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24 July 2007



**South
Cambridgeshire**
District Council

To: Chairman – Councillor Mrs PS Corney
Vice-Chairman – Councillor CR Nightingale
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, 1 AUGUST 2007 at 10.00 a.m.**

Yours faithfully
GJ HARLOCK
Chief Executive

Requests for a large print agenda must be received at least 48 hours before the meeting.

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| | PROCEDURAL ITEMS | |
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| 3. | Minutes of Previous Meeting To authorise the Chairman to sign the Minutes of the meeting held on 4 July 2007 as a correct record. Draft Minutes are available by following the links from the Council's website at www.scambs.gov.uk/meetings | |
| | PLANNING APPLICATIONS AND OTHER DECISION ITEMS | |
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Democratic Services Contact Officer: Ian Senior, 01954 713028 Members of the public wishing to speak at this meeting are requested to contact the Support Officer by no later than noon on Monday before the meeting. A public speaking protocol applies.

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- 32. Appeals against Planning Decisions and Enforcement Action 217 - 220**

Summaries of Decisions of interest attached.

Contact officers:

Gareth Jones, Corporate Manager (Planning and Sustainable Communities) – Tel: 01954 713155

John Koch, Appeals Manager (Special Projects) – Tel: 01954 713268

- 33. Appeal Statistics**

Contact officers:

Gareth Jones, Head of Planning – Tel: 01954 713155

John Koch, Appeals Manager (Special Projects) – Tel: 01954 713268

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“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 (as amended) of the Act.”

Notes

- (1) 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 Corporate Manager (Planning and Sustainable Communities).
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South Cambridgeshire District Council

Planning Committee – 6 June 2007 – Declaration of Interests

Councillor

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Vill age:

Reason:

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Reason:

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Personal / Personal and Prejudicial [delete as appropriate]

Item no: **App. No.** **Village:**

Reason:

Personal / Personal and Prejudicial [delete as appropriate]

Item no: **App. No.** **Village:**

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Personal / Personal and Prejudicial [delete as appropriate]

Item no: **App. No.** **Village:**

Reason:

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee1st August 2007**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

