City's commons, and particularly along the Cam towpath, shows that walkers, cyclists and horse riders just do not mix well. We would regard the provision of separate routes for walking and riding as an important asset in the proposal - see for example SCCP Section 9.15 "The aim is to balance and reconcile these recreational interests and environmental interests through appropriate management measures."
- h) In the Planning Statement, Para. 2.2.1 refers to CPSP 2003 Section 4.2 on walking and cycling, but there is very little mention of walking in the present document. Further, in the Design Statement - Scheme Context, Para. 4.4.1, walking is at the bottom of the list of recreations. We are also disappointed to note that the Ramblers' Association was not included in the consultation during preparation of this application. Several aspects of the Environmental Statement Volume 6 - Transport Assessment are relevant:
 - i) Chapter 4 is mainly concerned with access to the site, rather than movements within it. There is no explicit recognition that people may wish to visit the site just to walk within or through it - despite the fact that its environmental advantages and attractions are much trumpeted.
 - j) Chapter 5, Para. 5. 1 "Pedestrian & Cycle Provision" refers to access to the site via the Fen Rivers Way (which is legally of footpath status only), through a connection to Milton Country Park, and via Car Dyke Road in Waterbeach, part of

which lacks a footway. Proposals to designate the Cam towpath as part of an extension to National Cycle Route 11 are a cause of considerable concern to the Ramblers' Association.

- k) Chapter 7 "Sustainability and Accessibility Appraisal" recognises that access to the site from remote locations is likely to be principally by road or by cycling routes, because of the distances involved. Pedestrian access is likely to be largely from Waterbeach Station, from which improved walking and cycling provision will be needed.
- l) Much of the thought and comment made here results from the long experience and commitment of our footpath secretaries, and we hope you find our comments helpful.

61. **Countryside Agency** – no comment.

62. **English Nature** – objects to the current proposals, as inadequate detail has been provided. It has not been demonstrated that there will be no construction and operational impacts upon the biodiversity in the River Cam, or that any potential effects would be avoided or satisfactorily mitigated. It also has concerns that the applicant has provided insufficient information regarding mitigation for protected species, and enhancement measures for ecological benefit. A summary of the concerns it raised initially are:

- a) Hydrological impacts of the proposals, including effects of water being discharged from the lakes into the river system, in terms of water quality and flows.
- b) Full mitigation measures should be set out for birds, water voles, reptiles and amphibians, and monitoring of other species over time.
- c) The potential to provide nature conservation enhancements should be clearly distinguished from measures to mitigate or compensate for harm to nature conservation interests.

63. **Environment Agency** – Confirms that it is in broad agreement with the conditions recommended by CSL and subject to agreeing the precise wording of these and securing a Section 106 agreement. Whilst the original conditions put forward in its letter dated 17th October 2005 still stand (see below), it is of the opinion that the two further conditions put forward in the CSL letter of 28th July 2006 to deal with design, construction and operation of the penstocks, telemetry system, perimeter drains, culverts and any other hydraulic structures do need to be reworded for reasons of clarity. This would benefit all parties in so much that the conditions would be clear and not encompass too many parameters which may be difficult to discharge.

- a) The issues of Ownership, Maintenance, Review of System and Replacement and Commuted Sums still need to be addressed within a revised Section 106 agreement. Unless it is satisfied that these matters are fully covered at the eventual planning determination stage, it will object to this proposal to ensure that third party, and Environment Agency, interests in terms of flood risk and land drainage are fully protected.
- b) It sets out the recommended additional conditions (below). It must be noted that the Stage 2 Flood Risk Assessment, and all technical information submitted in respect of the development, must take account of current government guidance and legislation in respect of flood risk and land drainage etc:
 - 1. Prior to the commencement of any development, a scheme for the provision and implementation for the Operational Strategy of the Telemetry System shall be submitted to 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.

2. Prior to the commencement of any development, the Stage 2 Flood Risk Assessment shall set out the proposed operation of the Penstocks and Pumping Systems associated with perimeter drains. The agreed operation shall be in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme.
3. Prior to the commencement of any development, a scheme for the provision and implementation of the Penstock Telemetry System shall be submitted to, and agreed in writing with the Local Authority. The scheme shall include a Detailed Contingency Plan to provide for the eventuality of electro-mechanical failure. 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.
4. Prior to the commencement of any development, a scheme for the provision and implementation of the Railway Culvert and Award Drain Siphon shall be submitted to, and agreed in writing with the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme.
5. Prior to the commencement of any development, the Stage 2 Flood Risk Assessment shall include a full Topographical Survey (to ODN) of both Existing and Proposed Ground Contours. The development shall be completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme.
6. Prior to the commencement of any development, The Stage 2 Flood Risk Assessment shall include Full Details and Calculations of the Railway Culvert and Award Drain Siphon. The development shall be completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme.
7. Prior to the commencement of any development, the Stage 2 Flood Risk Assessment shall include Full Details for Site Evacuation in the eventuality of flood. The development shall be completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme.
8. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed.
9. No development approved by this permission shall be commenced until a scheme for the maintenance of surface water drainage system, including pump systems has been submitted to and approved in writing by the Local Planning Authority. The satisfactory maintenance scheme shall be carried out in accordance with the details and timetable agreed.
10. No development approved by this permission shall be commenced until a stage 2 Flood Risk Assessment is submitted and approved in writing by the Local Planning Authority. The assessment shall include that recommended within Stage 1 Flood Risk Assessment (August 2005).
11. Development approved by this permission shall be constructed in accordance with full details approved in satisfactory Stage 1 and Stage 2 Flood Risk Assessments.
12. Before commencement of the development a satisfactory flood contingency plan must be submitted and approved in writing by the Local Planning Authority in accordance with the Stage 2 Flood Risk Assessment and held on

site for use at all times.

- c) In response to the matrix and letter submitted by CSL letter dated 2 August 2006:
1. It accepts that the drawings of bridges and engineering structures are now no longer part of the planning application and such works shall be subject to approval by us by way of planning conditions and written consent required under our own legislation, the Water Resources Act 1991 and Land Drainage Act 1991 and our Byelaws. These consents are required irrespective of any planning approval or approval from Cam Conservators. Works which commence without our prior written consent will be subject to enforcement action.
 2. Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Agency is required for any proposed works or structures in, under, over or within 9.00 metres of the top of the bank of the main river (Cam).
 3. Any culverting or works affecting the flow of a watercourse requires the prior written Consent of the Environment Agency under the terms of the Land Drainage Act 1991/Water Resources Act 1991. The Environment Agency seeks to avoid culverting, and its Consent for such works will not normally be granted except as a means of access. The granting of planning approval must not be taken to imply that consent has been given in respect of the above.
- d) The responsibilities and duties of the Environment Agency, River Cam Conservators and the SCDC Drainage Engineer overlap in terms of legislation and responsibilities. It recommends that all parties be included within the matrix 'Consu'tee' column, and be consulted simultaneously where/when such matter arise. The above paragraphs, under the heading CSL Consultee Matrix, should be noted and included within the matrix.
- e) It comments further to a meeting on JulyJuly 2006 that it was not of the opinion that SCDC gave any indication that flood risk and drainage could be adequately dealt with by S106 and Conditions. It understood that SCDC merely suggested that this meeting was a way forward, and that further work was needed to ensure that flood risk and drainage were dealt with in s106 and conditions. The minutes should be amended accordingly.
- f) It is concerned that the inclusion of the Penstocks may have resulted in the impounded lake structure falling within the legislative scope of The Reservoirs Act 1975. It is advised that CSL investigate this issue fully.
- g) The above comments are based upon the application as currently being considered for committee, which includes the penstocks. If it is subsequently found approval under the Reservoirs Act is required, or the penstocks are removed, a further review of the application would be necessary.
64. **Arts Development Officer** – There is huge scope for integration of public art to enhance the design, sustainability, environmental awareness and interpretation of the scheme. The Council has a public arts policy under which this development falls. The Council would welcome sight of a public art plan, possibly including a sculpture trail, as part of the development.
65. **Legal Officer** – no comment at this stage.

66. **DEFRA** – no comment.

67. **County Development, Minerals and Waste Group** – comments:

- a) SCDC must satisfy yourselves that the highway infrastructure and amenity aspects of any importation of material during construction are acceptable and recommend that a condition be imposed that requires the applicant to demonstrate that all imported materials used in the construction of the site are free from contamination and suitable for the purpose, the reasons being; In order to demonstrate that any waste materials used in the construction of the restoration scheme do not cause harm to the environment, human health or other amenities, in accordance with the Cambridgeshire and Peterborough Waste Local Plan (2003) Policy WLP9 and WLP15.
- b) From Figure 3.9 of the ES it appears that there is a net deficit of suitable material required for site restoration.
- c) Any proposal to remove the mineral resource from the site would require a separate planning permission from the Mineral Planning Authority and would have to be pursued as a Departure from the aggregates development plan.
- d) Given the lack of detail with the ES we recommend that the applicant provides full details and assessed environmental impacts including a plan, indicating the position of any mineral processing equipment and stockpiles, for further consideration.
- e) Given the variation in estimates of potential mineral reserves we suggest that the applicant submits the borehole results and supporting information, including a plan highlighting the borehole locations, as referred to in Section 3.9.2 of the ES, or our further consideration.
- f) You may wish to seek clarification on these matters from the developer as a mineral washing and grading plant can involve a range of significant impacts.
- g) re: ES Section 3.9.3 - I am however very concerned that this statement is aveated by the phrase "*without the prior permission of the Local Planning Authority*". This appears to indicate that a more sustainable utilisation of the mineral resource off-site could be an option.
- h) The site is not a preferred sand and gravel quarry as identified in policy CALP3 and links with policy CALP4 which states "Planning permission will not normally be forthcoming for sand and gravel proposals outside the preferred areas as identified in CALP3 and the proposals map".
- i) The impacts to the highway network and local amenity associated with additional heavy commercial vehicles exporting minerals have not been assessed within the context of this proposal. In accordance with CALP5, CALP6 & CALP14.
- j) We recommend that the applicant be required to demonstrate that, in accordance with the Environmental Impact Assessment Regulations (1999), the applicant is required to demonstrate that they have considered the export/alternative uses of virgin aggregates as an alternative scheme to their use as restoration fill.

68. **Sport England** – comments regarding strategic need:

- a) There are several documents that refer to the strategic need for additional rowing facilities in the Cambridge area:
 - 1. Rowing Facilities Strategy (1999-2005) (Amateur Rowing Association). This document confirms the importance of rowing in the East of England, with the region supplying 13% of all members and 33 "open" clubs, figures bettered only by the Thames Region. In terms of facility provision, sites at Bedford and Cambridge were specifically identified to meet regional training and competition requirements. The Strategy defines the facility requirements as "up to 2000m long, but 15000m would be practical if this is all that can be

achieved for physical or economic reasons, width should be not less than 60m".

2. East of England Plan (Draft December 2004). The draft regional spatial strategy sets out policies for the provision of regional cultural facilities. The supporting text to Policy C4 "Sporting Facilities" makes reference to the need for additional rowing facilities in Bedford and Cambridge.
3. Sports Facility Strategy for the Cambridge Sub-Region (Draft February 2006). This study, commissioned by Cambridgeshire Horizons, is currently in draft form only, but makes reference to the ARA Regional Plan, which identifies the Bedford Rowing Lake and Cambridge Sports Lakes as priorities for facility development and support. However, it also acknowledges that other projects exist within the sub-region, notably the "CamToo" proposed on the River Cam in Cambridge. The study also makes the link between the need for new sports facilities within the sub-region and the projected population growth, which will further increase demand for strategic facilities.

The above documents indicate that there is a long-standing desire and need to provide additional rowing facilities within the East of England generally, with Cambridge being one of the preferred locations for such a facility, along with Bedford. This need reflects the popularity and profile of the sport within the region and the relative inadequacies of existing facilities.

- b) With regard to the other sports that will benefit from these facilities, these are secondary to the principal aim of providing new rowing facilities, though have the potential to deliver strategic facilities for these respective sports. For example, the national facilities strategy for Canoeing (1999-2004) identifies a need for a regional performance centre and development centres for sprint racing.
- c) Further discussions may be necessary between the applicants and the relevant governing bodies for triathlon and cycling to ascertain the status of the proposed facilities within the national/regional hierarchy of facilities for those sports, though I note the general letters of support from the British Triathlon Association (dated 22 September 2003), British Canoe Union (dated 5 December 2005) and British Cycling (dated 17 October 2005). I also note the letter of support from the East of England Development Agency (EEDA) dated 9 November 2005, and would reiterate the points made in that letter regarding the potential for this project to support the London Olympics in 2012.
- d) In terms of maximising benefit to sport it comments that Sport England seeks to ensure that planning applications maximise benefits to sport, and a major scheme such as the Cambridge Sports Lakes can help to deliver government objectives to raise participation in sport and physical activity through the following:
 1. The creation of a genuine multi-sport environment that encourages an inclusive approach to participation.
 2. Adoption of a community use agreement that maximises the benefit to sport in terms of making provision for community access to the facilities.
 3. Design and technical standards - ensuring that primary and ancillary facilities meet adopted national and sport-specific technical standards.

With regard to the above, Sport England supports the general principle of developing a multi-sport facility that will serve not only "elite" users, but people new to sport and those seeking to improve and develop their skills within a structured environment. Obviously, many of the facilities proposed in this project have a close relationship to each other, with a primary focus around water sports.

- e) With regard to community access, Sport England supports the provisions of the draft Section 106 planning obligation, which seeks to ensure that the public has full access to the lakes and adjoining country park for purposes of informal recreation.
- f) Sport England would recommend that the s106 agreement could be widened to include provision for a community use programme aimed at introducing groups

under-represented in sport¹ to use the formal sports facilities in accordance with a programme to be agreed in writing by the applicants and planning authority, and managed/monitored by the forum identified in Para 2(b) of the second schedule of the draft s106 obligation.

- g) We have already met with the applicants to discuss this element of the scheme and, if planning permission is forthcoming, look forward to developing a strategy to maximise access for such target groups who are under-represented in sport.
- h) With regard to the design and technical aspects of the proposals, these have been developed over a period of many years with the close involvement of sports governing bodies.
- i) In general terms, Sport England is supportive of this proposal, which would appear to meet an identified strategic/sub-regional need for additional rowing facilities in the Cambridge area.
- j) We also support the aim of encouraging informal recreation and public access to the site, through the draft s106 obligation, as it is important that the site and facilities are seen as genuinely accessible to all members of the community.
- k) We would hope that any planning permission granted would secure a wide-ranging community use/access programme, which secures the use of the facilities for under-represented groups, as this could help the government objective of increasing participation in sport and physical activity amongst the general population.
- l) Please note that these comments relate to the planning merits of this application and do not imply support for any subsequent application for funding from Sport England funding streams.

69. **County Rural Services** – no comments received.

70. **Health and Safety Executive (HM Railway Inspectorate)** – comments:

- a) This development should not cause any blocks or traffic queues etc. to form over any vehicular level crossings.
- b) Private level crossings should be closed permanently, as the change of use negates any current legal agreement between landowners and railway'
- c) All public footpath level crossings should be closed or alternative routes provided.

71. **Conservators of the River Cam** – comment:

- a) The Conservators have no objection to the proposed Sports Lakes, per se; but will require the developers to enter into the necessary formal agreement in accordance with their statutes prior to doing any work on/to the banks of the river. In addition, a full specification of the bridge will need to be approved by engineers appointed by the Conservators. The agreement will have to provide for periodic inspection and maintenance of the bridge to standards appropriate from time to time, with an appropriate form of bank guarantee or indemnity, to ensure the ongoing safety and convenience of those using the Halingway (towpath) so that no expense falls on the Conservators.
- b) It would be helpful if a condition should be applied to the application requiring the applicant to obtain the formal approval of the Conservators before commencing work on the river bank. Indeed, almost certainly, the Environment Agency will require similar safeguards being entered into so far as they are concerned to ensure the integrity of the river.

72. **Cambridgeshire Local Access Forum** – Overall it welcomes the proposals, which will provide a significant increase in the area of land accessible for quiet enjoyment and physical activities close to Cambridge. The overall benefits outweigh concerns it

has about the details of access provision, however the following points require clarification prior to determination:

- a) Access is proposed on a permissive basis only. At least one dedicated statutory public right of way available to walkers, cyclists and horseriders through the site from Waterbeach to Milton should be provided. It is disappointed that SCDC has not pursued this, as it was in the Environmental Statement's Scoping Opinion. It should also be secured through a Section 106 agreement.
- b) Clarification of what the access link to Milton Country Park is actually to be including along which routes, whether cycle or pedestrian and the legal status of designated routes i.e. not just 'potential' links.
- c) Clarification of precise areas to be made available for cycling and walking. The draft section 106 refers to access being limited to 'the country park and around the lakes' and also 'the multi-sport park and lake surrounds'. A plan is required of zones of access and this must form part of a section 106 in order to provide clarity.
- d) Conditions being placed on the availability of access for cycling and walking require clarification. The draft section 106 stated this will be for at least 300 days a year. Will this exclusion apply to all or only specific parts of the site? It also refers to additional exclusions for up to 50 days a year – are these geographically different and will they be on the same days as the 65 days of exclusion?
- e) It reminds SCDC of its statutory obligation to have regard to its advice when carrying out its functions.

73. **Police Architectural Liaison Officer** – comments awaited and will be reported verbally.

74. **Cambridgeshire Fire and Rescue Service** – Comments:

- a) Additional water supplies for fire fighting are not required.
- b) Access and facilities for the Fire Service should be provided in accordance with the Building Regulations Approved Document B5, Section 17.

75. **Local Highways Authority** – Initially commented:

- a) Traffic Impact Assessment - A10 / Car Dyke Road T Junction Impact on highway capacity and journey times needs to be assessed for an average day, an event utilising 750 car parking spaces, and a special event.
- b) A safety scheme must be submitted to the County Council as Highway Authority to support this application. A Travel Plan framework for special events needs to be agreed with the County Council. Access issues should be brought together in an access management plan.
- c) A Permissive Path Agreement needs to be submitted by the Trust and agreed by the County Council, forming part of a trilateral S106 Agreement.
- d) An emergency access strategy (being worked up) should be conditioned as part of the planning application.
- e) Construction traffic needs to be understood, and any significant impacts mitigated where possible. S106 to include a routing agreement for construction traffic
- f) Site Access: Detailed design of the junction needs to go through Stage 2 safety audit. Enforcement should be through a planning condition.

76. Following subsequent negotiations with the applicants it has concluded that the transport assessment is insufficiently detailed submitted and therefore it has not been possible for the County Council to come to a formal view on the impacts of the development. An interim response has been provided and is intended to highlight the

additional information that the County Council requires. This has been forwarded to the applicants and covers:

- a) An assessment of the impacts of an event that utilises the 750 space car park on highway safety, junction capacity and journey times.
 - b) An accident remediation scheme for the A10/Car Dyke Road is submitted by the Cambridge Sport Lakes Trust and approved by the District Council in consultation with the County Council. Enforced through a planning condition.
 - c) A detailed junction design for the site access is submitted by Cambridge Sports Lakes Trust and approved by the District Council in consultation with the County Council. This design needs to go through Stage 2 safety audit. Enforcement should be through a planning condition.
77. In addition to the above it has listed a number of points that also need to be addressed but could be, if necessary conditioned or covered in a Section 106:
- a) A travel plan framework for all events of greater than 50 vehicles is submitted by Cambridge Sport Lakes Trust and approved by Cambridgeshire County Council. This travel plan framework must be written into a trilateral S106 agreement.
 - b) The type of measures required will be related in scale to the travel demand of the event. A main strand of the framework will be the use of off-site car parking for national and international events working in conjunction with shuttle buses.
 - c) A detailed scheme for public rights of way is submitted by Cambridge Sports Lakes Trust and approved by Cambridgeshire County Council. This access management plan needs to be written into a trilateral S106 agreement.
 - d) Discussions have already taken place between the Trust and the County Council with regard to public access to the site. This position needs clarification through the access management plan.
 - e) An emergency access strategy must be submitted by the Trust and approved by the District Council in consultation with the County Council before any development commences on site. This should be secured through a planning condition.
 - f) An assessment of the likely construction traffic volumes, their impacts and any mitigating measures, routeing agreements need to be submitted by the Trust and approved by the County Council before any works can commence on site. This must be secured through a tripartite Section 106 agreement.
78. **Chief Environmental Health Officer** – requires a full Environmental Noise Assessment in line with Mineral Planning Guidance 11. Details would need to include existing and predicted levels, hours and duration of work, effect on adjoining residences and mitigation work. In response to the matrix the following comments are added:
- a) Agrees that a condition is required to control noise but believes it is more pertinent to apply this to the construction period when the most noise would be produced from earthworks and construction vehicles operating on site.
 - b) PPS23 Annex 2 relates to land contamination issues and this should be conditioned by our standard condition.
 - c) However CSL's commitment to audit emissions of fugitive dust during the construction period is welcomed and it is suggested that this is conditioned to control dust during the construction period by the use of considerate construction practices - e.g. covered haul trucks, water dowsers for dampening down etc.