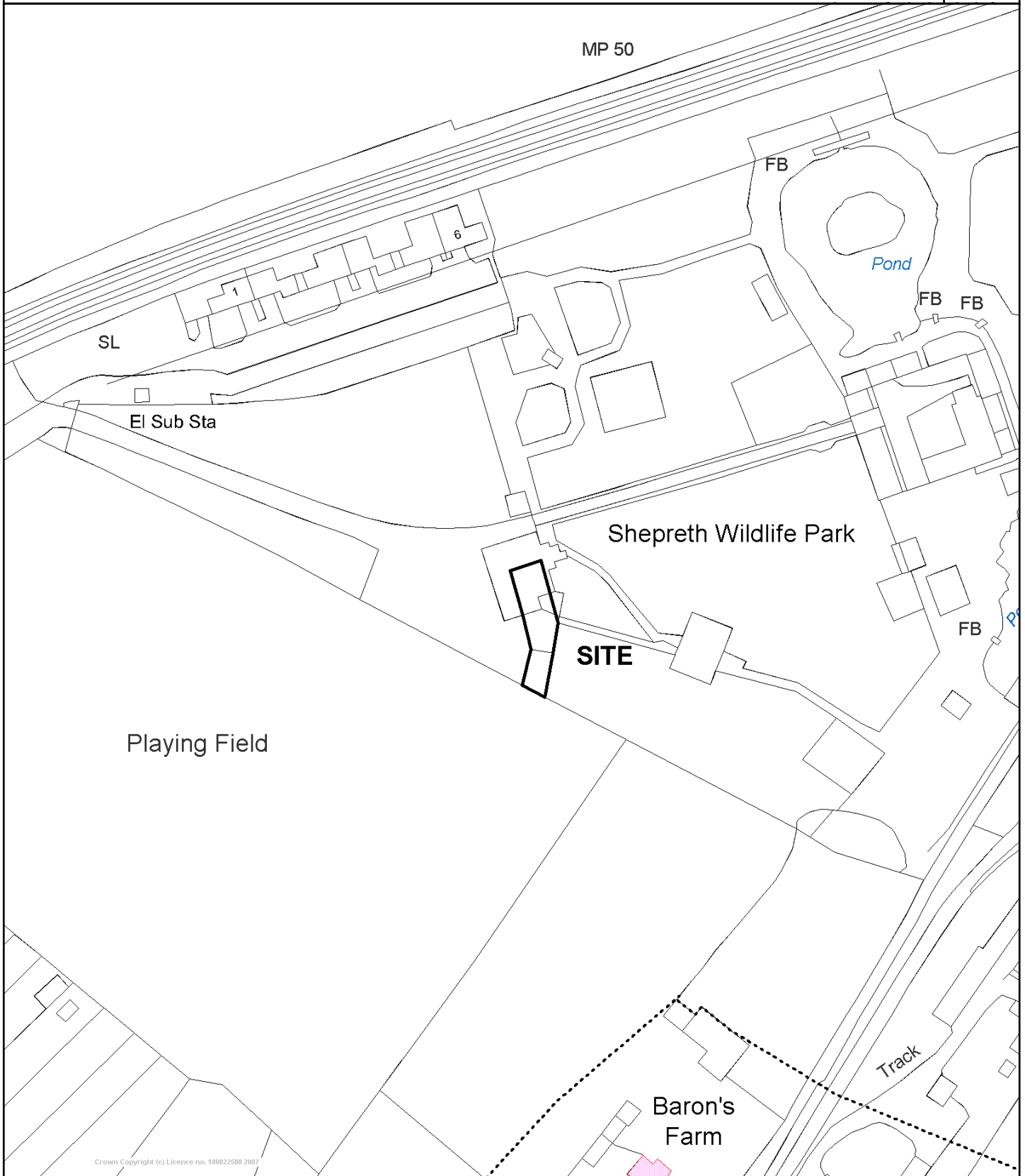
S/0948/07/F - SHEPRETH**Change of Use from Office to Flat and Temporary Retention of Mobile Home, Shepreth Wildlife Park, Station Road for T Willers****Recommendation: Approval****Date for Determination: 30th July 2007****Notes:**

This Application has been reported to the Planning Committee for determination because Shepreth Parish Council has objected to the application.

Site and Proposal

1. Shepreth Wildlife Park is a private business and local tourist attraction on the edge of the village of Shepreth. Due to the nature of the animals housed at the park the site is enclosed by tall post and wire fencing, the northernmost section of which abuts the tracks of the Kings Cross to Cambridge railway. To the south of the said section of fence there is an earth bund that visually screens the majority of the site from the open countryside to the north. Within the site itself there is a range of artificial habitats with associated built development that have been created to house the Park's animal inhabitants. There is also a dwelling within the site that is occupied by the applicant and his family.
2. The access to the Wildlife Park runs adjacent to a linear commercial/industrial estate that abuts the rail tracks to the north. To the southwest of the site the Park's parking area abuts village playing fields. The closest residential properties to the boundaries of the site are two pairs of semi-detached properties in Angle Lane (Edieham Cottages). A public footpath runs to the north past the eastern boundary of the site and the front elevations of Edieham Cottages and out into the open countryside to the north. At the front of the site there is a mobile home adjacent to the pitched roof entrance building that is surrounded by a tall close-boarded fence.
3. The full planning application received on the 14th May 2007 proposes to convert part of the existing office space (39.8 sq.metres) on the first floor of the entrance building to staff accommodation/flat and retain the aforementioned mobile home for a limited period. The office in question, which is above the park shop and visitor entrance, is accessed by way of an external timber staircase on the side of the building. There are two existing rooflight openings in the front elevation that face the gravelled car park and there are no external alterations that are proposed. If consent is granted for the conversion of the office space then it is proposed to remove the mobile home by the 31st August 2007.

S/0948/07/F



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Planning Committee August 2007

Planning History

4. The planning history of Shepreth Wildlife Park is a long and complicated one that consists of planning approvals and refusals, a considerable number of which were determined at appeal. Planning permission for a wild animal sanctuary on the site was approved in 1986 (**S/0113/86/F**). In 1992 permission was granted for an extension of the shop with the only condition placed on the consent relating to the prior approval of materials (**S/0036/92/F**). Ten years later an application for a change of use of land at the front of the site was granted for the siting of a mobile home (**S/0910/02/F**), which was conditioned to be occupied by a park employee and was to be removed by the 30th June 2007. More recently consent was granted for the conversion of a stable block within the site to a dwelling (**S/0038/07/F**).

Planning Policy

Cambridgeshire and Peterborough Structure Plan 2003

5. **Policy P1/2 'Environmental Restrictions on Development'** states that developments in the countryside will be restricted unless demonstrated to be essential in a particular rural location.
6. **Policy 4/1 'Tourism, Recreation and Leisure Strategy'** requires that new or improved tourism, recreation and leisure developments protect or improve the local environment, landscape and residential amenity.

Local Development Framework (Adopted July 2007)

7. **DP/1 'Sustainable Development'** states that new development will only be permitted where it is demonstrated that it is consistent with the principle of sustainable development.
8. **DP/7 'Development Frameworks'** states that outside urban and village frameworks only development and uses that need to be located within the countryside will be permitted.
9. **HG8 'Conversion of Buildings in the Countryside for Residential Use'** states that permission will only exceptionally be granted where it can be demonstrated, having regard to market demand or planning considerations, that it is inappropriate for any suitable employment use or for employment with residential conversion as a subordinate part of a scheme for business re-use.

Consultation

10. **Shepreth Parish Council** – Recommends that the application be refused, it has also criticised the lack of adequate plans and information provided.
11. **Environment Agency** – Has no objection, but originally requested that a condition be attached to any consent granted relating to the submission and implementation of a scheme of foul water drainage. Following the receipt of additional information from the applicant this condition was no longer considered necessary. The proposal is acceptable, in respect of flood risk, due to the scale and nature of the development.

Representations

12. None received

Planning Comments – Key Issues

13. The long and varied history of planning applications and developments at Shepreth Wildlife Park is a matter of concern for nearby residents and property owners as well as for the Parish Council. Unlike recent developments at the park this latest application is not retrospective, though the condition requiring the removal of the mobile home has since been breached during the processing of this application. Visually the proposed change of use will not materially alter the external appearance of the existing shop building, and will result in the loss of the mobile home at the front of the site. Therefore the main issue for Members to consider in the determination of this application is the appropriateness of allowing a more permanent dwelling in the countryside in place of the mobile home and the appropriateness of allowing the retention of the mobile home for a limited period whilst the new dwelling is being fitted out.

Conversion of existing dwelling in the countryside

14. When consent was granted for the mobile home in 2002 it was accepted that there was a functional need for workers to live on site, especially given the nature of some of the animals housed within the park. It is recognised that another application was granted (and went before Members on the 7th March 2007) for the conversion of stables to an additional dwelling stating that the additional accommodation was required for the very same reason. This earlier application was for the applicant's son, whereas the occupants of the mobile home are not members of the Willers family. Therefore I do not consider that it is inappropriate that the proposed dwelling is removed from the Mr Willers' family home, whilst still being located within the boundary of the site.
15. Notwithstanding the earlier approval it is accepted that the site employs a number of staff who are often required to be on hand to deal with the animals all through the day and night, when necessary. Given the fact that the only works required to convert the building are internal I consider that the proposal is in accordance with policy HG8. Moreover the loss of office space will not jeopardise the overall viability of the site as an employment site, therefore I do not consider that it is necessary to require that the first floor of the building be retained in its present form.
16. Considering that the overall aim of policy DP/1 is to promote more sustainable forms of development I consider that this application accords with this aim in that it allows members of the Park's staff to be accommodated at the site of their employment, and therefore lessening their reliance on private motor vehicles or public transport in their daily travel to work.
17. Although on the outskirts of the site the new dwelling will still be in a location where occupation independently of the wildlife park would be unlikely. However to prevent the dwelling from being let or sold independently of the Park I would recommend a condition be used to tie the occupation of the dwelling to workers employed at the wildlife park, and any dependents of such persons.