Representations

79. Councillor Richard Summerfield comments:

- a) He supports the Parish Council and there are many points which still are issues.
 - b) The major concern that we have locally is the inability of the applicants to provide a workable drainage scheme for the project. There is a huge amount of local knowledge about the local drains and the applicant and their advisers seem unwilling to use such knowledge. It is essential that construction is not allowed to start until an approved workable drainage scheme has been submitted and agreed by all. The Environment Agency's unwillingness to be part of this process is very disappointing.
 - c) We need to ensure that there is a Section 106 agreement in place that has been agreed by local members and the Parish Council. Although our recent meeting was helpful there is a long way to go!
 - d) In the Matrix there are answers relating to operating noise once the Lakes are open but the question of construction noise has not been addressed.
 - e) The final point I want to draw your attention to is the use of Fen Road Milton for construction traffic. We have always been assured that this would not happen and now it has been sprung on us as being needed.
80. Councillor Hazel Smith has queried the integrity or structural capacity of the clay that is to be used for the banks, and suggests that more technical data on this is required.
81. County Councillor Michael Williams has commented primarily on traffic matters. His full comments are attached at Appendix 1.
82. Six letters of objections have been received raising the following points:
- a) Queries planting mixes;
 - b) How will the pipe under the lake be cleared when silted?
 - c) Impact on Baits Bite Lock has not been addressed.
 - d) Inadequate cross sections to show the Cam, railway, height of banks at storage lakes, rowing lake and west side.
 - e) Poor pedestrian and cycle links to the Station.
 - f) Concern that debris will keep flaps open and allow water into the land west of the railway when the Cam is high.
 - g) The railway drain has only partially been cleared in forty years and does not work as a drain.
 - h) The existing drainage map only shows Awarded Drains.
 - i) Active badger setts will be impacted.
 - j) The piezometers on Penfold Farm have not been recorded for the last three years and some have never been used at all.
 - k) Query regarding where the Heritage Centre is to be located. Previously it was planned for the Golf Club.
 - l) Finds should be presented in the new buildings.
 - m) Impact upon Fen Road as a rural country lane.
 - n) Destruction of Fen edge landscape.
 - o) Safety of railway crossings.
 - p) Inadequate analysis of traffic on the Car Dyke Road and Horningsea-Clayhithe-Waterbeach Road.
 - q) Impact upon the Park and Ride if it is to be used by other users.
 - r) Impact of construction traffic on Fen Road, including its road surface.
 - s) Alternative locations should be considered.
 - t) Impact on the water table and knock-on impacts on neighbouring properties.
 - u) Access to Baits Bite Local via fen Road must be retained.
 - v) Additional congestion on Fen Road.
 - w) Inadequate car parking, increasing parking nearby.

- x) No benefit to local people.
 - y) Noise disturbance from spectators and users of the park.
 - z) Measures to segregate spectators and competitors must be included.
 - aa) Measures to segregate or relocate wildlife.
 - bb) Impact on local businesses if competing business uses are allowed.
 - cc) Proximity of the access road running from Car Dyke alongside the canal in relation to residences in Waterbeach.
 - dd) Impact on Car Dyke Road of car parking.
 - ee) Increased traffic on the A10, A14 and at Milton roundabout.
 - ff) Paths being created should be public rights of way.
 - gg) Paths within the park should link to paths outside to form local and sub-regional networks of routes.
 - hh) Entrance to the park should be free to walkers, cyclists and horse riders.
 - ii) Adequate separation of paths/tracks for walkers, riders and cyclists.
 - jj) The importance given to walking to, within and through the site appears to be low.
 - kk) Considerable spoil from the development is to be retained within the site area, most of which will have to be deposited on dry areas on either side of the lake, raising the land level by this amount is unfeasible and storing materials nearby but off site will imply abstraction, for which a licence is unlikely to be granted.
 - ll) The plans are badly prepared and presented on the cheap.
 - mm) The developer should provide a financial contribution towards linking pedestrian and cycle routes to the River camcycle/tow path and the A14 cycle bridge via Milton Park.
 - nn) The 1800 car parking spaces is excessive and involves loss of existing wildlife habitat.
 - oo) A shuttle bus to Cambridge railway station should be provided by the developer for large events.
83. Approximately two hundred letters of support have been received. These are almost exclusively from individuals with interests in the various sports accommodated in the scheme and individuals campaigning against proposals at Bedford which potentially impact upon the former Bedford-Sandy-Cambridge Railway link. The points raised include:
- a) The proposals will create a valuable sporting and recreational facility for Cambridge and the sub-region.
 - b) It will provide a world-class venue for the development of sports people.
 - c) It will massively ease congestion on the River cam.
 - d) It will conserve a large area of land close to Cambridge.
 - e) It will provide for six major sports.
 - f) It will enable increase partnership with schools and community groups which is currently limited due to lack of space and facilities.
 - g) It will benefit the entire community.
 - h) It is in line with the Government's aim of getting people to live more active lifestyles.
 - i) It will provide much needed facilities for cycling. The nearest facilities of comparable nature are at Welwyn Garden City and Manchester.
 - j) Existing rowing facilities are overcrowded and inadequate.
 - k) The proposals will increase tourism.
 - l) They will encourage children to take up sports.
 - m) Cycle training facilities off road are required and will increase safety for cyclists.
 - n) The Eton lakes has brought many benefits to the Eton area.
 - o) It benefits the CamToo project.
 - p) It is a well thought out scheme, including measures to reduce the impact of prevailing winds which is a problem at other sites.

- q) It will secure 235 acres of open space which will act as lung to the City.
- r) Improved safety for rowers.
- s) Provision of facilities for the 2012 Olympics.
- t) This initiative is rail served from day one and therefore accessible by public transport to the widest possible audience.
- u) If the application is successful, it will serve as 'the' regional rowing lake and cancel applications for similar such facilities at Willington in Bedfordshire, which would not be rail served from day one and which could detract from the focus on Cambridge Rowing Lake as the premier venue.
- v) It is hoped that the council can give support to hasten the identification, protection and advancement of reopening the former Bedford-Sandy-Cambridge Railway to enable people from Bedford and Milton Keynes access to the venue by rail eventually as well, cutting the volume of traffic congesting our trunk and urban road systems.

Planning Comments – Key Issues

Need

- 84. The application proposes a sports development which is supported by the Eastern Region Rowing Council Regional Plan (2005) and the Cambridgeshire Horizons, Sport England and Cambridgeshire Local Authorities jointly sponsored report: "A major sports facilities strategy for the Cambridge Sub-Region (2005/6). That report recommends that, "given the tradition and demand for rowing opportunities in the sub-region, a new rowing facility be provided with a sub-regional perspective."
- 85. Regional Planning Guidance for East Anglia to 2016 (RPG6 - 2000) notes that a regional off-river rowing centre is an identified priority by Sport England. The Draft revision to the Regional Spatial Strategy (RSS) for the East of England comments that Bedford and Cambridge have been identified as preferred general locations for a new regional competition rowing course with associated access, parking, boat storage and changing facilities.
- 86. In the context of need, identified above, the key issues in the determination of this application are the impact of the proposal upon the Green Belt, landscape, transport, drainage, archaeology, the historic environment and biodiversity.

Green Belt

- 87. Outdoor sport is an appropriate use within the Green Belt, along with buildings providing essential facilities for outdoor sport. Given the need to serve rowing in Cambridge and the functional link with the River Cam, it is difficult to imagine a rowing course being anywhere other than in the Green Belt.
- 88. Although there will be buildings, structures and car parking on site, the proposed sporting uses would generally contribute to the openness of the Green Belt and are all of an outdoor nature.
- 89. Policy GB5 of the Local Plan aims to resist outdoor sports which frequently attract large numbers of participants or spectators or which would result in the loss of the best and most versatile grades of agricultural land. It is arguable whether planned special events will be frequent to justify an objection. Statutory consultees have not objected to the loss of high quality agricultural land.
- 90. I therefore conclude that the development constitutes an appropriate form of development in the Green Belt.

Landscape

91. The application proposals recognise that the landscape of the site will be completely changed. Of the total area, just under half will become open water. The remainder will be landscaped to create windbreaks and to accommodate all the spoil from the excavations. Inevitably this will create a new man-made feature in the landscape, but this is not unusual in the Fens.
92. The greatest change will be either side of the competition rowing course, where bunds will range in height from 7-10m. AoD. Although the existing railway line along the south-east boundary of the site is such a linear feature, the bunds will be very noticeable in this flat and open landscape in the short to medium term, particularly as little existing vegetation will be retained. In the longer term substantial and a variety of planting proposals should soften the earth modelling.
93. The applicant's Landscape Design Report envisages that, prior to any construction work commencing on site, planting plans for each phase and a proposed landscape management plan will be prepared and submitted for approval by the Planning Authority. In considering such plans it will be important to ensure that the objectives of the landscape policies of the Local Plan, in terms of respecting the nature of the landscape character areas and the River Cam valley environment are met.

Transport

94. Understandable concerns have been raised about the impact of the proposal upon the safety and junction capacity of the A10/Car Dyke Road junction, particularly from events that utilise the proposed 750 space car park. This junction has a record of accidents. Despite such concerns being raised, the applicant has not been able to quantify traffic movements from an event of this nature to date. However, an appraisal of accident history and the need for an accident remedial scheme at this junction has been commissioned by the applicant. This report will not be available before 18th September.
95. I consider that the County Council's request for a highway scheme to deal with safety and capacity issues for this junction to be submitted is perfectly reasonable. This should be worked up to sufficient detail for Stage 1 safety audit before the application is determined. This may involve signalisation of the junction. Traffic management measures proposed by the applicant may not be adequate.
96. To achieve sustainable means of travel in accordance with Government and Development Plan Policies, a travel plan should be put in place for all events greater than 50 vehicles. This should accommodate the needs of walkers, cyclists and those travelling by public transport. The applicant intends to use off-site car parks working in conjunction with shuttle buses for national and international events. This complete package can be written into a S.106 Agreement and controlled by condition.
97. The draft S.106 Agreement incorporates arrangements for public access within the site and for the management of the scheme by the Trust. This will enhance its role as improving access to the countryside and providing links from this site to Milton Country Park and the public right of way alongside the River Cam.
98. An emergency access strategy and a construction traffic routing agreement should be required. The latter should be secured through the S.106 Agreement.

Drainage

99. The existing site and surrounding area is currently drained via a series of Awarded Drains (3 no.) and field drains outfalling to the River Cam. The eastern edge of the

site alongside the railway line and extending the full length of the site falls within flood zones 2 and 3 (low to medium and medium to high risk).

100. Mitigation proposals will include the construction of a perimeter drain along the western boundary which will convey flows from existing drains to a settling basin and discharge via a lifting station to the competition lake. Flows will ultimately discharge from the competition lake to the River Cam.
101. The E.S. identifies that flood risk from the River Cam will be significantly reduced because there will be increased flood storage on the River Cam above Baits Bite Lock by 34%. This has been accepted within the approved Stage 1 FRA.
102. Further discussions have taken place with the Environment Agency in respect of the proposal to introduce Penstock Control gates to the competition lake. These would be operated by a telemetry system linked to Baits Bite Lock. Details of design and operation could be covered by a planning condition, whilst maintenance and ownership would be part of the S.106 Agreement. Proposals for conditions and S106 obligations have been sent by the applicant to the Environment Agency for its consideration.
103. Award Drain No. 291 (thirteenth public drain) would be intercepted by the proposed canal link to the River Cam. A proposal to siphon the drain beneath the canal has been accepted in principle by the Council's Land Drainage Manager, subject to agreement of details at the Stage 2 FRA, agreement of a commuted sum and to inspecting the final design details. Because of the implications for up-stream flooding along the Award, the applicant will be expected to pay the Council's costs in employing consultants to advise on the proposals.
104. Proposals for the perimeter drain have been accepted in principle by the Lands Drainage Manager subject to agreement regarding the extinguishment of sections of existing Award Drains, a protocol covering the potential failure of the proposed pumping station and buffer strips.
105. Technical matters therefore seen capable of resolution in order to maintain the integrity of the existing drainage system, subject to consideration of the design and impact of the siphon on Award Drain 291. Conditions and S.106 obligations need to be finalised having regard also to the provisions of The Reservoirs Act 1995, which controls aspects of reservoirs over a capacity of 250,000 cu.m. (the FRA stage 1 indicates the proposal would have a capacity of 420,000 cu.m.)

Archaeology

106. Car Dyke, on the east boundary of the site, is a Schedule Ancient Monument (SAM). No objections have been raised to the impact of the proposal upon the setting of the SAM but protection is required during the construction process. This can be achieved by a planning condition.
107. Extensive field evaluations have been carried out on site. Discussions between the applicant and the County Archaeology Office have resulted in a revised mitigation strategy being submitted to and approved by the latter. This strategy will be implemented in full by the applicant.

Historic Environment

108. Baits Bite Lock is a Conservation Area. The proposed canal link to the River Cam and the towpath bridge over the canal would be within the Conservation Area. One

of the features of the Area is the strong tree belt, mostly of willows, which line the river edge.

109. A Conservation Area Appraisal has been prepared for this Council. It notes that the open and rural character of the river bank is an important characteristic of the Conservation Area and should be preserved. The riverside path has recently been re-surfaced with a low-key bound gravel surface which is in keeping with its rural setting. It is important that any further works to the path and track surfaces maintain this simple treatment.
110. The proposed canal link on the southern boundary of the Conservation Area should not detract from its appearance or character subject to agreement on appropriate design and materials for the canal towpath bridge and re-instatement of towpath surfacing as per existing.

Biodiversity

111. Although there are no statutory designated sites within the area affected by the proposals, the main negative impact of the scheme arises from the loss of habitat, disturbance and displacement of protected species during initial construction and from the loss of mature scattered individual trees, hedgerows and drainage ditches.
112. The ES indicates that “the landscape design of new aquatic marginal and wetland habitats (marshland habitat surrounding the storage lake) would mitigate against the loss of aquatic habitat and create a range of habitats of preference to protected and BAP listed species. An extensive tract of woodland planning has been incorporated into the proposed design, strengthening the existing fragmented habitat connection between Milton Country Park and Car Dyke woodland to the north, therefore enhancing the continuity of wildlife corridors.”
113. PPS9, “Biodiversity and Geological Conservation” (2005) indicates that planning decisions should aim to maintain and enhance, restore or add to biodiversity and geological conservation interests. In this particular case, there is an opportunity to significantly enhance the ecological importance of the region. However, the submitted information fails to clarify how this will really be achieved as no figures for habitat creation are provided. A balance sheet of losses and gains for the overall scheme should be provided.
114. Notwithstanding the submission by the applicant of an Update on Ecological Assessment and Response to Planning (June 2006), the Ecology Officer still considers that further work is required in terms of a habitat balance sheet, further mitigation for badgers, water voles (details of new ditch shapes and bankside seeding/planting) and nightingales and a commitment to achieve monitoring not just through the construction phase but for 10 years following completion.
115. The suggestion that habitat creation and public access links between Milton, Waterbeach and the River Cam would be enhanced by creating a link between the site and fields to the northeast on the east side of the railway line, an area known as Waterbeach Meadows, is laudable but is not one which the Trust in itself can deliver. Co-operation with the landowner, believed to be the County Council, would be necessary to achieve this objective.
116. The Ecology Officer will be contacting the applicant’s ecologist to discuss the submitted update ecological report.

Draft S106 Agreement

117. The application is accompanied by a Draft Agreement which incorporates the following obligations:
1. The setting up of a consultation forum, involving representatives of the County Council, District Council and the Parish Councils (Milton, Landbeach and Waterbeach).
 2. A guarantee to complete or reinstate any phase of development.
 3. Provisions for the protection of the Council's responsibilities for awarded watercourses.
 4. Provision of managed public access to walk or cycle free of charge, subject to exclusion for the holding of private club functions, tournaments and matches on no more than 65 days in any calendar year.
 5. Re-imbusement to the County Council of all costs associated with any necessary Road Traffic Regulation Orders, signage, way-marking and access junction modifications.
 6. Requirement that traffic management measures for national or international events should be agreed with the Local Highway Authority.
118. These obligations were refined over a period of time during the consideration of the 1993 application. However, the proposed draft now incorporates three principal changes:
- (a) The representatives of the Councils would no longer have voting rights upon a Management Trust. The proposed consultative forum would operate in a similar way to other groups established for minerals and waste development schemes. There is no planning land use justification for requiring voting rights. The Council's former Legal Director advised that voting rights would be inappropriate.
 - (b) Although completion and restoration would be guaranteed, there is now no reference to the need for the applicants to certify that funding has been secured, that land assembly has been completed and that regular secure funding certificates are produced to the Council. The Committee may consider that such additional protection remains necessary to ensure work does not commence, or continue on any particular phase, until the necessary funding has been secured.
 - (c) The possibility of the public (excluding residents of Landbeach, Milton and Waterbeach) being charged for admission to walk or cycle has been deleted. Reasonable charges may still be made for car parking. This change is welcomed.
119. In addition to the above the S.106 Agreement will need to incorporate further drainage obligations, travel arrangements for special events and a construction vehicle routing agreement.

Conclusion

120. There is an acknowledged case of need for a regional off-river rowing centre. Cambridge has been identified as a suitable location for many years.
121. The uses are considered to be appropriate in the Green Belt and have the potential to contribute to the following objectives of the Green Belt as outlined in PPG2 "Green Belts":
- (a) To provide opportunities for access to the open countryside;
 - (b) To provide opportunities for outdoor sport and recreation; and
 - (c) To secure nature conservation interests.

On the other hand it could be argued that the proposals will not enhance the landscape, particularly in the short to medium terms.

122. Further work is required of the applicants to address transportation and ecology issues.
123. Drainage negotiations appear to have reached the stage of consideration of terms of conditions and S.106 provisions, although the siphon proposal on Award Drain 291 may require further consideration in advance of any permission being issued.
124. On balance I consider that the Authority should continue to take a positive view of the proposal and continue to work towards achieving an acceptable scheme.
125. I have not, at this stage, initiated a review of draft conditions (dated 22nd December 1995) prepared in relation to the 1993 application. Many changes will be necessary to take account particularly of transportation, drainage and ecology matters. The 6th draft 1995 conditions are attached as an appendix 2 for Members information.

Recommendation

- A. That, subject to satisfactory resolution of outstanding transportation, drainage and ecological matters, and to the prior completion of a S.106 Agreement, the application be approved.
- B. That the final terms of the S.106 Agreement and planning conditions be agreed in consultation with the Chairman, Vice-Chairman and Local Members for Landbeach, Milton and Waterbeach.

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/0810/92/F, S/0917/93/F and S/0032/06/F

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Comments on CSL matrix of responses

Michael Williamson – County Councillor for Waterbeach, Landbeach and Milton

In this response I wish to focus upon matters that are in my remit as County Councillor for Waterbeach, Landbeach and Milton, that is principally traffic matters.

Traffic issues

The main issue for my division is the effect of the development upon Waterbeach and, in particular, upon the A10, Car Dyke Road and village traffic in general.

Traffic issues are addressed by the County Council on pages 5-7 of the response matrix. They raise a number of points relating to traffic and the development, and have received responses from CSL that are to say the least unsatisfactory. In particular, I am extremely concerned about their proposal for dealing with major events.

Although CSL are looking towards an off-site parking solution for major events, their proposals seem to be lacking in detail. Clear proposals need to be seen before the development is finally approved. In particular, I am very concerned that they are suggesting just a 'traffic management plan' rather than accepting that major re-engineering of the Slap-Up junction might be needed. If their proposals are accepted, by the time we discover that there are major problems at events it will be too late to get from them a developer contribution.

Those of us who have lived in Waterbeach for over 30 years remember the traffic chaos caused by the Burma Star days at the airfield. In those days the A10 was considerably less busy than it is now, and so it is clear that, unless really effective traffic management measures are in place, together with any necessary junction engineering works, this chaos may well be repeated on major event days.

The A10

I am concerned about the assumptions made for traffic flows on the A10. I note that CSL are using a fairly standard factor for inflation over the period to 2009. However, there is considerable development taking place to the north of Waterbeach, particularly in Ely and towns further north. I believe therefore that close attention should be given to these forecasts.

It is also important to note that traffic flows at weekends outside the normal weekday peak hours are high and seem to be increasing.

The Slap-Up junction

While the use of this junction is not so heavy now that traffic lights have been installed at Denny End, it is still a major access to Waterbeach and there continue to be minor accidents at this junction.

The junction will be the principal access to the site both during the construction phase and when it is up and running. It is thus essential that a detailed assessment be provided by CSL as to the effect upon this junction of the two event types requested by the County Council on page 5 of the matrix. In particular, the potential problems of a number of boat trailers turning right at this point must be considered.

It may be that significant improvements will be required for this junction and these should be paid for by a developer contribution. I would remind the Development, Conservation and Control Committee that the development of 100 houses to the north of Bannold Road in Waterbeach provided a significant financial contribution to the installation of traffic lights at the Denny End junction.

Access to the site

It is essential that all access to the site during the construction phase should be via Car Dyke Road and not through Waterbeach. We would expect clear signage on the A14 and other

local roads to ensure that construction traffic does not use Station Road, Waterbeach which, in any event, has an existing weight limit.

There are also concerns that boat trailers may be tempted to try to use Station Road, Waterbeach. I have been told by a resident of the village who is a keen rower that this will be dangerous and probably impossible. Indeed, I would have major concerns both on Saturdays (when weddings are regularly held at the church) and on Sunday mornings at the times of regular services that there could be major issues if boat trailers tried to negotiate the sharp corner by Waterbeach church. Signage must indicate that Station Road is not suitable for trailers and any literature issued by organisers of events must also state this.

On event days, there are major concerns that traffic will be tempted to use village streets for parking and for access to the site. It must be a condition of granting permission for this development that access to the site on event days should only be from Car Dyke Road off the A10 and that traffic should not be able to turn left into the site from Cambridge Road, Waterbeach. Indeed, it might even be that use of Cambridge Road from Greenside to Car Dyke Road on event days is reserved for residents' access only.

Finally, parking restrictions on village streets for those attending events must be enforceable and strictly enforced.

Rail access

While we would like to encourage travel to special events by train via Waterbeach Station, Waterbeach are concerned that access through the Recreation Ground should be discouraged. A large number of pedestrians crossing this area could well cause disruption to games being played there and, unless they keep to the paths, could cause damage to the grass. Access to the Recreation Ground from the Station Road end is also through an old people's sheltered housing development, and large numbers of pedestrians could cause disturbance to the residents. We would ask that appropriate signage be provided on special event days to control use of the Recreation Ground as a short cut.

Other matters

I note the comments of Milton Parish Council and would support them. Landbeach are less affected by the development.

I have concerns that planning permission should only be granted if the committee are convinced that adequate funds are available for the project's completion. This is a major development with very significant implications for the landscape and drainage of the area. It is vital that the planning authority should ensure that the scheme is bonded so that we can be assured that, once it starts, it will be completed.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee6th September 2006**AUTHOR/S:** Executive Director / Head of Planning Services

**S/1349/06/F - Milton
Proposal at New House, Ely Road for Mr Jonathan Wilson****Recommendation: Approval****Date for Determination: 6th September 2006****Site and Proposal**

1. The New House is located within the Milton village Framework and Conservation Area. The dwelling in question is a recently built 2-bed chalet bungalow with carport approved on the 31st August 2005. The site was an open piece of landscape adjacent to the Ely Road, which abuts the rear of two properties within the High Street (numbers 48 and 50 inclusive). The bungalow and carport are located at the northeastern boundary of the site, whilst the southwestern side of the site has been maintained as lawn with several mature trees. The original approval for this site (S/1349/05/F) had a landscaping scheme approved which provided a newly planted Hornbeam tree at the front of the dwelling to the south-east, as well as a Hornbeam hedgerow across the front of the site adjacent to the roadside.
2. This proposal is for the use of this dwelling as a Chiropractic office (D1 Use). The application is technically not a change of use as the dwelling has yet to be occupied and therefore the residential use has not been implemented. The applicant currently works within Milton but due to unforeseen circumstances is forced to move from his current location in Cambridge road and wishes to relocate his practice within the village at the site in question. The office would be served by 2 members of staff and would provide 4 car parking spaces, 2 staff spaces and 2 patient spaces, one of which would be a disabled space. The internal ground floor layout would comprise of, a reception room, office, WC and treatment room. The first floor layout would comprise of a private office, staff kitchen and bathroom.

Planning History

3. Planning Application **S/1349/05/F** – The erection of a dwelling and carport at land at Ely Road Milton, approved on the 31st August 2005.
4. Planning Application **S/0638/06/F** – Use of building as Chiropractic Office at New House Ely Road Milton, application was withdrawn 15th May 2006.

Planning Policy

5. **Policy EM6** of the South Cambridgeshire Local Plan 2004 which relates to New Employment at Limited Rural Growth Settlements (LRGS) such as Milton, states that within village frameworks of LRGS, planning permission will be granted for small-scale development in classes B1-B8 (Use Class D1 in this case is seen as applicable under Policy EM6 given the generic similarities of the Use Classes) provided that:

- (a) There would be no adverse impact upon residential amenity, traffic conditions, village character and other environmental factors, and
- (b) The development would contribute to a greater range of local employment opportunities, especially for the semi skilled and un-skilled, or where initial development is dependent on the use of locally based skills and expertise.

Consultations

- 6. **Milton Parish Council** – Object to the business use of these premises. If the application is granted then it should apply to this chiropractic office and applicant only. We are concerned that all parking outside will be in a mandatory cycle lane and no parking therefore should be allowed on the road. We are also concerned about the number of traffic movements per day across the mandatory cycle lane. We prefer soft hedging than wrought iron gates in the conservation area. Sensitive treatment of the boundary in a conservation area is most important. We trust that the replacement Horse Chestnut tree and the preservation of the other trees within the conservation will take place.
- 7. **Conservation Team** – The revised design from the previous withdrawn application S/0638/06/F) avoids a second access and loss of green area. Parking has been provided in a controlled and defined area behind the hedge. No need to demolish garage to provide additional parking. Therefore no objection subject to agreed landscape scheme and condition to control parking area so that it is not extended without prior approval.
- 8. **Trees & Landscaping** – Hornbeam to be replaced as was not planted within correct season (Planting Season – Nov/Dec). The boundary Hornbeam hedgerow should be planted as originally approved, with double staggered rows at 600mm centres. The original approved landscaping scheme (S/1349/05/F, Drawing nos. 3071/C01-M3 Rv 0, 307/C01-M2 Rv0, 3427/FP/101) should be resubmitted by condition with additions such as climbing shrubs to the frontage of the bungalow. This scheme should be carried out once approved within the appropriate planting season.
- 9. **Local Highway Authority** – I have no objections from a highway point of view to this proposal in principle. However it is essential that suitable parking be provided for the vehicular traffic likely to be generated. It is also essential that suitable turning space is available within the site to enable all vehicles to exit in forward gear.
- 10. The parking area to the south of the building must be extended to the west in order to accommodate the tandem style parking proposed, as well as turning vehicles exiting the carport.
- 11. **Ely Drainage Board** – No Comment

Representations

- 12. Owners of no. 50 High Street have no objections to the proposals and make the following comments:
 - (a) We have looked at the plans for the change of use of the house into a chiropractor's surgery. We would be happy for these plans to be passed.
 - (b) The house has been built only three feet away from our boundary and right next to our patio. Its use as a surgery would lessen the detrimental impact on our

property as the business would presumably be in working hours of the weekdays.

- (c) We imagine that the arrangement for parking on the property is adequate for the number of clients in such a small building. In our experience, not many people use the cycleway on the road and it would mostly be before and after working hours so I do not see that there is any concern about parking.
- (d) If it were possible to restrict the change of use to a surgery, this would be preferable.
- (e) We would like to suggest that the landscaping does need attention. The hornbeam tree and the beech hedge were not watered when they were planted and may need to be replaced. We hope that measures will be taken to preserve the ash tree, which was part of the Milton Hall estate.

Planning Comments – Key Issues

PPG4

13. Planning Policy Guidance Note 4 states that where Local Authorities are to permit commercial developments within residential areas they should bear in mind the subsequent intensification of the use may become unacceptably intrusive. Such intensification cannot be controlled unless conditioned when planning consent is granted. Therefore Planning Authorities should consider the use of planning conditions or planning obligations to safeguard local amenity, where there would be appropriate means of preventing foreseeable harm. Planning permission should be refused if contrary to policy and other material considerations. However consideration should always be given to whether specific problems associated with the development proposal might be reasonably overcome by granting permission subject to conditions. Examples might be where it is desirable to control times of operation or to prevent weekend working in order to protect amenity. Planning authorities should include in their development plan policies for the type of condition or planning obligation that might be imposed or sought in a particular situation.

Conditions should not be imposed which restrict future changes of use which the Use Class Order would otherwise allow, save in exceptional circumstances. The Secretaries of state would regard such conditions as unreasonable unless there were clear evidence that the uses excluded would have serious adverse effects on amenity of the environment, that there were no other forms of control, and that the condition would serve a clear purpose.

Use Class D1

14. The proposed use of this dwelling as a chiropractic office would involve the change of the use of the site from Use Class C3 'Residential Dwelling House' to Use Class D1 'Non Residential Institutions'. There are several categories under the D1 Use which in this case would be deemed to be harmful upon not only the amenities of the neighbouring properties but also upon highway safety. The site is reasonably small and at present the proposals for 4 car parking spaces is seen as the maximum that this site can provide. Therefore any use that would compromise the off street car parking of this site would not be acceptable. The site is located off a reasonably busy road (Ely Road) and has a mandatory cycle lane running adjacent to the dwelling. Furthermore several of the uses under the D1 Use Class could impact upon

the amenities of the neighbouring residential properties due to the nature of the institution.

15. It would be seen that in the interests of highway safety and the protection of residential amenity that some of the uses under D1 should be removed from the use of this building by condition. It is proposed that all use classes under D1 are removed with the exception of the following:
 - (a) For the provision of any medical or health service
 - (b) For the provision of education
16. The limited scale of the site and its location within a Conservation area as well as its limited parking facilities are considered to be grounds for exceptional circumstances to limit the uses of the building by condition.

Parking

17. The site has limited parking facilities due to the size of the plot of land. The site has several mature trees to the south west of the site which are worthy of protection. It is also seen that the preservation of the landscaping in this area of the site is essential for all future development. The location of the dwelling was determined on the impact upon the existing trees and one tree was removed on the basis that it would be replaced (Horn Beam). Therefore the site is limited to which areas can be used for car parking. As approved the dwelling was accompanied by a single car park adjacent to the dwelling and provision for a turning area with space for the use of parking, loading and unloading within the area to the front of the building.
18. For the purposes of this application the minimum of 4 spaces would be required, this is to accommodate 2 staff spaces and one patient space. The remaining space would act as an overspill for any clash in patient appointments, this will cater for anyone who is early for an appointment. This is seen as sufficient considering that the office will have only one treatment room and will be dealing with one patient at anyone given time. Considering the limited car parking available on site and considering that the scale of the dwelling a condition restricting the number of employees would be essential to ensure highway safety.
19. The amended site plan as requested by the Highways Engineer allows for a 6m turning area to ensure that all parked vehicles can turn safely and enter and exit the site within a forward gear. The hard surfaced area at the front of the site is acceptable for the car parking on the basis that the landscaping will offer adequate screening from the road side. The additional parking area would not be detrimental upon the green area and would not impact upon the existing trees on site.

Chiropractic Use

20. The applicant is currently practicing within the village and due to unforeseen circumstances with the lease of their current building they are being forced to re-locate. This site is deemed the perfect solution as it is still within the main village and could comfortably accommodate the modest needs of their practice. A chiropractic practice does not produce any adverse pollution such as noise, smell or rubbish and would produce little waste save the usual consumption of an office. The applicants are keen to recycle where possible and would need to contact the council in relation to the relevant bins and services. The practice would be non trade effluent and would see an approximate vehicular traffic generation on site of 20 vehicles per day.

21. The use of this building is seen as a sustainable commercial use as the practice would be by appointment only with the majority of the existing customers being retained as the applicant currently works locally. It has been made clear that due to unsatisfactory alternative sites within the village that without this site the practice would be forced to relocate out of Milton. This would be seen as a loss of employment within the village. Based on the information above under the restraints of Policy EM6 of the Local Plan 2004 this proposal would not have an adverse impact upon residential amenity, traffic conditions and upon the village character.
22. The hours of use for the premises will be conditioned to ensure that the impact of traffic generation upon the surrounding neighbouring properties is kept at a minimum. Therefore the practice will be limited to the hours of 0700am to 1900pm Monday to Friday and 0800am to 1300pm on Saturdays and will not be permitted to be in use on Sundays or public holidays.

Conservation Area

23. The preservation of the trees and landscaping on site is essential, therefore a condition will be attached to ensure that the original approved landscaping scheme will be resubmitted with subtle revisions increasing the planting on site. Due to the previous scheme not being implemented as conditioned the newly planted tree will be required to be replanted within the agreed location and the Horn Beam hedgerow will also need to be planted as specified. There is scope to improve the original scheme with the introduction of climbers to the front elevation of the dwelling and the introduction of some planting around the existing footpaths.
24. There have been no representations from neighbours objecting to this proposal. Most have been in its favour, it is seen that the use of the site as a commercial premises would have less of an impact upon the surrounding area and Conservation area than a residential dwelling would.

Milton Parish Council's Comments

25. The Parish Council object to the use of this site as a commercial premises and have recommended that the application is refused. The reasons stated for this refusal whilst material can be overcome by the use of conditions as stated above under the planning comments. The office can be restricted to certain uses under the D1 Use Class but to restrict the site to solely a chiropractic office would be unreasonable. The site has been reviewed by the Local Highway Authority who have deemed the parking arrangement adequate and that it would not impact upon highway safety. The numbers of employees at the site can also be conditioned to satisfy the parking requirement. There are no wrought iron gates proposed, these were proposed on the previous withdrawn application, but this current application follows the informal advice of maintaining the approved landscaping scheme. The preservation of the trees on site is essential and any such work to these trees would require conservation consent.

Recommendation

26. Approve, as amended by plans date stamped 15th August 2006, subject to the following conditions:
 1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

(Reason - To ensure that consideration of any further application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)

2. The number of employees working on the application site at any one time shall not exceed 2, unless agreed in writing with the Local Planning Authority.
(Reason - To ensure that the scale of the use does not generate a volume of traffic movements, which would cause disturbance to adjoining residents.)
3. Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order), the premises shall be used for Clinics and Health Centres, and provision of education, and for no other purpose (including any other purposes in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that order).
(Reason - a) To protect the amenities of adjoining residents.)
(Reason - b) To safeguard the character of the area.)
4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land (Including the specifications approved under the landscaping scheme of planning application S/1349/05/F, Drawing nos. 3071/C01-M3 Rv 0, 307/C01-M2 Rv0, 3427/FP/101), 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.)
5. All planting, seeding or turving comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
(Reason - To enhance the quality of the development and to assimilate it within the area.)
6. The development shall not be occupied until space has been laid out within the site (in accordance with the attached site plan hereto) for 4 cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear, and that area shall not thereafter be used for any purpose other than parking/loading and unloading/turning of vehicles.
(Reason - To ensure adequate space is provided and thereafter maintained on site for the parking, loading, unloading and turning of vehicles.)
7. The premises shall not be open to customers before 0700am on weekdays and 0800am on Saturdays nor after 1900pm on weekdays and 1300pm on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing with the Local Planning Authority.
(Reason - To minimise noise disturbance to adjoining residents.)

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policy:
 - **South Cambridgeshire Local Plan 2004**
EM6 (New Employment at Rural Growth and Limited Growth Settlements)
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
 - Impact upon setting of Conservation Area

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Ref. S/1349/05/F & S/0638/06/F
- Documents referred to in the report including appendices on the website only and reports to previous meetings

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6th September 2006

AUTHOR/S: Executive Director / Head of Planning Services

S/1485/06/F - MILTON

Change of Use of Part of Car Park to Car Valeting Operation including Siting of Cabin and Canopy, Car Park, at Tesco Stores, Cambridge Road, for SPP (Southern) Ltd

Recommendation: Delegated Approval

Date for Determination: September 19th 2006

Site and Proposal

1. The Tesco store is located adjacent to the A14 and is accessed off the Cambridge Road. The store is set back from the roadside with the car parking area affronting the site. The proposed location of the car valeting operations would be at the northern corner of the car park and back onto a boundary wall in excess of 2.5m in height. Behind this wall is a strip of landscaped land, which affronts the road, which accesses the cul-de-sac The Rowans. The site is within the edge of the Milton Village Framework.
2. The proposal would consist of the change of use of 9 car parking spaces for the purpose of a car valeting service. The service would consist of 4 car-parking bays for cars being washed and 4 car-parking bays for those being dried. The remaining space would accommodate a site office and a water-recycling unit. The spaces would be covered by two 3.2m high canopies.

Planning History

3. There have been multiple applications for advertising, none of which relating to car valeting services.

Planning Policy

4. **Policy SH7** – States proposals involving the sale, hire, modification or repair of motor vehicles will not be permitted in villages where they would create environmental problems by virtue of traffic generation, noise, smell or vehicle parking.

South Cambridgeshire Local Plan 2004

Consultation

5. **Milton Parish Council** – Awaiting comments
6. **Environmental Health Officer** – Suggests that the following conditions be attached to minimise the effects of the development to nearby residents or occupiers:
 - a. During the period of construction no power operated machinery shall be operated on the premises before 08:00hrs on weekdays and 08:00hrs on Saturdays nor after 18:00hrs on weekdays and 18:00 on Saturdays and before 10:00hrs on Sundays and Bank Holidays nor after 16:00hrs on Sundays and Bank Holidays.

- b. 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 in writing by the District Environmental Health Officer so that noise and vibration can be controlled.

7. **Councillor Summerfield** – Objects to the proposal on the following grounds:

- a. The current position of the proposal is very close to the houses in the Rowans and noise may be an issue. The noise report submitted is not specific to this site and is therefore irrelevant.
- b. There is potential for the canopy to be vandalised from the adjoining wall and bund.
- c. Young people will gather under the canopy at night and cause further noise and nuisance to the residents of the Rowans.

Would it be possible for us to negotiate an alternative location.

8. **Councillor Smith** – Objects to the proposal on the following grounds:

- a. The position of the proposal is the closet point in the car park to the houses opposite and therefore would cause a nuisance from noise.
- b. The canopy would become a trampoline for local youngsters jumping from the adjacent wall.
- c. The canopy would provide a sheltered meeting point for the local young people of an evening.
- d. The noise report is generic and does not apply to this specific site.
- e. The noise levels should be conditioned to be below a certain threshold and no radios should be used by the staff.

If this application is to be approved with conditions, then it must be taken to the Planning Committee.

9. **Environment Agency** – Awaiting comments

10. **Police Liaison Officer** – Awaiting comments

Representations

11. None received

Planning Comments – Key Issues

- 12. The current **location** of the proposed service is adjacent to a 2.5m+ high wall, which backs onto a strip of landscaped land fronting The Rowans. The nearest residential dwelling is located some 25m from the proposed site of the valeting service and considering that the Tesco car park is on a lower gradient of land to the Rowans the proposal would not be visible. The site would be located at the northern end of the car park at the front of the Tesco store. Due to the nature of the entrance to the site from the Cambridge Road the proposal would not be clearly visible. The proposed canopies are prominent in colour, which would draw more attention to the service, however they would not be clearly visible outside of the Tesco Site.
- 13. The **noise** report submitted with the application is generic and does not apply to this specific site, however after consultation with our Environmental Health Team it is deemed that the conditioning of hours of use of the equipment would be sufficient to minimise the noise levels to the adjacent residential properties.

If there are to be any proposed pile driven foundations for the canopies or unit then information of their construction and subsequent noise and vibration levels will require written submission and consent from the Local Planning Authority by condition.

16. The proposal would involve the use of 8 **car parking** spaces from the mains store, which would be lost to the use of the valeting service. These spaces would not be disabled or parent and child parking. Although these spaces would be lost it is the intention of the proposal to serve Tesco customers and that these spaces will be used by customers who visit the store. The car park, which serves the store is of an adequate size to serve the site despite the loss of one space.
17. The comments from **local members** state a concern to the location of the proposal resulting in vandalism and a catalyst for anti social behaviour. This may be the case due to the verge allowing access onto the wall from The Rowans. The application has been sent to the Police Liaison Officer for consultation to seek a professional view on the extent to which this proposal may result in such behaviour.
18. It is considered that an **alternative site** for the proposal would be more appropriate, a location on the south side of the car park adjacent to the parent and child spaces would be more favourable. This location would be far away from residential properties so that noise would not be an issue and would solve any concerns of vandalism or anti social behaviour as it would be located away from the residential area and with no wall or verge in close proximity. This has been raised with the agents who will consult will the applicants in due course.

Recommendation

Subject to the views of the Police Liaison Officer that the following decision be delayed to the Head of Planning.