Retention of existing mobile home

18. During the determination of the original application for the mobile home in 2002 there were no objections to the development. Therefore, even though the time limited

consent has expired since this application was submitted, I do not consider the retention of the mobile home for a limited period to be unacceptable. The applicant has requested that the mobile home be permitted to be retained for a further two months from the end of June 2007, which can be controlled by way of a condition. However given the time taken to submit and determine this application, if approved I consider it reasonable that the date for the removal of the mobile home be able to be extended at the discretion of the Local Planning Authority. The recommended condition below has been worded to reflect this additional flexibility in the date for removal of the mobile home.

19. In response to the Parish Council's concerns about the adequacy of the plans that have been submitted I consider that they are acceptable for the determination of this application. Moreover, although the flood risk assessment that has been submitted is the same as for the application that was approved earlier this year, it is relevant to the entire site, and has been considered to be acceptable by the Environment Agency.

Recommendation

20. Approval

Conditions

1. Standard Condition A – Time limited permission (Reason A);
2. The use of the land for the siting of a mobile home, hereby permitted, shall be discontinued and the land restored to its former condition on or before the 31st August 2007, or within a period previously agreed in writing with the Local Planning Authority (which shall be no later than two months after the aforementioned date).
(Reason – Retention of the mobile home would be contrary to Policies P1/2 of the Structure Plan 2003 and DP/7 of the Local Development Control Policies 2007 once the flat, hereby permitted, has been completed.)
3. The occupation of the flat, hereby permitted, shall be limited to a person or persons solely or mainly working at the application premises (Shepreth Wildlife Park) and to any resident dependants.
(Reason – The Local Planning Authority would not normally grant permission for such a development and this permission is granted solely in order to fulfil a specific requirement of the use of the application premises in accordance with Policies P1/2 of the Structure Plan 2003 and DP/7 of the Local Development Framework Development Control Policies 2007.)

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
 - P1/2** (Environmental Restrictions on Development)
 - P1/3** (Sustainable Design in Built Development)
 - P4/1** (Tourism, Recreation and Leisure Strategy)

- **South Cambridgeshire Local Development Framework (LDF)**, adopted July 2007
 - DP/1** (Sustainable Development)
 - DP/7** (Development Frameworks)
 - HG8** (Conversion of Buildings in the Countryside for Residential Use)

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

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Development Framework 2007
- Planning File Ref: S/0948/07/F; S/0038/07/F and S/0910/02/F

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee1st August 2007**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/1149/07/F - ORWELL**Erection of House and Garage at Land Adjacent 7 High Street
for R.D.S Developments****Recommendation: Delegated Approval subject to further consultation****Date for Determination: 6th August 2007****Notes:**

This Application has been reported to the Planning Committee for determination because the officer recommendation of approval conflicts with the recommendation of refusal from Orwell Parish Council.

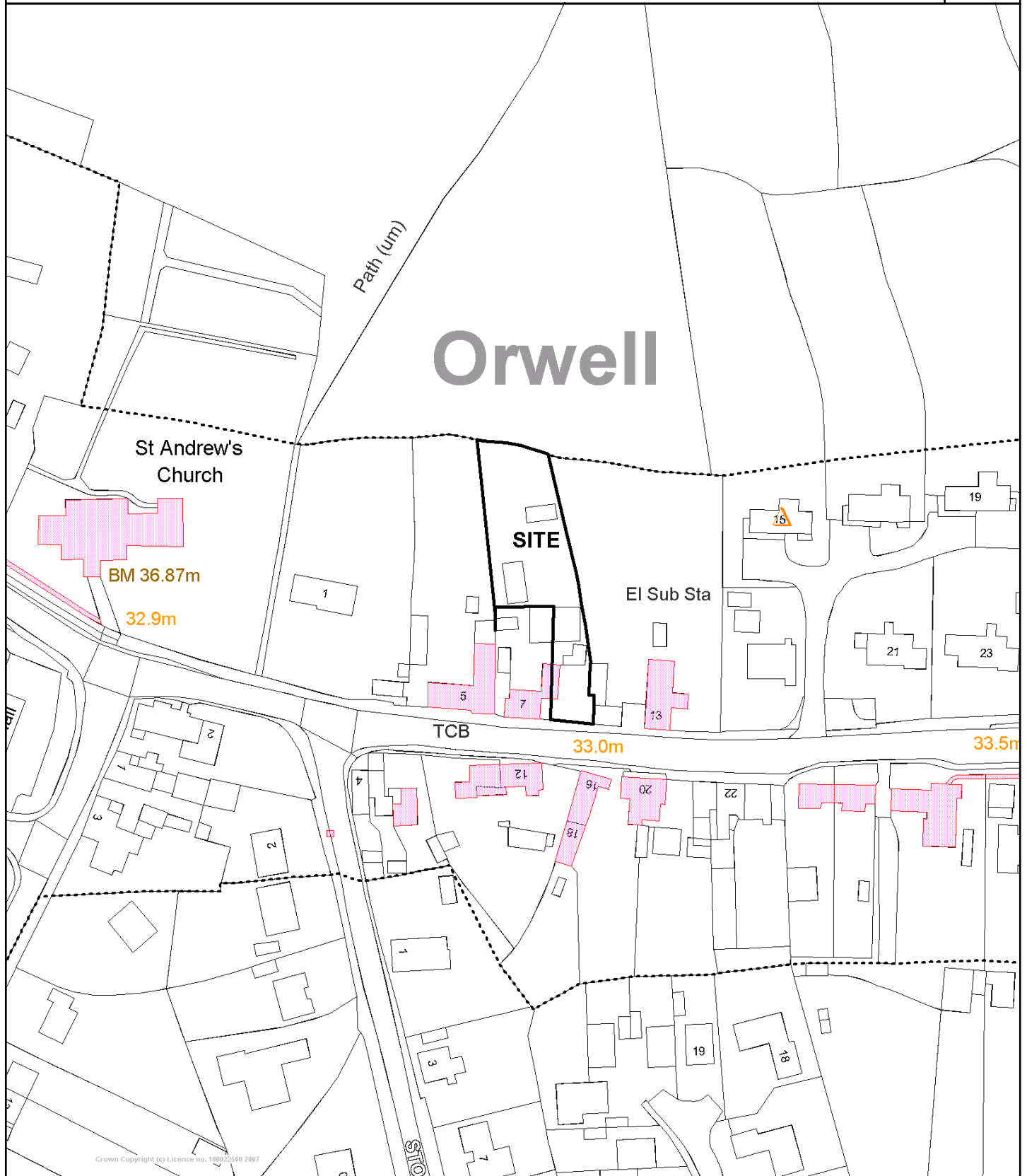
Members will visit this site on Monday 30th July 2007

Conservation Area**Adjacent to Listed Building****Site and Proposal**

1. The application site is located centrally in the village of Orwell. The plot adjacent No 7 High Street lies between two Listed Buildings located in the Conservation Area for Orwell. The application plot measures 0.09 hectares. The plot frontage measures approximately 10 metres in width, the depth, approximately 65 metres. The plot shape is varied and is not consistent in size from front to back. The site differs in ground level and the land rises significantly from the front to the rear of the plot. The separating boundaries are not immediately obvious, the plot currently reads as the garden of No. 7 High Street. To the east of the plot is the wall of the neighbouring outbuilding and carport of No. 9 High Street. There is one small opening in this elevation close to the road frontage; the room in the side is not used as habitable space. The rear of the site is screened from the surrounding countryside by irregular planting; the rise in ground level to the rear restricts visibility. The site is bound by the High Street to the south.
2. This full application, received on 11th June 2007, proposes the erection of a detached two-storey 4-bedroom house. The scheme proposes a 6.75 metre high dwelling house, 17 metres in depth and a front elevation width of 5.4 metres. A 3.8 metre space has been left at the front of the site for off road parking in addition to an integral single garage attached to the proposed dwelling. The proposed scheme is slightly staggered to fit the awkwardness of the plot shape. The land will be dug into to create a level floor finish. The proposal provides approximately 190m sq of habitable floor area at a density of 11 dwellings per hectare.

A Design Statement accompanies the application.