19. Approval subject to the following conditions:
 1. Standard Condition A – Time limited permission (Reason A);
 2. Details of the location and type of any power driven plant or equipment, including equipment for heating ventilation and for the control or extraction of any odour, dust or fumes from the buildings but including office equipment and vehicles and the location of outlet from the buildings of such plant or equipment, shall be submitted a to and approved, in writing, by the Local Planning Authority before such plant or equipment is installed; the said plant or equipment shall be installed in accordance with the approved details and with any agreed noise restrictions
 3. No power-operated machinery shall be operated in the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekends and 13.00 on Saturdays (nor at any time in Sundays or Bank Holidays) unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions.
 4. Details of any external lighting including flood lighting shall be submitted to and approved but the Local Planning Authority before construction commences.
 5. 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 in writing by the District Environmental Health Officer so that noise and vibration can be controlled.

Informatives

20. **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: SH7**
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

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

Documents referred to in the report including appropriate on the website only and reports to previous meetings.

Contact Officer: Mike Jones – Planning Assistant
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee6th September 2006**AUTHOR/S:** Executive Director / Head of Planning Services

S/1235/06/RM – ORWELL**Siting, Design and External Appearance of Buildings for Light Industrial Use (Class B1(B) and (C) Only), Including Development of Civil and Engineering Contractors Workshop Yard and Ancillary Offices and the Means of Access Thereto, Land Off Barrington Road, for John Cobb & Sons Ltd****Recommendation: Delegated Refusal/Approval****Date for Determination: 21st September 2006 (Major Development)****Site and Proposal**

1. This application, registered on 22nd June 2006, seeks reserved matters consent for the siting, design and external appearance of buildings for light industrial use (Class B1(b) and (c) only), including development of civil engineering contractors workshop yard and ancillary offices and the means of access thereto.
2. This 0.7ha site is located to the east of Orwell village on the road to Barrington. It currently contains a series of small buildings and yard associated with John Cobb and Sons Ltd, a civil engineering contractor and before that the site was used as a highways depot. To the west of the site is a large modern office building occupied by Mills and Douglas. To the east of the site, set back from the road, is Lilac Farm. To the rear and opposite the site is agricultural land. There is hedgerow planting on the front, rear and east boundaries of the site.
3. The proposal is to erect two industrial buildings, each with a ground floor area of 540m², with a total of an additional 220m² of mezzanine office floorspace above. Each building has an eaves height of 5m and a ridge height of 6.5m. Material proposed are grey metal cladding for the roof, silver horizontal cladding to the walls with brick plinth.
4. Block A is sited parallel to Barrington Road and is towards the centre of the site. Block B is sited parallel to, and within 3m of, the east boundary of the site. The last four bays of Block B will incorporate the requirements of John Cobb and Sons Ltd for a small office within one bay, with the remaining area acting as workshop and vehicle servicing. The contractors' yard itself is located at the rear of the site.
5. The vehicular access is to be relocated from the eastern end of the site frontage to the western end. A total of 49 car parking spaces are provided. The Councils adopted car parking standards would require a maximum provision of 52 spaces.

Planning History

6. In 2003 outline planning consent was renewed for the erection of a building for light industrial use (Class B1(b) and (c) only), including development of civil engineering contractors workshop yard and ancillary offices (**Ref: S/1729/03/O**). The consent contains restrictions limiting the amount of built development to no more than 1300m² gross external floor area, and stating that the height should not exceed 8m.

7. The outline consent which forms that basis of the current reserved matters submission was originally granted in 1997 (**Ref: S/0045/96/O**).

Planning Policy

8. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 (“The County Structure Plan”) state that development in the countryside will be restricted to that which can be demonstrated to be essential in a particular rural location.
9. **Policy EM6** of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) states that within village frameworks, or on suitable brownfield sites next to or very close to the village frameworks of Rural Growth Settlements or Limited rural Growth Settlements, planning permission will be granted for small-scale development in Classes B1 – B8 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 dependant on the use of locally-based skills or initiatives.
10. **Policy EN1** of the Local Plan states that planning permission will not be granted for development which would have an adverse effect on the character and distinctiveness of Landscape Character Areas.

Consultation

11. **Orwell Parish Council** recommends approval but comments “to minimise light pollution from the security lights.”
12. The **Local Highways Authority** comments that the submitted drawing does not reflect that agreed as part of the outline consent and should be revised. Amended drawings have been requested.
13. The **Trees and Landscapes Officer** comments that the 3m allowed for landscaping along the east boundary of the site is insufficient for the proposed industrial development in a countryside setting. A distance of 10m should be provided to allow for a tree belt consisting of mixed broadleaves. Along the front boundary an additional 2m clearance should be provided between the existing hedge and proposed car parking. Amended drawings have been requested.
14. The **Chief Environmental Health Officer** has considered the implications of the application in terms of noise and environmental pollution and concludes that there are no significant impacts from the Environmental Health standpoint.
15. The **Environment Agency** states that its comments made in respect of the 2003 application remain pertinent.

Representations

16. None received.

Planning Comments – Key Issues

17. The principle of the development of this site has been accepted through the outline consent. This application seeks reserved matters consent for the siting, design and external appearance of the buildings, and the means of access. These are therefore the key issues to be considered. The issues of the scale of development, in terms of

permitted floor area and maximum ridge height, has been set at the outline stage. This submission accords with the outline consent in those respects.

18. The site is within the countryside and long distance views are obtained when approaching Orwell from the east. It is therefore important that any scheme allows room for adequate planting along this boundary of the site in particular. At the present time Block B is shown as being located within 3m of the east boundary of the site. I agree with the comments of the Trees and Landscapes Officer that this distance is not sufficient to allow adequate planting of this boundary to help assimilate the development into the landscape, particularly given the long distance views that are available of the site when approaching from Barrington, and that considerable additional clearance needs to be afforded to this boundary.
19. At the front of the site the proposed car parking is shown to be located close to the existing front boundary hedge and the Trees and Landscapes Officer has requested that an additional 2m clearance be provided.
20. The applicant has been advised of these concerns and I am expecting a revised layout to be submitted before the meeting.
21. The Local Highway Authority has commented that the details of the access to Barrington Road do not accord with those agreed at the outline stage. These comments have been passed onto the applicant and again I anticipate that revised details will be submitted prior to the meeting.
22. I am disappointed that the design of the proposed buildings in this rural location follows a fairly standard approach, I am also of the view that the choice of colour of materials to be used may not be appropriate and that in this case the use of darker colours is likely to better assimilate the buildings into their surroundings. This point is being discussed with the applicant's agents.
23. As submitted I am of the view that approval should not be granted for the reserved matters on the basis of the unacceptable visual impact that the development as currently proposed will have on the rural character of the area, and that the details of the vehicular access do not satisfy the requirements of the Local highways Authority.
24. I am hoping that revised drawings will be received prior to the meeting which will enable officer to reconsider this view.

Recommendation

25. That reserved matters consent is refused as submitted for the reasons outlined in the above paragraphs. If satisfactory revised drawings are received prior to the date of the meeting and in time to enable the application to be determined within the 13 week deadline, I will seek delegated powers of approval.

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/1235/06/RM & S/1729/03/F
- Documents referred to in the report including appendices on the website only and reports to previous meetings

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 6th September 2006
AUTHOR/S: Executive Director / Head of Planning Services

S/0878/06/F – GREAT SHELFORD**Dwelling on Land adjacent to 1A Spinney Drive for The Executors of the Late Mrs P Clive****Recommendation: Approval****Date for determination: 28th June 2006**

Members will visit the site on Monday 4th September 2006.

Conservation Area

Site and Proposal

1. The application relates to 0.04 hectare/0.1 acre part of the side garden of No.1A Spinney Drive, a two-storey brick, hung tile and large flat tile roof house. A detached flat roof and brick faced double garage/workshop stands on the site. The site is bounded by fencing and hedging along its Woollards Lane/northwest and Spinney Drive/southwest frontages. A large sycamore tree protected by a Tree Preservation Order stands on the site boundary close to the junction of Woollards Lane and Spinney Drive. A new dwelling has recently been constructed within the garden of what was known as 1 Woollards Lane but is now known as 2A Woodlands Road to the northeast. No.1A is to the southeast of the site.
2. This full application, registered on the 3rd May 2006 and amended by plans date stamped the 26th July 2006, proposes the erection of a 3 bedroom plus a fourth bedroom/study detached house with a curved roof facing the Woollards Lane/Spinney Drive junction, an integral garage and dormer windows. It measures 2.7m high to eaves and 7.2m high to ridge and would be faced with render with a slate roof and lead to the stair and dormer windows. The density equates to approximately 24 dwellings to the hectare.

Recent Planning History

3. Planning permission for a fence was approved in 1981 under reference **S/0767/81/F**.
4. At the Chairman's Delegation Meeting on the 16th August 2006, officers were given delegated powers to approve the application for a new single garage at 1A Spinney Drive (reference **S/0877/06/F**). At the time of compiling this report, the decision had not been issued.
5. Consent to demolish the detached flat roof and brick faced double garage/workshop on the site was granted in July 2006 under reference **S/0924/06/CAC**.

Planning Policy

6. Structure Plan 2003 **Policy P1/3** relates to sustainable design in built development and requires a high standard of design for all new development which responds to the local character of the built environment.
7. Structure Plan 2003 **Policy P7/6** states that Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.
8. Local Plan 2004 **Policy SE2** states that residential development will be permitted on unallocated land within the village framework of Great Shelford provided that (a) the retention of the site in its present form is not essential to the character of the village; (b) the development would be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours; (c) the village has the necessary infrastructure capacity; and (d) residential development would not conflict with another policy of the Plan, particularly policy EM8 which relates to the loss of employment sites. It also states that development should provide an appropriate mix of dwellings in terms of size, type and affordability and should achieve a minimum density of 30 dwellings to the hectare unless there are strong design grounds for not doing so.
9. Local Plan 2004 **Policy HG10** states that residential developments will be required to make the best use of the site and promote a sense of community which reflects local needs. It also states that the design and layout of schemes should be informed by the wider character and context of the local townscape and landscape. Schemes should also achieve high quality design and distinctiveness, avoiding inflexible standards and promoting energy efficiency.
10. Local Plan 2004 **Policy EN5** states that the District Council will require trees to be retained wherever possible in proposals for new development
11. Local Plan 2004 **Policy EN30** states that proposals within conservation areas will be expected to preserve or enhance the special character and appearance of the conservation areas in terms of their scale, massing, roof materials and wall materials. It also states that the District Council will refuse permission for schemes within conservation areas which do not specify traditional local materials and details and which do not fit comfortably into their context.
12. **Great Shelford Village Design Statement**, adopted by the District Council as Supplementary Planning Guidance in February 2004, provides design guidance to ensure that new developments reflect local characteristics and qualities.

Consultations

13. **Great Shelford Parish Council** recommended refusal of the scheme as originally submitted stating "The policy of development in Conservation Areas state 'proposals will be expected to preserve or enhance the special character and appearance of the conservation area' ... and the Conservation Area Appraisal 2001 identifies this character as follows:- 'the street scene (Woollards Lane) is characterised by detached houses with deeper front gardens. The many fine examples of large mature trees and well maintained hedges which obscure the dwellings behind, give this part of the street a lush appearance'. We do not believe the proposal by reason of the removal of the hedge along the frontage, the dominance of the dormers of the NE elevation and its proximity to the large sycamore tree enhances or preserves the special character of the Conservation Area as identified in the Conservation Area Appraisal."

14. In relation to the application as amended it recommends refusal stating “The proposal to erect this dwelling on a small site in a prominent position in the Conservation Area and close to a significant tree does not preserve or enhance the special character of the Conservation Area. The dwelling is out of character with the larger more spacious sites and houses in Spinney Drive and Woollards Lane.”
15. **Conservation Manager** supports the application as amended subject to confirmation of details of the proposed root protection measures and details of materials.
16. **Trees & Landscape Officer** raises no objections to the application as amended subject to the imposition of a condition requiring the precise details of the proposed piles to be agreed on site by her.
17. **Chief Environmental Health Officer** recommends that conditions relating to the times when power operated machinery shall not be operated during the construction period except in accordance with agreed noise restrictions and driven pile foundations are attached to any approval. He also recommends that an informative is attached to any approval stating that there shall be no bonfires or burning of waste on site during construction except with his Department’s prior permission.

Representations

18. Objections have been received from the occupiers of 1, 2, 5 and 12 Spinney Drive and 4 Woollards Lane on the following grounds:
 1. The development would result in a cramped form of development/overdevelopment of the plot and would be out of character with the style of Spinney Drive and the Conservation Area contrary to the intent of the Village Design Statement and the Local Plan;
 2. Increased traffic flows in what is already a narrow (4.98m wide) and congested side road that is used by shoppers and users of other facilities in the village;
 3. Development would result in 3 entrances within 20 metres of a busy main road junction creating a danger to the residents of Spinney Drive and pedestrians crossing Spinney Drive at the junction with Woollards Lane;
 4. Insufficient parking for the proposed dwelling;
 5. New dwelling would encroach beyond the ‘building line’ in both Spinney Drive and Woollards Lane;
 6. Proposed development does not form part of a coordinated plan for the Woollards Lane area;
 7. Approval would set an undesirable precedent for future piecemeal development in the vicinity which would progressively detract from the character of the area;
 8. The existing sewerage system is inadequate to serve future development; and
 9. Inevitable request for the large sycamore to be felled or lopped as it would have a detrimental effect on the building.

Planning Comments – Key Issues

19. The main issues in relation to this application are: the impact on the streetscene and the character and appearance of the Conservation Area, including the impact on the protected sycamore tree in the western corner of the site; impact on neighbours; and highway and parking matters.
20. In response to the Parish Council’s comments on the scheme as originally submitted (“We do not believe the proposal by reason of the removal of the hedge along the

frontage, the dominance of the dormers of the NE elevation and its proximity to the large sycamore tree enhances or preserves the special character of the Conservation Area as identified in the Conservation Area Appraisal”), the Trees & Landscape Officers’ concerns about the proximity of the dwelling to the protected sycamore tree and the Conservation Manager’s concerns about the originally proposed 3 separate dormer windows in the northeast elevation, amended plans were submitted. These amended plans, which include a Tree Protection Plan, show the existing frontage hedge retained and reduced in height to 2m and show the originally proposed 3 dormer windows in the northeast elevation replaced by a single larger dormer window, are considered to result in an interesting development that would ensure the retention of the sycamore tree and preserve the character and appearance of the Conservation Area. It would however be important to attach conditions to any approval removing permitted development rights, requiring the agreement of the precise details of the frontage hedge and requiring the agreement of the precise position of the pile foundations in order to ensure that the development and subsequent development that would not otherwise require planning permission would not harm the character and appearance of the Conservation Area and to ensure the protection of the rooting system of the Sycamore tree.

21. It is considered that the proposed development would not seriously harm the amenity of any neighbours.
22. Two parking spaces, an integral garage and a further parking space in front of the garage, would be provided which is considered appropriate. It is considered that Spinney Drive and its junction with Woollards Lane are adequate to accommodate the additional vehicular movements resulting from one additional dwelling.

Recommendation

23. Approval (as amended by drawing nos. 4 Rev.A, 6 Rev.A, 7 Rev.A, 10 Rev.A and 821.1 Rev.A date stamped 26.7.06)
 1. Standard Time Condition A – Time limited permission (Reason A)
 2. SC5a – Details of materials to be used for external walls and roofs (RC To ensure the development preserves or enhances the character and appearance of the Conservation Area)
 3. No development shall commence until precise details of a hedge to be retained/provided along the Woollards Lane and Spinney Drive site frontages, save for the access, have been submitted to and approved in writing by the Local Planning Authority; the approved scheme shall be in place/planted in the first planting season 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 occupation 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 (RC To ensure the development preserves or enhances the character and appearance of the Conservation Area)
 4. Details of the treatment of the other site boundaries shall be submitted to and approved in writing by the Local Planning Authority and the work completed in accordance with the approved details before the dwelling is occupied or the development is complete, whichever is the sooner (RC To ensure the development preserves or enhances the character and appearance of the Conservation Area)
 5. No development shall commence until the precise positions of the piles indicated on drawing no. 821.1 Rev.A have been agreed on site by the District Council's

Trees & Landscape Officer; the development shall be carried out in accordance with the agreed positions (RC To ensure the protection of the rooting system of the Sycamore tree and thereby ensure the development preserves or enhances the character and appearance of the Conservation Area)

6. The tree protection measures detailed on drawing no. 821.1 Rev.A shall be in place for the course of the development operations (RC To ensure the protection of the Sycamore tree and thereby ensure the development preserves or enhances the character and appearance of the Conservation Area)
7. SC21 (Part 1 Development within the curtilage of a dwellinghouse, All classes) – Removal of permitted development rights (RC21c harm to the character and appearance of the Conservation Area)
8. During the period of construction ... SC26 (0800, 0800, 1800, 1300) – Restriction on hours of use of power operated machinery during construction period (RC26)

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 Development)
 - **South Cambridgeshire Local Plan 2004:**
SE2 (Residential Development in Rural Growth Settlements),
HG10 (Housing Design),
EN5 (Retention of Trees), and
EN30 (Development in Conservation Areas).
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise: Impact of development in the streetscene and on the character and appearance of the Conservation Area; highway and pedestrian safety; sewerage; parking provision; and impact on protected sycamore tree

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
- Great Shelford Village Design Statement 2004
- Planning file Refs: (S/0924/06/CAC, S/0878/06/F, S/0877/06/F and S/0767/81/F.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6th September 2006

AUTHOR/S: Executive Director / Head of Planning Services

S/1443/06/F – GREAT SHELFORD**Bungalow and Vehicular Access – Land Adjacent to 1 Davey Crescent for Mr Newman****Recommendation: Approval****Date for Determination: 14th September 2006****Site and Proposal**

1. The application site is a 0.1 hectare plot of land sited on the east side of Cambridge Road adjacent to its junction with Davey Crescent. The site forms part of the garden area of No.1 Davey Crescent, a two storey semi detached house located to the east whilst, to the north, are bungalows and a garage block sited within Bridge Close.
2. The full application, submitted on 20th July 2006, seeks to erect a 2-bedroom bungalow on the site. The bungalow would incorporate a pyramid style roof and stand a total of 4.8 metres high. It would face Cambridge Road onto which it is proposed to create a new vehicular access.

Planning History

3. None

Planning Policy

4. Great Shelford is designated within the South Cambridgeshire Local Plan 2004 as a Rural Growth Settlement where **Policy SE2** states residential development will be permitted providing, amongst other matters, the development would be sensitive to the character of the village and the amenities of neighbours.
5. **Policy P1/3** of the Cambridgeshire and Peterborough Structure Plan 2003 stresses the need for a high standard of design and a sense of place which corresponds to the local character of the built environment.

Consultation

6. **Great Shelford Parish Council** objects to the application stating:
 - a) The proposal amounts to over-development of the site;
 - b) The design of the bungalow is uninspiring, does not relate to the shape of the site or adjacent buildings and does not contribute to the appearance of this part of Cambridge Road or the entrance to Davey Crescent;
 - c) The creation of a new access onto Cambridge Road would be detrimental to highway and pedestrian safety.”
7. The comments of the **Local Highways Authority** will be reported verbally at the Committee meeting.

8. **The Chief Environmental Health Officer** raises no objections in principle although does express concern about noise disturbance to nearby residents during the construction period. As such, a condition restricting the hours of use of power operated machinery during the construction period needs to be attached to any planning consent.

Representations

9. Letters have been received from Nos.1 and 6 Davey Crescent and from Nos. 2 and 6 Bridge Close. The occupiers of No.1 Davey Crescent fully support the application, whilst the main points raised within the other letters are:
- a. The plans do not appear to show an extension built at the front of No.2 Bridge Close. No.2 would therefore be closer to the bungalow than indicated and concern is expressed regarding loss of light to the kitchen area;
 - b. Nos. 2, 4 and 6 Bridge Close have a right of way to the back/south side of the adjacent garage which must not be obstructed;
 - c. The bungalow should not be constructed directly adjacent to the garage as it would obstruct light to windows in the south elevation of the garage.
 - d. The access to the new building should be from the main road and not from Davey Crescent which is extremely congested.

Planning Comments – Key Issues

10. The key issues to consider in the determination of this application are:
- a. Impact upon character and appearance of the area;
 - b. Residential amenity;
 - c. Highway safety

Visual impact

11. The site lies between a two storey house to the east, a flat-roofed garage block to the north-west and a bungalow to the north. Whilst the bungalow would be sited closer to Cambridge Road than the properties within Bridge Close, it would not come forward of a line drawn between the adjacent corners of No.1 Davey Crescent and the garage block and, given the small scale of the bungalow, would not be an unduly intrusive feature in the street scene.

Residential amenity

12. The proposed bungalow incorporates a pyramid style roof, ensuring that the roof is hipped away from the adjoining properties at No.1 Davey Crescent and No.2 Bridge Close. Whilst the extension at the front of the latter property has not been shown on the plans, I have visited this property and am satisfied that the bungalow would not result in an undue loss of light to the kitchen area which is served by windows in its front (south-west) and side (south-east) elevations. I also consider the proposed bungalow, in being angled away from No.1 Davey Crescent, would not result in an undue loss of light/outlook to this property.
13. The bungalow, being sited within 3 metres of the south-east elevation of the adjacent garage block, would undoubtedly cut out light to windows in this elevation. However, given that this building is used for garage/storage purposes rather than as habitable

accommodation, a refusal on the grounds of loss of light to these windows could not be substantiated.

Highway safety

14. I am presently awaiting the comments of the Local Highways Authority regarding the proposed new access to be created onto Cambridge Road, an A class road. The plans indicate that pedestrian visibility splays together with parking and turning areas can all be provided on the site and, providing no objections are raised by the Local Highways Authority, these should all be secured by way of conditions of any planning permission.

Other issues

15. The proposed bungalow is sited sufficiently far from the side elevation of the adjacent garage block serving Nos. 2, 4 and 6 Bridge Close to avoid obstructing access to this garage for maintenance purposes. Whilst this is strictly not a material planning consideration, the applicants should be made aware of this requirement as it would prevent the erection of any means of boundary treatment along the adjacent section of the north-western boundary.

Recommendation

16. Providing no objections are received from the Local Highways Authority, approval:
1. Standard Condition A – Time limited permission (Reason A);
 2. Sc5a – Details of materials for external walls and roofs (Rc5a);
 3. Sc51 – Landscaping (Rc51);
 4. Sc52 – Implementation of landscaping (Rc52);
 5. Sc60 – Details of boundary treatment (Rc60);
 6. During the period of construction no power operated machinery shall be operated on the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions (Reason – To minimise noise disturbance to adjoining residents)
- + any conditions required by the Local Highways Authority

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P1/3** (Sustainable design in built development);

- **South Cambridgeshire Local Plan 2004:**
SE2 (Development in Rural Growth Settlements).
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
- Residential amenity;
 - Visual impact on the locality;
 - Highway safety.

General

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

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/1443/06/F

Documents referred to in the report including appendices on the website only and reports to previous meetings.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee6th September 2006**AUTHOR/S:** Executive Director / Head of Planning Services

S/1353/06/F - WATERBEACH
Dwelling (amended design) at Land Rear of 1 Cambridge Road for
Loxfield Developments Ltd

Recommendation: Delegated approval

Date for Determination: 6th September 2006

Site and Proposal

1. The site sits within the village framework and the Conservation Area for Waterbeach. The 0.046 hectare site consists of part of the rear garden of No. 1 Cambridge Road. It is adjacent to 16 Chapel Street and there is a large telephone exchange to the immediate west. The land is bounded by a large hedge and is used as garden land at present. There is a large yew tree close to the boundary with 16 Chapel Street, about half way down the garden.
2. This full planning application, received on 7th July 2006 seeks a revised design to incorporate living accommodation at first floor. It therefore proposes the erection of a bungalow, with 2 bedrooms in the roof and an attached single garage. The site is to be access off Chapel Street via an existing private shared drive, serving four existing dwellings. Turning is to be provided on an area in front of the bungalow. The bungalow would have a private rear garden adjacent to the boundary with the playing field.
3. The overall form, massing and bulk of the new dwelling was approved in 2004 (ref S/1872/04/F) and the revised design follows the approved form but with the addition of a series of Velux rooflights to enable the roof void to be used for habitable accommodation.

Planning History

4. **S/1872/04/F** – Full planning permission was approved with conditions by the Planning Committee for the erection of a bungalow with an attached single garage. The conditions included an appropriate landscaping scheme, boundary treatment and a scheme for protecting acoustically the dwelling and garden from noise and disturbance from the recreation ground. This permission has not to date been implemented.
5. **S/1394/00/O** – Outline planning permission was refused by the Council for a bungalow on the site due to concerns that the access, which was to pass in front of 16 Chapel Street, would result in loss of amenity due to noise, disturbance and fumes. In considering a subsequent appeal, the inspector noted that:

“...it is unlikely that a houses set 4.5m back from the carriageway of a cul-de-sac serving only one further property would suffer disturbance from noise, and I do not believe that in this instance the residents of No. 16 would experience a degree of noise and disturbance anywhere near that which is unacceptable;

they would probably be aware of vehicles passing from time to time, but no more so than is the case with very many residential developments. I have considered the Council's reference to fumes but there is no evidence, or in my view any likelihood, that there would be a material effect on No16. from that cause"

The appeal was allowed.

Planning Policy

6. **Policy SE2 'Rural Growth Settlements'** of the South Cambridgeshire Local Plan 2004 ("Local Plan") defines Waterbeach as a Rural Growth Settlement in which residential development will be permitted on unallocated land providing the development meets with the criteria of this and other policies included within the Local Plan.
7. **Policy HG10 'Housing Mix and Design'** of the Local Plan requires development to make best use of the site and promoting a sense of community that reflects local needs. Design and layouts should be informed by the wider character and context. In addition, high quality design is sought, combining energy efficiency.
8. **Policy HG11 'Backland Development'** of the Local Plan only permits development to the rear of existing properties when it would not 1) result in overbearing, overlooking or overshadowing of existing properties 2) result in noise and disturbance to existing residential properties through the use of its access, 3) result in highway dangers through use of its access or 4) be out of character with the pattern of development in the vicinity.
9. **Policy EN30 'Development in Conservation Areas'** of the Local Plan states that proposals will be expected to preserve or enhance the special character and appearance of the Conservation Area
10. **Policy P1/3 'Sustainable Design in Built Development'** of the Cambridgeshire and Peterborough Structure Plan 2003 ("Structure Plan") states that a high standard of design and sustainability should be adopted for all new forms of development.
11. **Policy 7/6 'Historic Built Environment'** of the Structure Plan requires all proposals to protect and enhance the quality and distinctiveness of the historic built environment.

Consultation

12. **Waterbeach Parish Council** recommends refusal on the grounds of overdevelopment with inadequate parking and turning space. In the event that the application is approved the same conditions as the previous application should be applied; a sound proof wall to mitigate the noise from the recreation ground and specifically the skateboard park should be erected. The barrier should be maintained along the length of the boundary with the recreation ground so direct access is not established.
13. **Environmental Health Officer** recommends conditions to minimise the effects of noise from the construction of the development on nearby residents or occupiers; including hours of operation of machinery and further information be submitted should pile foundations be proposed.
14. **Conservation Officer** has no objection to the proposal but requires conditions with regards to roofing materials and timber windows and doors.

15. **Waterbeach Level Internal Drainage Board** has no comment from a drainage point of view.
16. **Trees and Landscape Officer** notes that the boundary planting is mature and would like to see a landscaping scheme detailing present species on site and what is to be retained and removed prior to the development commencing.

Representations

17. One letter received from the occupier of 1 Cambridge Road objecting to the position of the garage. Under the sale agreement of the land to Loxfield Developments a 6ft fence was to be erected along the boundary to divide No. 1 from the bungalow. The garage now sits on the boundary. The occupier encloses a solicitor's letter detailing the restrictions imposed when the land was sold to Loxfield Developments.

Planning Comments – Key Issues

18. The key planning issues to consider in determining this application relate to the potential overlooking to neighbouring properties as a result of the positioning of velux windows in the roof and the impact of the close proximity of the recreation ground. The Parish Council also raises concern about the parking and turning arrangements.
19. **Access and Turning** was concluded to be adequate as part of the approved planning application S/1872/04/F. There has been no material change to the proposed parking and turning arrangements since that decision was reached.
20. **Overlooking to neighbouring properties** may result from the positioning of windows in the roof space. In particular, the proposed velux (W 12) in the east elevation is at a height of 1.1m from floor level to the central point of the glazing, which will result in the direct overlooking of the private amenity space of 16 Chapel Street. It is recommended that this window be omitted and relocated, if necessary, to the west elevation, overlooking the telephone exchange. The positioning of the front (north) velux (W16) was also raised as a concern with potential overlooking to 1 Cambridge Road. However, it is concluded that the dwelling and immediate private amenity space is a considerable distance (30m) away and as such the addition of first floor windows will not be significantly detrimental to the amenities enjoyed by the occupants of that property.
21. **Impact of noise from the recreation ground on the residential amenities of the new dwelling** were addressed as part of the previous application (S/1872/04/F) with the Environmental Health Officer suggesting boundary treatment to the rear of the site to block views from the skate park onto the property and also block some noise. With the addition of velux rooflights to the rear elevation, facing the skate park, the potential of noise disturbance is greater, particularly as the rooflight serves a bedroom. It is recommended that velux (W15) be omitted.

Recommendation

22. Delegated approval is recommended subject to receipt of amended plans to address the points above relating to the number and siting of windows.
 1. Standard Condition A – Time limited permission (Reason A);

2. This permission shall not include the wall and roofing materials detailed on the approved drawings.
(Reason - Samples of these materials are required to be submitted to ensure that they are not incongruous with the surrounding buildings, which are located within the Waterbeach Conservation Area)
3. Sc5:
 - a – Details of materials for external walls and roofs (Rc5aii)
 - f – 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)
4. The doors and windows detailed on the approved drawing shall be constructed of timber. (Reason - The site is within the Conservation Area where materials used must fit comfortably into their context, as required by policy 'EN30 – Development in Conservation Areas' of South Cambridgeshire Local Plan, 2004.)
5. Sc51 – Landscaping Wording added 'This scheme shall include details of a tree to replace the yew tree which will be removed to form the driveway serving the site (Rc51);
6. Sc52 – Implementation of landscaping (Rc52);
7. Sc56 – Protection of trees during construction (Rc 56)
8. Sc60 – Details of boundary treatment (Rc60); Add wording:
The boundary to the recreation ground shall be constructed of brick and shall be designed to provide acoustic screening and privacy to the dwelling hereby approved. The wall shall be maintained in perpetuity and shall not be removed or replaced without the prior written agreement of the details of the replacement wall by the Local Planning Authority.
(Reason - Add to reason: and to ensure that the privacy and acoustic screening is maintained in order to protect the amenities of future occupiers.
9. SC21 withdrawal of permitted development part 1 ABCD & E (Rc21 C detriment to the neighbours)
10. Before any development is commenced, a scheme for protecting acoustically and (in conjunction with any landscaping scheme) visually the proposed dwelling and its garden from noise and disturbance from the recreation ground shall be submitted to and approved in writing by the Local Planning Authority. This scheme of noise mitigation and sound insulation measures shall be designed to meet the 'good' internal noise criterion of BS 8233:1999 (sound insulation and noise reduction for buildings – Code of practice) for new development, or any subsequent replacement of these standards. All works that form part of the approved scheme shall be completed before the permitted dwelling is occupied and shall be maintained thereafter for so long as the dwelling shall be occupied as such, subject to any changes that the Local Planning Authority may agree in writing.
(Reason – To protect future residents from noise, in the interests of enjoyment of their property.)
11. Sc26 – Noise Control, worded ' During the period of construction no power operated machinery shall be operated on the premises before 08.00hrs on weekdays and 08.00hrs on Saturdays nor after 18.00hrs on weekdays and 13.00 hrs on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise

agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions' (Rc26)

Informatives

23. During construction there shall be no bonfires or burning of waste on site except with prior permission of the Environmental health Officer in accordance with best practice and existing waste management legislation.
24. 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 vibrations can be controlled.
25. It is suggested by the Environmental Health Officer that, in order to minimise potential conflict of interest between the future occupiers of the dwelling and users of the adjacent recreation ground and skate park, the internal layout and siting of the windows and doors be re-designed. The living room would be better located where the proposed kitchen and dining rooms are, at the front of the property, away from the skate park. The kitchen and dining rooms can then be sited at the rear with windows in the east and west elevations. These alterations may be considered as minor amendments to the approved scheme with approval subject to no detriment to the amenities of existing dwellings neighbouring the site.
26. The site adjoins the Waterbeach Recreation Ground and is close to a skate park within that area. Conditions have been placed on this permission, which will require acoustic and visual screening to be provided in the interests of future occupiers' amenities to ameliorate any possible impact arising from the manner in which the Recreation Ground facilities are used and managed.

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: SE2** (Development in Rural Growth Settlements), **HG10** (Housing Mix and Design), **HG11** (Backland Development) and **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 overlooking issues
 - Noise disturbance to the occupants of the proposed dwelling

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/ 1353/06/F, S/1872/04/F and S/1394/00/O

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee6th September 2006**AUTHOR/S:** Executive Director / Head of Planning Services

S/1113/06/LB and S/1114/06/F - OVER

- 1. Demolition of Front Boundary Wall and Rebuilding as Front and Side Boundary Wall on Revised Alignment**
- 2. Erection of 28 Dwellings, Provision of Playing Field for Over Primary School and New Walls etc.**
 - 1. 17 High Street;**
 - 2. Land R/o High Street, Long Furlong, The Lanes and Adjacent Papworth Close for Camstead Homes Ltd**

(MAJOR DEVELOPMENT)

Recommendation: Approval
Date for Determination: 6th November 2006

Members will visit the site on 4th September 2006

Conservation Area (Part)

Site and Proposal

1. The 1.62 ha site is centrally located in the village, to the south of the High Street, to the west of Long Furlong and to the north of The Lanes. It consists of a number of rear gardens and paddocks, divided by hedgerows and in part overgrown and covered in scrub/trees, and includes land to the rear of Haywards garage on the High Street frontage. To the rear of 17 High Street is an occupied residential caravan.
2. The site is predominantly surrounded by existing housing, including a number of listed buildings on the High Street frontage. Over Primary School abuts the south eastern corner of the site and The Cramp, a public footpath, forms the western boundary linking The Lanes to the south with the High Street to the north.
3. The full and listed building applications, received on 7th June 2006, (the full application was amended on 8th August 2006) involve the demolition and rebuilding of a listed wall at 17 High Street to achieve vehicular access to the main body of the site for a 28 house development which includes an area of approximately 0.6ha to provide playing fields for the primary school. The residential element consists of 2 and 2½ storey houses, including 8 affordable dwellings, in the form of detached, semi-detached and terraced properties. 11% are 1 bedroom; 25%, 2 bedroom; 32%, 3 bedroom and 32%, 4/5 bedroom.
4. A small area of public open space is proposed in the centre of the development, and a footpath link is provided to The Cramp.
5. The existing wall to be demolished consists of two distinct parts; that adjoining the listed house (17) which is largely intact, although in poor condition and the eastern section which has been extensively rebuilt. The proposal is to remove the entire wall

and rebuild it on a new, curving alignment closer to No. 17 in a matching style to the original.

6. Traffic calming measures are proposed in the High Street in connection with the new vehicular access. These principally involve a raised table and associated works at the entrance to the site, extending for approximately 60m along the High Street and raising the carriageway by approximately 75mm. An ancillary traffic calming feature is proposed at the junction of The Lanes and High Street further westwards, either in the form of a small raised table or a series of setts within the carriageway.
7. Accompanying the applications are a covering letter, a flood risk assessment, a planning statement, a transport statement, a tree survey, an ecological assessment, a landscape scheme and a breakdown of infrastructure costs.
8. In the **covering letter** the applicant's agent refers to the long-standing proposal in Development Plan documents for an additional school playing field provision on part of the site. For over 20 years developers have attempted to assemble the site, but because of the difficulties arising from multiple ownerships, potential access difficulties and other physical constraints, this has not proved possible until now.
9. **The Planning Statement** explains the design philosophy, with a central open space visible from the High Street, linked to The Cramp footpath by a landscaped corridor. A landscaped margin is proposed along the eastern (development) side of The Cramp, and on the southern boundary with the school. Conservation issues have been addressed with the appropriate configuration of the reconstructed wall giving views to the landscaped green. The barn-like theme of Plots 1 and 2 continues that of the timber-clad barns to the rear of 15 High Street. The proposed dwellings generally reflect the variety of styles and detailing one might expect in a central village location. The affordable dwellings are located in the north-west corner, closest to the facilities on the High Street and accessed from The Cramp. External finishes of the dwellings will be good quality traditional materials. Gault type facing bricks predominate, with a small number of red bricks reflecting the mix on the High Street, and the occasional use of render and dark stained boarding. Roof finishes are plain tiles/slate with some use of pantiles. Security issues are addressed by well-defined points of entry to the site combined with window presence in these positions. 2 storey configuration is used for the flats, so that each flat has its own private entrance, avoiding the use of common lobbies and stairs. Disabled access has been incorporated and 10% of communal parking spaces will be designed for disabled use. The land to be given over to the Education Authority for the playing fields extension has indicative drawings showing a junior football pitch, which has been agreed with the school. Access to the proposed playing fields will be solely through the existing school and will be physically divorced from the residential development site by boundary fencing and substantial planting. The vehicular access arrangements from the High Street have been evolved in discussions with the County Highways Department. The rebuilding of the walled enclosure and the treatment of the pavement and spaces around the access will enhance views of the listed building and the street scene. The proposed dwellings within the scheme have been designed to pick up features from the local vernacular style with materials selected to match as far as possible.
10. **The Transport Statement** contains detailed drawings of the proposed site access and the associated traffic calming measures in the High Street already described. The need to minimise additional street furniture and to use appropriate materials have been addressed, so as not to detract from the townscape, the Conservation Area and its listed buildings.

11. **The Tree Survey** updates the earlier survey undertaken in September 2005. It identifies those trees within the site which are worthy of retention and for incorporation within the scheme. The large area of scrub in the south-western quadrant of the site is largely regenerated elm, within which is evidence of Dutch Elm disease.
12. **The Ecological Assessment** is based on a survey in August 2005, updated since following further visits and meetings with the Council's Ecology Officer. The only protected species likely to be using the site are bats, although even these are more likely to be present in dwellings off-site. No evidence was found of badgers, which had been reported in the past. Great Crested Newts have been reported in Over, but mostly north of the High Street. A further survey will be required, comprising a destructive search prior to and during development, but the likelihood is very low of any being present. Ground works should avoid the bird nesting season. A further check for badger activity should be undertaken prior to development commencing. Creating ponds may enable newts to re-colonise the area. The layout proposed for the school playfields follows discussions and protects as much of the habitats as possible, by retaining a green boundary and green links throughout the site, as well as creating a new pond.
13. **The Flood Risk Assessment** and Drainage Report states discussions have taken place with all the relevant parties to achieve a scheme that will alleviate the existing drainage problems on the application site and allow a small development to be constructed, yet removing the existing localised flooding issues that remain. It is known that parts of the low lying areas adjacent to the existing site have flooded in winter periods due to the natural flow of water within the topsoil/subsoil and lack of existing land drainage. In order to satisfactorily drain the site, a new storm water system has to be constructed, conforming with the Sustainable Urban Drainage System (SUDS).
14. **The Landscape Scheme** gives details of trees to be retained and the extensive planting proposed in the school grounds. A feature tree is shown centrally on the public open space. Two ponds are proposed, one in the school grounds in a nature study area, and a third pond off-site is shown reinstated. The existing vegetation on the eastern side of The Cramp footpath is to be reinforced with the planting of a wider diversity of nature trees.
15. **The breakdown of Infrastructure** Costs totals £589,960. Drainage works account for almost half the amount.

Planning History

16. Prior to 2005 the only applications on the site were of a minor nature. Applications for single backland dwellings were refused.
17. In October 2005 applications were submitted by Camstead Homes for 30 dwellings/provision of a playing field for the school etc, and to demolish the listed frontage wall. Both applications were refused for the following reasons:
 - (i) **30 Dwellings/Playing Fields**
 1. In order to provide a safe vehicular access to the proposed development, off site traffic calming measures are required in the High Street Conservation Area, including two raised tables and a raised crossing facility. This will have the combined effect of damaging the character of the

historic road pattern, introducing a carpet of alien materials across the carriageway and footpaths with a proliferation of bollards resulting in a significant visual intrusion into the street scene. As such the proposal would be contrary to Policy P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policy EN30 of the South Cambridgeshire Local Plan 2004, which seek to protect the Historic Built Environment and the character of Conservation Areas.

2. The proposed access involves the demolition and replacement of a historic wall, adjoining 17 High Street, a Grade 2 Listed Building. As the development in its totality will not enhance the setting of the listed building or preserve or enhance the Conservation Area, its removal and replacement would be contrary to Policy P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies EN18, EN20, EN28 and EN30 of the South Cambridgeshire Local Plan 2004, which seek to protect the character of Conservation Areas and Listed Buildings and their settings.
3. Notwithstanding the above, the layout is unacceptable for a site in the centre of the village, partly within and adjoining the Conservation Area because:
 - (a) The layout is excessively highway dominated with prominent frontage parking and views from the ends of access roads focused on garaging and parking areas of the dwellings.
 - (b) The spacing between detached dwellings is a minimal 2m in some instances, giving an impression of a cramped layout.
 - (c) The landscaping of the important footpath link to The Cramp is compromised by the proximity of the dwelling on Plot 25.
 - (d) There is limited space provided for streetscape planting.

Therefore the proposal is contrary to Policy P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003 which respectively seeks a high standard of design for new developments and requires Local Authorities to protect and enhance the quality and distinctiveness of the historic built environment, and will fail to preserve or enhance the character of the Conservation Area contrary to Policy EN30 of the South Cambridgeshire Local Plan 2004.

4. Insufficient areas of the existing regenerated elm woodland have been incorporated into the layout, resulting in a loss of a feature in the centre of the village of local landscape and biodiversity importance. This is particularly relevant adjacent to The Cramp public footpath. The loss of much of this wooded area would be contrary to Policies P1/2, P1/3 and P7/2 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE3 and EN12 of the South Cambridgeshire Local Plan 2004 which seek to retain natural habitats because of their biodiversity and environmental value.
5. Trees No 5-8 are incorrectly plotted on the application tree survey plan and are growing immediately north of the existing outbuilding. The Oak in particular is a good quality tree and would be compromised by the alignment of the proposed access road.

(ii) **Listed Wall**

1. The proposed demolition and rebuilding of the front boundary wall is not considered to be justified as there is no approved scheme for the redevelopment of the site which would enhance the setting of the listed building and the proposal would not make a positive contribution to the character or appearance of the Conservation Area. The proposal is therefore contrary to Policy P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies EN18, EN30 and EN33 of the South Cambridgeshire Local Plan 2004, which seek to protect the character and appearance of Conservation Areas and listed buildings and their settings.

The occupied residential caravan to the rear of 17 High Street does not have planning permission.

Planning Policy

Background

18. In the deposit version of the 2004 Local Plan the extension to the school playing fields was identified with its own policy and the remainder of the site shown as a P.V.A.A. (Protected Village Amenity Area). Objections were raised to the P.V.A.A. designation by the landowners, which were considered at the Local Public Inquiry in 2000. In his report the Inspector concluded the P.V.A.A. did not have the public qualities to warrant that designation. "It is, at least in part, previously developed land well within the confines (and quite close to the heart) of the village. In principle, therefore, I see no reason to prevent appropriate residential development of that part of the site outside the area safeguarded for the playing field extension. It is important that a corridor of good visual interest is retained/provided for those making use of The Cramp, but that can be achieved as part of the development control process. I do not know whether conditions exist which would result in early development of all of the land east of The Cramp and north of the extended school site. I therefore do not recommend specific allocation. However, deletion of the P.V.A.A. will enable the land to come forward for development in whole or part on a "windfall" basis."
19. The site is within the built-up framework of Over. The proposed access and two housing plots are within the Village Conservation Area. Two Local Plan 2004 Policies are of particular relevance:
 1. **Policy SE3** designates Over as a Limited Rural Growth Settlement where the development of 30 dwellings will be permitted on unallocated land, provided that:
 - (a) The retention of the site in its present form is not essential to the character of the village;
 - (b) The development would be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours;
 - (c) The village has the necessary infrastructure capacity;
 - (d) There is no conflict with other policies in the Plan.

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

2. **Policy Over 3** states a site of approximately 0.7ha is allocated as an extension to the school playing field. The supporting text explains the school occupies a cramped site without playing fields, dual use being made of the nearby village recreation ground. The extension of the playing field would allow the existing school to be remodelled in its existing location.

Other relevant policies are:

Cambridgeshire and Peterborough Structure Plan 2003

20. **Policy P1/2** - Environmental Restrictions on Development - seeks to protect the biodiversity of an area.
21. **Policy P1/3** - Sustainable Design in Built Development - requires a high standard of design and sustainability for all new development.
22. **Policy P5/3** - Density - states in locations close to services and facilities, densities of at least 40 dwellings per ha should be sought. Densities of less than 30 dwellings per ha are not acceptable.
23. **Policy P6/4** - Drainage - states all new development should avoid exacerbating flood risk locally and incorporate Sustainable Drainage Systems (SUDS) for the disposal of surface water run-off.
24. **Policy P7/2** - Biodiversity - states all development should seek to conserve or enhance the biodiversity value of the area.
25. **Policy P7/6** - Historic Built Environment - requires Local Planning Authorities to protect and enhance the quality and distinctiveness of the historic built environment.

The South Cambridgeshire Local Plan 2004

26. **Policy SE8** - Village Frameworks - states there is a general presumption in favour of residential development within village frameworks subject to settlement policy.
27. **Policy HG7** - Affordable Housing on Sites within Village Frameworks - states in villages with less than 3000 population up to 50% of the houses should be affordable dependent on the level of clearly identified local need, although higher or lower percentages may be agreed in the light of factors such as proximity to local services; access to public transport; the particular costs associated with the development; and whether or not the provision of affordable housing would prejudice other planning objectives.
28. **Policy HG10** - Housing Mix and Design - requires residential developments to contain a mix of units in terms of types, size and affordability (including 1 and 2 bedroom dwellings). The design and layout of schemes should be informed by the wider character and context of the local townscape.
29. **Policy HG11** - Backland Development - states development to the rear of existing properties will only be permitted where the development would not:
 1. Result in overbearing, overlooking, or overshadowing of existing residential properties;

2. Result in noise and disturbance to existing residential properties through the use of its access;
 3. Result in highway dangers through the use of its access; or
 4. Be out of character with the pattern of development in the vicinity.
30. **Policy CS5 - Flood Protection** - states permission will not be granted for development where the site is liable to flooding or where development is likely to:
1. Increase the risk of flooding elsewhere by materially impeding the flow or storage of flood water;
 2. Increase flood risk in areas downstream due to additional surface water runoff, unless it is demonstrated that the above effects can be overcome by appropriate alleviation and mitigation measures.
31. **Policy EN5 - The Landscaping of New Development** - states the Council will require trees, hedges and woodland and other natural features to be retained wherever possible. 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.
32. **Policy EN12 - Nature Conservation: Unidentified Sites** - states the Council will, wherever possible, seek to retain features and habitat types of nature Conservation value. Planning permission will only be permitted where the reasons for development clearly outweigh the need to retain the feature or habitat type and in such cases developers will be expected to provide appropriate mitigation measures.
33. **Policy EN15 - Development Affecting Ancient Monuments or Other Archaeological Sites** - states the Council will protect, preserve and enhance suspected sites of archaeological importance.
34. **Policy EN18 - The Demolition of Listed Buildings** - states there is a presumption in favour of the preservation of Listed Buildings. Consent for demolition will only be granted in exceptional circumstances.
35. **Policy EN28 - Development within the Curtilage or Setting of a Listed Building** - states where the proposal would affect the curtilage of a listed building, the Council will require the submission of sufficient illustrative and technical material to allow its impact to be established. Applications which damage the setting, well-being or attractiveness of a listed building will be refused.
36. **Policy EN30 - Development in Conservation Areas** - states the Council will require proposals to preserve or enhance the special character and appearance of Conservation Areas.
37. **Policy EN33 - Demolition in Conservation Areas** - states that, in exceptional circumstances where Conservation Area Consent is granted for the demolition of a building, the Council will, in appropriate cases, impose conditions requiring the salvage of materials of interest, and the making of a pictorial record to be deposited in a public institution.

Consultations

(Pre-amendments)

1. **S/1114/06/F - Erection of 28 dwellings etc.**

38. **Over Parish Council** objects:

“The amended plan has not addressed any of our previous concerns - we are still opposed to this application on the following grounds:

- (i) Visual and vehicular issues: this development would pose safety issues in relation to the access it would also significantly alter the look of this Conservation Area contrary to Policy P7/6 of the Structure Plan 2003 and Policy EN30 of the South Cambridgeshire Local Plan 2004.
- (ii) Flooding - the amended plan has not addressed the risk of flooding to existing dwellings in the High Street and Randall's Lane.

39. **The Local Highway Authority** raises a number of technical points relating to the internal layout of the development and requests amended plans. A verbal report will be made.

40. **The Environment Agency** raises no objections, but asks that the Council's Drainage Manager comments in respect of comments concerning existing drainage problems made by local residents. It is suggested the letters are submitted to the applicants in order that they can be addressed by the Flood Risk Assessment.

41. **Anglian Water** comments have not been received. A verbal report will be made.

42. **The Council's Drainage Manager** comments

1. “The Environment Agency finds the surface water proposals satisfactory. I agree with the consultants that the proposals represent an improvement in surface water drainage for the site and that flooding in the High Street should be reduced.
2. Under the Council's Land Drainage Byelaws, consent will be required to connect to the Council's Award Drain. The drawings indicate that the connection will be made to Award No. 174. This is not acceptable as the outlet at Fen End is unsuitable to cope with any additional flows. However, no objection will be raised to a connection to Award No. 176 adjacent to the sewage treatment works.
3. It would not be reasonable for me to object to the proposed development on the grounds of surface water drainage.”

43. **English Nature** comments:

1. **Great Crested Newts** - have been recorded in the vicinity and there is currently suitable habitats available on the site for the terrestrial phase of their lives. Great Crested Newts are protected by The Wildlife and Countryside Act 1981. However, it is recognised that these newts have largely been recorded north of the High Street. Therefore the recommendations of the ecological report are supported and a destructive search (carried out as the land is

cleared) is more likely to be an effective way of dealing with this issue. If Great Crested Newts are discovered during any work on site, the work should be halted immediately and further advice sought from English Nature.

2. **Bats** - It is noted a bat survey has not been undertaken. All British bats are fully protected under the Wildlife and Countryside Act 1981. A Condition is recommended:
“The mature and maturing trees present on the site, as identified in the Pre-Development Tree Survey (September 2005) should be retained in their present state. If it is unavoidable that any works occur to these trees that may disturb any bats potentially present, for example, pollarding, lopping or felling, the trees should be surveyed for bats prior to the works commencing. Such works should also be carried out under the direct supervision of a licensed, qualified ecologist. A pre-demolition check of the interior of any outbuildings should also be undertaken by a licensed, qualified ecologist. If bats are discovered during work on the development, the work should be immediately halted and advice from an on-site ecologist or English Nature sought.”
3. **Badgers** - there is anecdotal evidence that badgers have been recorded on the site, although no setts or signs of activity were found during the ecological survey. Badgers are fully protected under the Wildlife and Countryside Act 1981. Support is given to the suggestion in the ecological appraisal that a check for badger activity could be undertaken at the same time as the destructive search for newts. If badgers are discovered, work on the site should be halted and advice sought from an ecologist or English Nature.
4. **Nesting Birds** - a large proportion of the site is currently young woodland and dense scrub, which is almost certainly utilised by nesting birds. Nesting wild birds are protected under the Wildlife and Countryside Act 1981. A condition is recommended:

“Any removal of trees, scrub or hedgerow should take place outside the bird breeding season of March-August inclusive. If it is unavoidable that vegetation is to be removed during, or close to this period, it should first be thoroughly assessed by a suitably experienced ecologist as to whether it is in use by nesting birds, and English Nature consulted if necessary for further advice.”
4. **Biodiversity** - habitat enhancement plans are supported. There is considerable scope for biodiversity gain by the suitable management of the overgrown and gappy hedgerow along the western boundary of the site. The retention of mature trees and their management, together with bird and bat boxes, can improve biodiversity.

It is also recommended that the developer provides commuted maintenance sums and a biodiversity management plan.

44. **The Chief Financial Officer (County Council)** confirms terms have been agreed with the applicant for the transfer of school playing field land and the carrying out of a full programme of works in the extended school grounds by the Developer to the County Council's specifications, prior to the occupation of any of the proposed dwellings. The land transfer should be part of the Section 106 Legal Agreement.

45. **The Countryside Access Team (County Council)** states that following a site meeting with the applicants, earlier comments requiring the widening, fencing and lighting of The Cramp and the provision of a rear access to the extended school playing field, have been withdrawn. The proposed pedestrian link to The Cramp is welcomed as a useful addition to the footpath network. The proposed use of non-intrusive metal fencing has reassured them that the footpath will not be dominated adjacent to the school playing field. Informatives to prevent footpath encroachment and obstruction are quoted.
46. **The Ramblers** - have similar concerns to the Countryside Access Team regarding obstructing the footpath during construction. The maintenance of the wooded verge on the western edge of the development is queried. A high chain link fence on the edge of the footpath should be avoided.
47. **The Cambridgeshire Fire and Rescue Service** - require the provision of fire hydrants.
48. **The Architectural Liaison Officer (County Council)** - comments that The Cramp is poorly overlooked, increases vulnerability to crime by providing additional access and escape routes and the anonymity sought by offenders. It is recommended the proposed footpath link is removed. This is especially the case if the footpath link between plots 22 and 23 to the car park is retained. In the event that the path is retained then sharp bends into The Cramp should be avoided to maximize the vision for users of the path. The paths, roads, and parking courts should be lit by means of column mounted white downlighters to BS 5489:1996 Code of Practice for outdoor lighting.
49. **Cambridgeshire Archaeology** comments that the site lies in an area of high archaeological potential, to the immediate south of the Medieval village core and an extension area of Iron Age and Roman Settlement. It is possible that important archaeological remains survive on site which could be damaged by the proposed development. A negative condition (PPG16) is suggested, to secure a programme of archaeological investigation at the expense of the developer. A design brief for the evaluation phase would be prepared by Cambridgeshire Archaeology.
50. **The Conservation Manager** comments:
 - “1. This proposed development has been the subject of considerable development and pre-application discussion. Please also refer to my comments of 9th December 2005. The developers have attempted to address some of the concerns which were raised at that time, relating to the access in the layout design and the setting of the adjacent listed building and the character of the Conservation Area.
 2. I am of the opinion, that the amendments to the proposed development have largely addressed the concerns regarding layout, access and retention of green space. In general, I therefore, support the amended proposal. However, I still have a number of concerns which are outlined below.
 3. *Access provision* - I am satisfied that the alterations to the boundary wall will not have a fundamental impact on the character of the listed building, nor is the surviving section of such historic interest or value to sustain an objection to its re-construction.

4. The form of the reconstructed wall will need to be carefully detailed and should include:
 - (a) Specification for an appropriate brick bond for the face and coping.
 - (b) Detail of mortar colour and material.
 - (c) Minimum loss of historic fabric, by re-using bricks salvaged from site, where possible.
5. *Traffic calming measures* - The proposed measures appear to address earlier concerns regarding the appearance of the road and drainage but will still need to be subject to detailed approval of materials for kerb edgings, drainage channel and surface materials etc. Any signage will also need to be carefully detailed with the basic objective to reduce the alterations to the streetscene to the bare minimum. I would suggest that any warning signs are bollard mounted and that approval is required for any new signs or street lighting.
6. In order to retain the currently open streetscape it is important to limit bollards and retain a minimum kerb edge to distinguish the footway from the vehicular surface.
7. *Impact on greenspace* - The amendment to the scheme will now result in less impact on the greenspace along The Cramp. The scheme must demonstrate a net gain in biodiversity (as per PPS9). I presume details will be subject to Rob Mungovan's approval. This development indicates that there will be some off-site biodiversity enhancement and the development of wildlife space around the football pitch, which are welcomed. These elements need to be supported by an Ecological Management Plan, which should also indicate the long-term management of these greenspaces. I presume that there will be a S.106 agreement which should detail this management and maintenance responsibilities.
8. *Comments on the proposed layout* - The amendments make the scheme much more permeable, creating a potentially green, sinuous link between the High Street and The Cramp. It will be important to require details of the landscape scheme and particularly streetscape planting before any works commence on site, to ensure that the street trees are not compromised by implementation of drainage. I would suggest that the landscape scheme includes the drainage details, as well as details of the management arrangements for the public open spaces.
9. While I generally support the revised layout, I do have some concerns with some of the proposed units, as follows:
 - (a) **Plots 1, 2 and 3** - It was my understanding that these units would be considered as the transition between the outbuildings and the new development so would retain characteristics of the agricultural outbuildings that will be lost from the site. The proposed units are rather half-hearted in their approach to addressing this design form, to the extent of becoming something of a confusing and unsatisfying amalgam. Consequently, I would suggest that the frontage blocks (1 and 2) in particular need to be simplified and more overtly 'agricultural' or barn-like in their design form. They currently have the appearance of standard houses with boarding applied for no apparent reason.

- (b) **Plot 18** - This unit will create a long, unrelieved elevation to The Cramp which I would suggest would be oppressive and dominating on the footpath and emphasise the intrusion of the development into the greenspace. I would suggest that the mass of this elevation is both reduced and broken to create a measure of visual depth and movement on this important face to the public realm. Adoption of a smaller unit, with a gable projecting to The Cramp may be the answer.
 - (c) **Plots 19 and 20** - This pair of units are in my opinion rather fussy on the main elevations. The projecting gables on the elevation (front door) do not seem to actually relate to the layout plans and would create an overlap of the projecting cables. The central projecting bay window further creates a visual confusion to the street elevation and negates the impact of the gable and their bays. I would suggest that these units are simplified by omission of these elements.
10. **Public Art** - It is agreed that an allowance for public art should be included in this scheme - the obvious targets considered for a design would be the links through from the High Street to The Cramp and the POS created. Gateway features or directional elements might be appropriate. It is unfortunate that this issue has not been integrated into the current design, but at the very least a condition and headline in the S.106 needs to be included in any approval to identify artist, location, funding and maintenance.
11. **Conclusion** - consequently, I am of the opinion that the proposed, amended scheme is an improvement on the previous submission and, overall I support the revised proposal. I would suggest that the above issues need to be addressed, and confirmed by further amendment and inclusion in the S.106 before any consent is granted.”
51. **The Ecology Officer** has no objection in principle. The latest scheme provides more for biodiversity as required by PPS9. Three ponds and a ditch are created/restored and three belts retained.

There is more planting proposed in the school playing field extension. The regenerated elm scrub/woodland is suffering from Dutch Elm Disease. It is likely that in a number of years some of the trees will die thus changing the woodland feel. Having inspected many of the trees on a number of visits in different seasons, no signs have been found of the lesser spotted woodpecker. No suitable bat roosts have been found except in one tree to be retained. No Great Crested Newts are believed to be on site following several refuge searches. However, their presence cannot be completely dismissed and a condition is required for a destructive search. It is not thought badgers are using the site. The site may be locally important for invertebrates. The increased proportion of existing vegetation retained in the revised scheme still provides a degree of habitat.

The increased areas of retained vegetation will provide bird habitat especially when enhanced through additional planting.

Dropped kerbs should be used throughout the development so as not to impede the movement of small animals.

Conditions will be required viz:

1. No vegetation removal during the nesting season.

2. Destructive search to be undertaken for Great Crested Newts.
3. Scheme of ecological enhancement to provide nest boxes, bat boxes and dead wood habitats and fence lifting to allow small mammals to cross the site.
4. Invertebrate survey to be carried out before work commences.

52. **The Trees Officer** comments that the pre-development landscaping scheme gives an outline of the desired planting plan, however, more detail of the species, mix, stocking, density and plant size in accordance with BS3936 (nursery stock) is required. The trees to be retained need to be specifically identified.

It is noted the main estate road has been realigned further to the east to give more clearance to existing trees to be retained. Details of no-dig construction will be required for the pavement which passes under the crowns.

53. **The Chief Environmental Health Officer** has concerns that noise from the school may have the potential to adversely affect the proposed dwellings.

Before any permission is granted, a scheme would be welcomed outlining how the dwellings will be protected from noise in accordance with the environmental standards stipulated in the SCDC Local Plan.

Conditions are recommended restricting the hours of use of power operated machinery and concerning driven pile foundations. An informative regarding the prohibition of bonfires is suggested.

54. **The Environment Operations Manager** seeks confirmation that space for three 240 litre wheeled bins per property will be available, and that the roads will be constructed to adoptable highway standard to take 26 tonne collection vehicles. Roads, whether private or public, are 5 metres wide with 6 metres radii junctions and hammerheads are such that each leg is 11 metres long to facilitate collection vehicles.

55. **The Housing Manager** supports the proposed provision of affordable houses as satisfying local needs coupled with the provision of a playing field for the primary school.

56. **County Councillor Mrs S Johnstone** "has no comment to make on the proposed dwellings; however I would point out that Over Primary School is currently one of only six primary schools in Cambridgeshire which does not meet minimum standards set down by the Department for Education and Skills for playing space. The school has expanded considerably in recent years, with no additional play space. Using the Green is not acceptable because of the need to cross a road which can be busy at times. Land for the school has been allocated in the current local plan, but this proposal is the only way of bringing that land forward. For the sake of many current and future pupils at Over Primary School, I hope that the application will be resolved positively as soon as possible."

57. **The Chair of Governors - Over Primary School**

"I am writing on behalf of the Over Primary School Governing Body, in relation to the above planning application.

The Governing Body understands that, as part of the planning application S/1114/06/F, the school will be given additional land without cost, and that this land will be developed to an agreed specification by the developer. We know that additional school land has long been identified in the village plan, and that this might be acquired as part of a compulsory purchase scheme. However, the timescale for any compulsory purchase is currently unknown; likewise, the potential costs to the school are unknown.

We are in consensus that the additional land, and the proposal for its development, will provide significant benefits for the children attending the school. Not least, it means that the school facilities will at long last meet the DfES minimum standards for playing space. That said, it has been difficult for individual Governors to conclude whether the benefits to the school outweigh the possible implications of the housing development on the community, of which the school is part.

In considering the planning application as it influences the school, we would like confirmation that the additional land will be provided to the school 'fit for use', with no additional costs other than grounds maintenance in future years. In addition, we would like to emphasise our concern for the security of the school with the extended boundaries it will have - provision of CCTV as part of the development proposal may well help us to maintain the school as a secure site, and we would welcome any other support that would help address our concerns."

2. S/1113/06/LB - Demolition of front boundary wall etc.

58. Over Parish Council objects.

"The proposed access would involve the demolition and replacement of a wall within the curtilage of a Grade 2 listed building within a Conservation Area contrary to Policy P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies EN18, 20, 28 and EN30 of the South Cambridgeshire Local Plan 2004."

Representations

(Pre-amendments)

1. S/1114/06/F - Erection of 28 dwellings etc.

59. A total of 90 letters have been received from Over residents, 27 of which were in support of the application, the remainder objecting. For clarification, of the 27 letters of support, 23 were standard letters individually signed. Two letters of support were from landowners of part of the application site.

The main points of objection were, ranked in approximate order of frequency:

1. The development will result in the loss of an important wildlife habitat, resulting in the removal of hedges and trees. The area is frequented by many bird species including owls and woodpeckers, bats, badgers, foxes, Great Crested Newts, adders, grass snakes, butterflies and muntjac deer. The applicant's Ecological Report is inadequate.
2. The proposal is an overdevelopment of the site involving the loss of an historic wall and will damage the Conservation Area.

3. The proposed access on to the High Street is on a bend and dangerous for pedestrians and other road users. The High Street is a main pedestrian route to the shops and used by children en route to school. Traffic generation has been underestimated.
4. The development will exacerbate existing flooding problems experienced in the village (High Street, Fen End, Randalls Lane, gardens in Long Furlong and The Cramp footpath. The reliance on a pumped system for the surface water drainage will be unreliable and likely to fail. Current problems experienced because surface water enters the foul sewer.

Photographs of flooding of the road in Long Furlong and Fen End on 26th July 2006 following a storm were submitted by a local resident.

5. The proposed traffic calming in the High Street will be intrusive (bollards, raised tables) and detrimental to the Conservation Area. It will not significantly slow traffic.
 6. The application is very similar to the previous refusal. The reasons of refusal have not been addressed.
 7. The increased traffic will cause disturbance to neighbours and add to congestion and pollution in the High Street. There is a risk that older buildings will be damaged by construction traffic.
 8. The proposed school playing field extension could be compulsory purchased by the County Council. It is not required because of the existing facilities on the recreation ground. The football pitch is reduced in size and is too small to meet F.A. standards.
 9. Traffic will divert on to The Lanes and surrounding roads to avoid proposed traffic calming in the High Street. The Lanes is narrow and has no footpaths, therefore increased traffic will be a danger to pedestrians, particularly school children.
 10. Two and a half storey houses are not in keeping with the rest of the village. More smaller units are required. There is potential for overlooking/overshadowing the rear gardens of the houses in Long Furlong. The studs in some house types could be converted into further bedrooms, resulting in insufficient parking on the site.
 11. The Council's Local Development Framework now designates Over as a Group Village, i.e. no more than 8 dwellings.
 12. A further large development is not needed given the developments scheduled for Longstanton and Northstowe nearby.
 13. Council policy requires 50% affordable housing in Over. The proposal is only 28% i.e. 8 out of 28.
 14. The proposed point of access will adversely affect the setting of 17 High Street, a listed building.
60. The letters of support can be summarised as follows:
1. The application site has no public access at present.

2. The land required for the extension to the school for playing fields has been a long standing requirement of the Education Authority and the village, and there is no realistic alternative to it being brought forward other than by Development, as Compulsory Purchase is a lengthy process.
3. The proposal will bring a mix of new dwellings to the centre of the village providing more housing choice and additional residents will increase the likelihood of local facilities being retained.
4. The development is to a high standard of design and materials.
5. Affordable houses are needed in the village.
6. Drainage problems existing on site will be overcome by the scheme, which has the support of Anglian Water.
7. The highway proposals meet the Local Highway Authority's requirements in full. Further traffic calming will make High Street safer. The bollards and traffic calming will protect people and buildings.
8. A 'rebuilding' of the wall at 17 High Street, which is in poor condition, will be a major benefit to the street scene.
9. Flora and fauna on site will be enhanced by the "green corridors" and ponds created.
10. Flooding in the High Street will be reduced, as water which currently runs off site will be collected by the new drains in the development and transferred outside the village.
11. "Destruction" of a natural habitat is in reality an area of overgrown back gardens. Currently accessed by youths for anti-social activities.
12. Development would avoid green field sites being taken on the edge of the village.

2. S/1113/06/LB - Demolition of front boundary wall etc.

No representations received - see Comment 2 under the representations received on S/1114/06/F.

Planning Comments

61. The applicants have been in discussion with officers for over 2 years with regards to the development of this site. An application for 30 houses was refused in January 2006, and discussions have continued since.
62. The policy background can be traced back to the Inspector's Report in 2001 on the Deposit Local Plan. The Plan identified a site for the extension to the school playing field, which has been carried forward into the current 2004 Plan, but the remainder of the application site was identified as a Protected Village Amenity Area. The Inspector concluded the P.V.A.A. did not have the public qualities necessary and stated that "In principle, I see no reason to prevent appropriate residential development". He did not allocate the site specifically for residential use, because he was unsure whether conditions existed which would result in its early development,

but in deleting the P.V.A.A. he considered the site could come forward on a 'windfall basis'."

Key Issues

1. The impact of the vehicular access, necessitating the demolition of a listed wall, and the associated traffic calming on the Conservation Area and the adjacent listed building.
2. The loss of much of the existing scrub, hedge and the habitat on the site.
3. The impact of the development and its proposed drainage system on the existing flooding experienced in the village.
4. The appropriateness of the layout, housing mix and house types.

1. Impact of the vehicular access

Achieving vehicular access to the site has been one of the main impediments to the site coming forward for development. Without demolishing a property, the proposed point of access is the only possibility. However, because of the curving alignment of the High Street, traffic calming is necessary to slow traffic as the necessary vehicular visibility for a development of this size is not available. Extensive discussions have taken place with the applicants to minimise the impact of the traffic calming on the Conservation Area, and on the design of the replacement wall to enhance the street scene and not damage the setting of the adjacent listed building.

Since the earlier refusal the traffic calming has been reviewed. A raised table incorporating a pedestrian crossing has been deleted, the table at the junction of The Lanes is proposed to be replaced by two rows of granite setts at the existing road level, and the main table at the point of access is to be tarmaced instead of block paved to aid its visual assimilation, and the number of bollards reduced to the minimum to ensure pedestrian safety i.e. 23. On this basis the Conservation Manager is satisfied that the impact on the Conservation Area will be minimized, subject to conditions concerning points of detail - kerb edgings, drainage channels, surface materials and signage.

The demolition of the listed wall and its replacement by a similarly detailed wall on a different, curving alignment has been the subject of detailed discussions with the Conservation Manager. The wall is in poor condition and has been partly rebuilt with modern construction. Subject to conditions requiring its replacement to be built with an appropriate brick bond for the face and coping, details of the mortar colour and material, and the re-use of salvage bricks where possible, no objections are raised to its removal to facilitate the proposed access.

2. The Loss of the existing wildlife habitat

Large areas of the site are covered with scrub (largely elm) and there are a small number of large trees and hedgerows dispersed through the site. The loss of much of the scrub vegetation was a reason for refusal of the applicant's previous scheme for 30 dwellings. Since the refusal the Council's Ecologist has met the applicant's ecological consultant on site and it has been established that Dutch Elm disease is present in the scrub, and therefore it

cannot be relied upon to form mature vegetation. To compensate for its removal, additional planting has been agreed within the school grounds, made possible because the School now requires a smaller football pitch, with a wider margin of the existing vegetation retained on the eastern side of The Cramp, to be reinforced by additional planting. Two new ponds will be created and a ditch that runs north-south along the western side of the proposed access road reinstated. An existing overgrown pond off site on the western side of The Cramp will be reinstated, subject to clarification of ownership.

The layout retains the two high quality trees identified in the applicant's tree survey and most of the moderate quality trees and hedging. A grassed area of public open space with a feature tree is also to be provided within the development itself. The Council's Ecologist is satisfied that these measures will offset the loss of the scrubland, and has requested conditions which will prevent vegetation clearance during the bird nesting season, require a scheme for ecological enhancement, an invertebrate survey and a destructive search for Great Crested Newts. It must be remembered that the scrub is predominantly in overgrown back gardens/old orchards outside the Conservation Area and is not protected by any legislation.

3. *The proposed drainage system*

Because of the degree of local concern about current flooding problems in the village and the fear that the proposed development may exacerbate the problem, it is necessary to go into considerable detail on this issue.

A Flood Risk Assessment and additional drainage information have been submitted by the applicants; the latter in an attempt to allay local concerns. Draining surface water from the site has been recognised as a major issue from the outset, and the applicants have engaged two consultants to look at the problem.

The land falls gently from the site's southern boundary approximately northwards towards the High Street, but there is no existing adopted storm drainage sewer that could be used. It is known that parts of the low lying areas adjacent to the existing development have flooded in winter periods due to the natural flow of water within the topsoil/subsoil and the lack of existing land drainage on the application site.

In order to satisfactorily drain the site, a new storm water system is proposed as the existing infrastructure is either non-existent or unsatisfactory. The surface water run-off has to be captured, collected and removed from the site. The Environment Agency has advised that the natural run-off of water in this particular area of Over is to the north-east, and therefore any new scheme must remove run-off from the site and discharge it to a suitable location to the northeast.

It is proposed to drain the site using a system of porous block paving areas which incorporate a large underground sub-base storage zone. Roadways and paths will be constructed in the porous paving system, and roof water will drain via storm drains into the sub base.

To the rear of the site, the proposed football pitch and landscape areas will be served by a new land drainage network which will connect via shallow ponds into the storage system.

Because of the fall in the land the collected water will migrate slowly in a northerly direction through the storage sub-base where it will be directed to a new pumping station sited to the rear of 15 High Street. It will then be pumped off-site at a restricted Greenfield run-off rate via a new rising main running approx. 380m eastwards along the High Street and Willingham Road before it discharges into an Awarded Watercourse. The discharge will occur at a very low rate such that there will be no apparent change in the flows in the Award drain.

Local concern has been expressed at the need for the surface water from the development to be pumped from the site, and questions raised about the reliability of such a system. The applicants have confirmed that the pumping station would be adopted by Anglian Water who would be responsible for its maintenance. Two pumps would be installed, one on standby in case of failure. The station is monitored 24 hours a day. Should the equipment report a fault in one pump, the other pump takes over. If there is any electrical or mechanical fault, the system will, via the radio telemetry, report to Anglian Water's monitoring office. The Consultant emphasises it is common in East Anglia for surface water to be dealt with by pumping.

The onsite storage has been designed for a storm return period of 1:100 years. This creates a large emergency storage capacity for water run-off.

Neighbour letters detailing existing flooding problems have been passed to the applicant's Drainage Consultant for comment. A theme of the letters is that existing flooding is caused by surface run-off from both the application site and land further to the west at a higher level. This run-off discharges into the High Street, increasing the quantity of surface water during storm conditions. The Consultant explains it is intended that the drainage solution proposed for the site will alleviate current flood problems and prevent further flooding of the High Street from the site. Once developed any rainfall onto the site will be absorbed within the site storage capacity provided. Further, the design is such that water from the higher ground to the west will be intercepted by this storage facility and attenuated i.e. held during the storm to be released after the end of it. The net effect of the concept is that the amount of water in the High Street will be reduced during storm conditions and thus the risk and frequency of flooding will be significantly reduced.

The Environment Agency has no objections to the proposals, subject to the comments of the Council's Drainage Manager. Anglian Water's comments have not been received, but they have been involved in discussions with the applicants and a letter from them dated September 2005 included with the application indicates a general acceptance of the drainage proposals and a willingness, in principle, to adopt the pumping station. The Council's Drainage Manager supports the proposed scheme in principle and considers that it will reduce the risk of flooding in the High Street. He does object to the proposed discharge of surface water from the site into Award No. 174 and has suggested to the Applicants that they consider discharging into Award No. 176 further eastwards. A verbal update will be made.

4. *The layout, housing mix and house types*

Extensive discussions have taken place with the applicants, both before and since the last planning application for 30 houses was refused. The concept of a central open space within the site - visible from the High Street - was

established at the outset, along with the importance of respecting the setting of The Cramp footpath as an attractive footpath along the site's western boundary. Deletion of a house plot at the officer's suggestion has enabled a more generous margin of existing vegetation to be retained adjacent to The Cramp, and more spacing between the houses adjacent. The footpath link from the proposed development to The Cramp now runs through a much improved landscaped corridor. The Conservation Manager has encouraged the applicants to design the first two plots to the rear of 15 High Street to reflect converted barns, taking up the timber clad theme of adjacent traditional outbuildings. The latest amended plans successfully achieve this. In order to reduce the impact of the over-engineered access road initially proposed into the site, the footway on the eastern side has been deleted and the road realigned to enable the retention of a small group of trees to the west. The footpath has also been deleted in front of Plots 20-22 enabling more landscaping to be introduced, and the parking bays previously proposed deleted. The road layout within the development has been modified to reduce the vista southwards being concentrated on a garage court.

The housing mix i.e. 11%, 1 bed; 25%, 2 bed; 32%, 3 bed and 32%, 4/5 bed is considered acceptable. 8 affordable flats, comprising three 1 bed flats, three 2 bed flats, and two 2 bedroom terraced houses, are proposed. Although this amounts to only 28% of the total dwellings proposed, as opposed to 'up to 50%' affordable housing target in the Local Plan, it is caveated in the policy that lower percentages may be agreed in light of particular costs associated with the development. In this case the provision of drained and landscaped land for an extension to school for playing fields and the high cost of site drainage are considered sufficient justification for the number of proposed units, which has been discussed and agreed with the Council's Housing Department.

A variety of house types are now proposed, including a significant number of one-off designs, in an attempt to reflect the character of the village. In lengthy discussions with officers the Developers have shown a willingness to amend house types (and the layout in general) where the case has been made. Residents in Long Furlong have expressed concerns about the 2½ storey house types backing on to their properties causing overlooking/loss of light but given the degree of separation between the properties, which is over 30m, I do not consider the objections can be substantiated. The glazing in the rear dormers of these proposed dwellings has been slightly reduced in size in the latest amended plans to improve their proportions and reduce the perception of overlooking. The density equates to approximately 30 dwellings per ha.

5. General

It has been suggested by many local residents that the land required by the School could be provided through the mechanism of Compulsory Purchase instigated by the County Council and the erection of houses is unnecessary. The applicant's are at pains to point out the complexities of the Compulsory Purchase procedure, even if there was any willingness on the County Council's part to undertake it. The site for the school grounds extension has been allocated in the Local Plan for many years and there is no indication that the County Council has ever contemplated Compulsory Purchase, which would not only be time consuming but costly. I agree with the Developer that it is likely that development of the adjoining land is the only mechanism likely to bring forward the playing field for the school in the foreseeable future.

The Architectural Liaison Officer has expressed concern about the footpath link to The Cramp increasing the vulnerability of the site to crime by providing an escape route for offenders, but I consider this comment is outweighed by the advantages of having direct footpath links to the High Street facilities, reducing dependence on the car. Lighting in the parking court is suggested and this can be secured by condition.

The comments of the Council's Environment Operations Manager regarding facilities for bin storage and the manoeuvring of the refuse freighter have been addressed in more detail in the latest amended plans.

Reference has been made by some objectors to the fact that Over is proposed to be downgraded to a Group Village (i.e. 8 dwellings) in the current L.D.F. The Inspector has considered the policy and the objections to it, but is unlikely to report until after the Committee Meeting. The current 1999 Local Plan remains the relevant policy document against which this application should be judged.

Recommendation

1. S/1114/06/F - Erection of 28 dwellings etc.

63. Approval, as amended by plans franked 7th August 2006, subject to:

1. Standard Condition A – Time limited permission (Rc A).
2. No development shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:
 1. The materials to be used for external walls and roofs of the dwellings and free standing walls.
 2. Hard landscaping materials.
 3. The materials to be used for surfacing roads and pavements.
 4. The surfacing materials, drainage channels and kerbing of the High Street traffic calming.
 5. The appearance and materials to be used for the pumping station compound and the bin store.(Rc5 a) ii.)
3. Before the use of the proposed vehicular access commences, the traffic calming in the High Street shall be constructed in accordance with the approved details. (Rc - In the interests of Highway Safety.)
4. The surface and foul water drainage shall accord with the details submitted with the Flood Risk Assessment and additional details dated June 2006 (as amended). (Rc - To ensure the drainage details are satisfactory.)
5. The development, hereby permitted shall not commence until a binding undertaking prepared in accordance with the requirements of Section 106 of the Town and Country Planning Act 1990 shall have been entered to ensure:
 1. The provision of 8 affordable dwellings.
 2. The maintenance of the central area of public open space and the land adjoining The Cramp on its eastern side.
 3. The transfer of the land for the school playing fields to the County Council, and its provision for use prior to the occupation of the first dwelling.(Rc - To ensure the details of the development are satisfactory.)
6. SC51 Landscaping (Rc51.)

7. Sc52 Implementation of landscaping (Sc52.)
8. The existing trees and vegetation shown as retained on the approved plans shall be adequately protected by fencing during site clearance and construction work. Details shall be submitted before development commences and the fencing carried out in accordance with the approved scheme. (Rc - To ensure no damage is caused to trees and other natural features to be retained.)
9. The proposed footpath on the western side of the new access road shall be of 'no dig' construction. (Rc - To avoid root damage to neighbouring trees.)
10. Before development commences, an Ecological Management Plan shall be agreed in writing by the Local Planning Authority. Future work shall be carried out in accordance with the Plan. (Rc -To ensure details of the development are satisfactory.)
11. Before development commences a scheme of ecological enhancement, including specialist bird boxes, and bat boxes and the provision of deadwood habitats shall be submitted to and approved in writing by the Local Planning Authority. (Rc - PPS9 - Biodiversity and Geological Conservation seeks the maintenance, enhancement and restoration of biodiversity.)
12. No clearance of vegetation on the site shall take place during the bird nesting season i.e. March-August inclusive. (Rc - To protect nesting birds which are protected under the Wildlife and Countryside Act 1981.)
13. Before development commences an invertebrate survey shall be carried out and submitted to the Local Planning Authority. (Rc - To establish whether locally important invertebrates are present on site.)
14. A destructive search for Great Crested Newts, carried out as the site is cleared, shall be undertaken. (Rc - Great Crested Newts are a protected species under the Wildlife and Countryside Act 1981 and have been found close to the site in the past.)
15. No development shall commence until site boundary details are submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. (Rc - To ensure the details of the development are satisfactory.)
16. Before development commences, a scheme for lighting the parking court shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved scheme. (Rc - In the interests of personal safety.)
17. During the period of site clearance and construction no power operated machinery shall be operated on the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions. (Rc - To minimise noise disturbance to adjoining residents.)
18. Before development commences, a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service shall be submitted to and approved by the Local Planning Authority. No development shall take place otherwise than in accordance with the approved scheme. (Rc - To ensure adequate water supply is available for emergency use.)

19. No development shall take place on the site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. (Rc - To secure the provision of archaeological excavation and the subsequent recording of any remains.)
20. Before development commences, a scheme for the provision of public art shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out and maintained in accordance with the submitted scheme. (Rc - To add visual interest to the layout.)
21. Before development commences, a scheme for the provision of children's play equipment on the central public open space shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved plan.
(Rc - To ensure provision for children's play required by Policy RT2 of the South Cambridgeshire Local Plan 2004.)

Informatives

1. The applicant is reminded that the development, hereby permitted, should not start until the S. 106 Agreement required by Condition 5 of this Decision Notice has been completed. Failure to complete the Agreement in advance of the development commencing, as with other similar conditions, could result in enforcement action being investigated. In order to discharge this condition, the applicant should contact the Case Officer in Planning Services to confirm that you wish to proceed with the Agreement. The Case Officer will advise you who is dealing with the drafting and completion of the Agreement on behalf of the Local Planning Authority. S.106 Agreement negotiations can take time, particularly where it involves other authorities, so prompt replies to correspondence and draft documentation from you or those representing you would be appreciated.
2. The Council's Chief Environmental Health Officer comments:
 - (1) During construction no bonfires or burning of waste shall take place except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.
 - (2) 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 Environment Health Officers, so that noise and vibration can be controlled.
 - (3) The Countryside Access Team (County Council) comments:
 1. The development must not encroach on the width of the footpath, any encroachment would constitute an obstruction, which is an offence under S137 of the Highways Act 1980.
 2. 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.

(4) English Nature comments:

1. If Great Crested Newts are discovered during any work on the development, both during clearance and afterwards, the work should be immediately halted and English Nature should be notified and further advice sought. Failure to comply with this may result in prosecution and anyone found guilty of an offence is liable to a fine of up to £5,000 or to imprisonment for a term not exceeding 6 months, or both.
2. The site should be finally checked for the presence of badgers prior to development commencing.

(5) The Environment Agency's Standing Advice is enclosed.

Reasons for Approval

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

- **Cambridgeshire and Peterborough Structure Plan 2003:**
 - P1/2** (Environmental Restrictions on Development)
 - P1/3** (Sustainable Design in Built Development)
 - P5/3** (Density)
 - P6/4** (Drainage)
 - P7/2** (Biodiversity)
 - P7/6** (Historic Built Environment)
 - **South Cambridgeshire Local Plan 2004:**
 - SE3** (Limited Rural Growth Settlements)
 - SE8** (Village Frameworks)
 - HG7** (Affordable Housing on Sites within Village Frameworks)
 - HG10** (Housing Mix and Design)
 - HG11** (Backland Development)
 - CS5** (Flood Protection)
 - EN5** (The Landscaping of New Development)
 - EN12** (Nature Conservation)
 - EN15** (Development Affecting Ancient Monuments or Other Archaeological Sites)
 - EN18** (The Demolition of Listed Buildings)
 - EN28** (Development within the Curtilage or Setting of a Listed Building)
 - EN30** (Development in Conservation Areas)
 - EN33** (Demolition in Conservation Areas)
- Policy Over 3**

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

- Impact of the vehicular access necessitating the demolition of a listed wall, together with the associated traffic calming on the Conservation Area and the adjacent listed building.

- The loss of much of the existing scrub, hedge and tree habitat on the site.
- The impact of the development and its proposed drainage system on the existing flooding experienced in the village.
- The appropriateness of the layout, housing mix and house types.

2. S/1113/06/LB - Demolition of front boundary wall etc.

64. Approve, subject to:

1. Standard Condition A – Time limited permission (Rc A).

+ conditions concerning:

2. An appropriate brick bond for wall face and coping.
3. Details of mortar colour and material.
4. Re-use of existing bricks where possible.

+ Informative with Reasons of Approval

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/1114/06/F

Contact Officer: Bob Morgan – Area Planning Officer
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee6th September 2006**AUTHOR/S:** Executive Director / Head of Planning Services

S/2010/04/F – WILLINGHAM**Siting of 6 Gypsy Caravans (part retrospective), erection of toilet / shower block and use of existing building for storage for personal use, at Meadow Road for Mrs. L. Brown****Recommendation: Temporary consent****Date for Determination: 27th November 2004****Site and Proposal**

1. Meadow Road is an area of generally flat agricultural Fen land with few hedges. The application site itself is a rectangular plot with a 60-meter frontage widening to 70 meters at the rear boundary with a depth of 66 meters.

Planning History

2. The site is in an area where there are a number of existing sites some of which have the benefit of planning permission while others are unauthorised.
3. Planning permission was granted in 1984 for the use of an existing building on the site for agricultural engineering subject to conditions naming the user, and restricting its use to storage and repair of agricultural equipment only.
4. In 1994 this consent was relaxed to enable the building to be used for maintenance of company vehicles again to a personal user restriction.

Enforcement

5. In September 1990 an Enforcement Notice was issued relating to a breach of planning control which required;
 - a. Demolish Locker room
 - b. Remove fuel tank and pump
 - c. Remove portakabin and base
 - d. Remove hardcore, materials and equipment from the site

The notice was appealed.

6. In addition to the above it was noted that there was a material change of use of the land as a haulage yard and siting of a portakabin. The requirement of the notice issued was to:
 - a. Cease to use the land other than for agricultural use
 - b. Cease to use the land as a haulage yard and siting of a portakabin

This notice was also appealed.

7. In September 1991 a further enforcement notice was issued due to the premises not being used by the owner and the building was being used for purposes other than the storage and repair of agricultural equipment.

The notice was appealed.

8. The above three appeals were allowed

Planning Policy

9. The relevant Development Plan comprises the approved Cambridgeshire & Peterborough Structure Plan 2003 and the adopted South Cambridgeshire Local Plan 2004.
10. **Policy P5/4** of the Structure Plan says that local plans should make provision to meet the locally assessed need for housing specific groups including Gypsies and Travellers.
11. **Policy P1/2** says, inter alia, that development will be restricted in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.
12. **Policy 7/4** says that development must relate sensitively to the local environment and contribute to the sense of place, identity and diversity of the distinct landscape character areas.
13. **Policy SE8** of the Local Plan says that there will be a general presumption in favour of residential development within village frameworks and that residential development outside these frameworks will not be permitted.
14. **Policy EN1** relates to Landscape Character Areas, and in respect of this site, it is concerned with respecting, retaining and wherever possible, enhancing the Fens Landscape Character & Natural Area.
15. **Policy HG23** is a specific policy concerned with caravan sites for Gypsies and Travelling show-people. It indicates that proposals for caravans for Gypsies will only be considered when the need for a site is shown to be essential to enable the applicants to exercise a travelling lifestyle for the purpose of making and seeking their livelihood. Where the need is proven 9 criteria have to be met if planning permission is to be granted for such sites. The criteria in summary are as follows:

- (1) The site is reasonably located for schools, shops and other local services.
- (2) The site would have minimal impact on the amenities of existing local residents and adjoining land uses; concentration of sites will be avoided.
- (3) The site would not, either on its own, or cumulatively, have a significant adverse effect on the rural character and appearance, or the amenities of the surrounding area.
- (4) The site can be satisfactorily assimilated into its surroundings by existing or proposed landscaping; an approved landscaping scheme will be required.
- (5) The use of the site would not give rise to unacceptable parking, highway access or service provision problems.

- (6) The site would not adversely affect any buildings of historic or archaeological importance, or sites of wildlife or nature conservation value.
- (7) Where planning permission is allowed, built forms of development will not be permitted except for utility outhouses. Small stables will be considered on their merits depending upon need and the nature of the site.
- (8) The site has adequate infrastructural connections to local services including water supply.
- (9) The use would not detract from convenient, safe and enjoyable use of a public right of way.

16. Also relevant is **Circular 1/2006 Planning for Gypsy and Traveller Caravan Sites and PPG3 Housing**. Circular 1/2006 confirms that the Government is committed to ensuring that members of the Gypsy and Traveller communities should have the same rights and responsibilities as every other citizen and provides updated guidance on the planning aspects of finding sites for Gypsies and Travellers and how local authorities and Gypsies and Travellers can work together to achieve that aim. The policies in this Circular apply throughout England.
17. Advice on the use of temporary permissions is contained in paragraphs 108 – 113 of Circular 11/95, *The Use of Conditions in Planning Permission*. Paragraph 110 advises that a temporary permission may be justified where it is expected that the planning circumstances will change in a particular way at the end of the period of the temporary permission. Where there is unmet need but no available alternative Gypsy and Traveller site provision in an area but there is a reasonable expectation that new sites are likely to become available at the end of that period in the area which will meet that need, local planning authorities should give consideration to granting a temporary permission. Such circumstances may arise, for example, in a case where a local planning authority is preparing its site allocations DPD. In such circumstances, local planning authorities are expected to give substantial weight to the unmet need in considering whether a temporary planning permission is justified.
18. The fact that temporary permission has been granted on this basis should not be regarded as setting a precedent for the determination of any future applications for full permission for use of the land as a caravan site. In some cases, it may not be reasonable to impose certain conditions on a temporary permission such as those that require significant capital outlay.

Gypsy and Traveller Development Plan Document

19. Consultants CDN Planning began working on this project in April 2006. The first draft Issues and Options report is currently subject to a Strategic Environment Assessment and Sustainability Appraisal SEA/SA. The Member Reference Group will consider the draft Issues and Options report and the SEA/SA on 14 September and they will go to Council on 28 September. Once any changes have been made it will be available for public consultation from mid October. This initial Issues and Options stage is looking at criteria for site location. A second Issues and Options report will be prepared following representations on the first, and this will specifically identify potential sites within South Cambs for Gypsy/Traveller sites using the criteria already agreed. At this stage we expect the second Issues and Options report to be consulted on in Summer 2007.

Consultations

Parish Council

20. Willingham Parish Council recommends refusal. In response to a previous application for mobile homes, Willingham Parish Council stated that the village had reached the limit in the number of mobile homes that it could reasonably be expected to accommodate and that a consistent approach would be applied to future applications. Reference should be made to the comments returned on application S/0856/04/F.

Cambridgeshire Fire & Rescue Service

21. No objections.

Chief Environmental Health Officer

22. The application has been considered in respect of noise and environmental pollution and it is concluded that there are no significant impacts. It is recommended that if the application is successful, the applicant should be able to comply with the attached site license conditions relating to permanent residential caravan sites.

Traveller's Liaison Officer

23. The family and educational details set out later in this report are confirmed. If evicted, the family states that it would probably have to go back on the road. The applicant would like a stable base so that her family can continue with their education and so that she can care for her father.

Old West Internal Drainage Board

24. The Board do not object from a drainage point of view, and comment that providing all water is directed to adequately designed soakaways the proposal would not adversely affect the Board's surface water receiving system. However the soakaways must be of an adequate size/design to accommodate all surface water.

Representations

25. Advertised in CEN 23/10/04
26. Letters of support have been received from three individuals. These letters commend the applicant's personal qualities and emphasise her local connections. In addition there has been a letter of support received from a class support worker at Willingham Primary School (Mrs Brown's grandchildren attend). Grave concerns are expressed in the letter about interruptions to their long-term education, if the children were unable to continue with their education.
27. A further letter of support has been received from the Head teacher at Willingham Primary School. This confirms that three children from the site attend the school and that they are all doing well after an initial period of integration. A settled future is commented on as being a prerequisite for good academic progress. It also confirms that Mrs Brown has always been co-operative and supports the children's education.

Personal Circumstances

28. The applicant has submitted a statement in support of her proposal. She confirms that she works part time as a Housekeeper in a Cottenham Care Home, and that she lives on the site with her son (a gardener), his wife (they have 5 children attending local schools) and her daughter (seasonal farm labourer with two children). Her mother lived and worked in Willingham and the surrounding villages doing work on farms. Although she did attend school, the need to travel for work limited her time in education. Her two children were born in Cottenham, and their education followed the same pattern as her own.
29. Previously she lived on an approved pitch in Cottenham. However around 2002 her neighbours moved out having sold their plots, and this coincided with the death of her mother who she had been caring for on her plot. After the loss of her mother she became ill herself, and she found it impossible to stay on her land. At this time the opportunity occurred to buy this plot. She provides photographs that confirm that a considerable amount of rubbish was moved off the plot. Also, fly tipping stopped once they moved on. It was already hard surfaced and had basic services including water.
30. If consent is granted, they would like to put part of the site back to grass, gravel the hardcore to the front of the site and would use the building on the site to store her son's lorry and classic cars. Her grandchildren are at school and it's her aim that they complete their education and in doing so be the first generation of her family to do so.

Equal Opportunities Implications

31. Under the Race Relations Act 1976 and the Race Relations (Amendment) Act 2000, the Council has a statutory duty to eliminate unlawful discrimination and to promote race equality and good race relations. The Race Equality Scheme, updated by the Council in July 2006, gives priority to actions relating to Travellers, as the biggest single ethnic minority in the district. It also incorporates recommendations from the Commission for Racial Equality's "Common Ground" report.

Planning Comments – Key Issues

32. The key issue is conflict with countryside policies and policy for Gypsy caravan sites with regard to the need to limit impact on the landscape and rural character of the area, and having regard to the special circumstances that are argued here, together with the advice in circular 1/2006 concerning temporary consent while councils such as South Cambs are preparing a Development Plan Document.
33. From the evidence of the photographs, a considerable amount of fly tipping had taken place on the site, and it is now much tidier. Further the applicant has refrained from other improvements while their application has been determined.
34. In terms of the relevant criteria it is reasonably well located for schools shops and other local services. Indeed the children on the site are well established at local schools. The site does not impact on the amenities of neighbours and no letters of objection are on the file. It is seen in the context of the adjacent permitted and unauthorised Traveller sites, and to that extent it does add to the concentration of sites. However, I am not aware of any service provision issue, and the existing "industrial" style buildings on the site already have a significant visual impact.
35. It follows that the applicant's proposal does not in itself have a significant impact on the landscape. If it is granted permission, I am confident that appropriate landscaping

could take place to reduce its impact.

36. There are no highway issues resulting from its use, nor are there any significant conservation, archaeological or wildlife issues. The amenity block applied for is modest, and the established buildings on the site could be sensibly re-used.
37. There have been no adverse comments from any of the service providers and it would not adversely in itself detract from the use of a public right of way.
38. The consultation on the options for Traveller site provision within the district are proceeding and it seems to me that this is an entirely appropriate case to be considered for a temporary consent on a without prejudice basis. Such consent would enable the Parish Council's reasonable concerns about the cumulative impact of Traveller sites within the Parish to be properly considered.

Recommendation

39. That the applicant be invited to amend the application to a temporary application for 3 years and if they do so, delegated authority be granted.

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
- Circular 1/2006
- Cambridge Sub-Region Traveller Needs Assessment 2006
- Gypsy and Traveller Development Plan Document

Documents referred to in the report including appropriate on the website only and reports to previous meetings.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 6th September 2006
AUTHOR/S: Executive Director / Head of Planning Services

**APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION:
SUMMARIES OF DECISIONS OF INTEREST – FOR INFORMATION**

Purpose

1. To highlight recent Appeal decisions of interest forming part of the more extensive Appeals report, now only available on the Council's website and in the Weekly Bulletin dated 28 June 2006.

Summaries

Marchfield Developments Ltd – Demolition of existing workshops and redevelopment to provide 6 no. dwellings – 15 Ashwell Road, Steeple Morden – Appeal allowed with a full award of costs to the appellant.

2. This application proposed the removal of outdated and underused workshops and their replacement with four market and two affordable dwellings. Officers had recommended the application for approval notwithstanding a concern from the Local Highway Authority (LHA) that five dwellings was the maximum that should be allowed off this narrow access. The appeal was considered at a hearing. Cllr Mrs Murfitt attended and spoke against the proposal.
3. The reasons for refusal were the effect of the development upon the character and appearance of Steeple Morden and whether the use of the access would cause highway dangers.
4. The site is surrounded by residential curtilages, though has been in industrial/commercial use for many years. There is about 800 sq. m. of single-storey buildings, which are currently unused and generally in poor condition. At the hearing, the Council confirmed there was no objection in principle to residential use or a limited amount of Class B1 use in order to limit the likely traffic generation.
5. The inspector found that the village contains a great variety of dwellings of different ages, styles and types. The southern part is characterised by mainly frontage development and is generally unexceptional with little obvious local distinctiveness or common theme. Even with the removal of existing trees, the development would barely be visible from any public highway. Their generally land-locked situation means they would only have a minimal impact on the character and appearance of the village.
6. Where the dwellings would be seen, their scale and form would be perceived as very similar to those on the adjoining site in Plough Close. Thus while the proposal would be of unexceptional appearance, there was nothing fundamentally wrong with this approach. The development would be sensitive to the character of the village "... contributing its own small stamp on the evolution of Steeple Morden".

7. The site access would be between 4.1 and 4.2 m. wide once the existing electricity posts have been removed and the cables re-routed underground. From information given by the owners at the hearing, the site has been used in the past by HGVs and employees on a daily basis. As a rough estimate this resulted in around 40 vehicle movements a day. Neither the Council nor the LHA disputed this. In addition, the adjoining occupier has reported damage to his boundary fence from HGVs reversing into the driveway.
8. The inspector found that the appeal scheme complies with government guidance (Design Bulletin 32) and provides a two-way traffic flow for the majority of residential traffic. Both parties accepted that the development is likely to generate around 48 two-way vehicle movements a day. Most of these would be cars belonging to resident's familiar with road layout. For those drivers unwilling to pass another driver, there would be plenty of room within the site if the departing driver chose to wait. A driver having to wait or reverse back onto Ashwell Road could do so safely. The inspector saw on her site visit that such movements are not uncommon on this part of Ashwell Road. Visibility is good in both directions.
9. There was no evidence of any highway dangers arising from the past use. The amount of traffic generated by six dwellings is not significantly greater than the previous use. In the circumstances, the inspector did not find the use of the access would cause highway dangers.
10. The appeal was therefore allowed. A unilateral undertaking regarding the provision of the affordable housing was agreed with the Council. Conditions were imposed regarding the hours of building operations, materials, foul and surface water drainage, landscaping, investigation of ground contamination and remediation, restriction of pd rights to prevent overlooking and the layout of parking and turning areas prior to occupation.
11. The appellant sought an award of costs on the grounds that the Council's decision had been unreasonable. He argued that the character of the village is mixed and the adjoining properties in Plough Close were of a pleasing design. The development would complement them and the Council had failed to demonstrate how the development would harm the village. With regard to the highway safety issue, the Council had not substantiated these allegations by expert evidence from a highway engineer. The Council could not guarantee that any future commercial use would be low-key. It's reason for refusal was without substance.
12. The Council argued that the appellant himself had acknowledged that design issues are to a degree subjective. Reference was made to Policy HG10 and PPG3 regarding local distinctiveness and the harm that would be caused. Members had taken the decision after a site visit and had come to an informed decision. The appellant's agent had declined the inspector's offer to demonstrate their design approach. On highway matters, the Council had no powers to insist on attendance by the LHA. Its evidence was based on the existing use, the fallback position and the potential arising from the development. There was no agreed fallback position on traffic flows and the appellant's expert had already agreed there is always an element of guesswork in traffic numbers. The Council's refusal was based on the LHA's recommendation. In the absence of any other information, this was not unreasonable.
13. Paragraph 9 of the cost's circular states that planning authorities do not have to accept the advice of their professional officers. If they do, however, they must provide evidence to support their decision. This means that the onus is on the Council to justify its decision.

14. On matters of design, the inspector concluded that the Council had not provided any objective evidence. The Council's criticisms were not borne out by a consideration of the drawings and a comparison with other dwellings nearby. With regard to the second reason for refusal, it was necessary to show that the use of the access drive would cause highway dangers. While the LHA had concerns, it had not provided any objective evidence that the increased traffic would cause highway dangers. The inspector had found that all of the evidence pointed in the opposite direction. In both cases, therefore, the Council had failed to show that any harm would be caused.

J Crickmore – Conversion of barn to dwelling – Chesterton Fen Road, Milton - Appeal allowed

1. The proposal was to convert an existing barn into a dwelling. A previous appeal had been dismissed seeking conversion of the barn into a sales area as part of a tropical plant nursery. The site lies within the Green Belt and the proposal was considered inappropriate development for which very special circumstances had not been demonstrated. The Environment Agency (EA) had also objected on the grounds of flood risk.
2. Following the refusal of planning permission, the appellant's submitted amended drawings showing an improved elevational treatment of the barn. These were substituted for the original drawings during the appeal.
3. The inspector found that the change of use of the barn from its permitted use as stables to a dwelling would not make any difference to the openness of the Green Belt. As such it would not be inappropriate development. The inspector also agreed with a previous inspector that the site has only limited landscape quality and the use would not harm the character and appearance of the area. In particular, there would be no discernable change to views from the riverbank some 100 m from the site. Given that the use and details of the conversion were acceptable, there was no need for the appellant to prove there were very special circumstances.
4. The appellant's also submitted a flood risk assessment as part of the appeal, although neither the Council nor the EA had been given the opportunity to comment on it earlier. However, the assessment proposed certain measures which the inspector was satisfied could comply with the EA's requirements. The matter could therefore be dealt with as a condition of any approval.
5. The appeal was allowed subject to conditions regarding finished floor levels, landscaping, a flood risk assessment, removal of pd rights and a restriction on any further openings in the building.

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

- Planning Inspectors' appeal decisions dated 18th and 31st July 2006

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