S/1149/07/F



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Planning Committee August 2007

Planning History

3. An extension to No 7 High Street was refused in 1974 (**S/0590/74/F**). An application for an almost identical scheme was withdrawn earlier in the year (**S/0597/07/F**); this was likely to be recommended for refusal because of the impact on the neighbouring smaller listed building of No. 7 High Street. Since this withdrawal the applicant has since reduced the height of the building in line with that of No.7.

Planning Policy

Cambridgeshire and Peterborough Structure Plan 2003

4. **Policy P1/3 'Sustainable Design in Built Environment'** states that a high quality of design will be required for all new developments and promotes more compact forms of development through higher densities.
5. **Policy P7/6 'Historic Built Environment'** states Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.

South Cambridgeshire Local Plan 2004

6. **Policy SE4 'Group Villages'** sets out the requirements for residential developments and redevelopment up to a maximum scheme size of 8 dwellings within village frameworks.
7. **Policy HG10 'Housing Mix and Design'** sets out the requirements for residential developments to make the best use of sites in addition to be informed by the wider character and context of the surrounding area.
8. **Policy EN28 'Development within the Curtilage or Setting of a Listed Building'** sets out the requirements for development within the curtilage or setting of listed buildings.
9. **Policy EN30 'Development in Conservation Areas'** of the Local Plan 2004 sets out the requirements for **development** within Conservation Areas.
10. **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007**

ST/6 (Group Villages)

11. Residential development and redevelopment up to an indicative maximum scheme size of 8 dwellings will be permitted within the village frameworks of Group Villages, as defined on the Proposals Map

DP/2 (Design of New Development)

12. All new development must be of high quality design and, as appropriate to the scale and nature of the development, should:
 - a. Preserve or enhance the character of the local area;
 - b. Conserve or enhance important environmental assets of the site;

- c. Include variety and interest within a coherent design, which is legible and provides a sense of place whilst also responding to the local context and respecting local distinctiveness;
- d. Achieve a legible development, which includes streets, squares and other public spaces with a defined sense of enclosure and interesting vistas, skylines, focal points and landmarks, with good interrelationship between buildings, routes and spaces both within the development and with the surrounding area;
- e. Achieve a permeable development for all sectors of the community and all modes of transport, including links to existing footways, cycleways, bridleways, rights of way, green spaces and roads;
- f. Be compatible with its location and appropriate in terms of scale, mass, form, siting, design, proportion, materials, texture and colour in relation to the surrounding area;
- g. In the case of residential development, provide higher residential densities, and a mix of housing types including smaller homes;
- h. Provide high quality public spaces;
- i. Provide an inclusive environment that is created for people, that is and feels safe, and that has a strong community focus;
- j. Include high quality landscaping compatible with the scale and character of the development and its surroundings.

13. DP/3 (Development Criteria)

Planning permission will not be granted where the proposed development would have an unacceptable adverse impact:

- a. On residential amenity;
- b. From traffic generated;
- c. On village character;
- d. On the countryside, and landscape character;
- e. From undue environmental disturbance such as noise, lighting, vibration, odour, noxious emissions or dust;
- f. On ecological, wildlife and archaeological interests;
- g. On flooding and flood risk;
- h. On the best and most versatile agricultural land;

- i. On quality of ground or surface water;
- j. On recreation or other community facilities.

HG/1 (Housing Density)

- 14. Residential developments will make best use of the site by achieving average net densities of at least 30 dwellings per hectare unless there are exceptional local circumstances that require a different treatment.

CH/4 (Development Within the Curtilage or Setting of a Listed Building)

- 15. Planning permission will not be granted for development, which would adversely affect the curtilage or wider setting of a Listed Building. Proposals must provide clear illustrative and technical material to allow impact to be properly assessed.

CH/5 (Conservation Areas)

- 16. Planning applications for development proposals) including applications for Conservation Area Consent for demolitions) in or affecting Conservation Areas will be determined in accordance with legislative provisions and national policy (currently in PPG15), together with the local policies set out in the supplementary Planning Documents and guidance contained in specific Conservation Area Appraisals (where they exist) and the District Design Guide.

Consultation

- 17. **Orwell Parish Council** –Has asked for an extension of 2 days on the consultation period. The comments should be present for Committee. In light of the earlier recommendation for the similar application this scheme has been put forward for Committee to discuss.

- 18. **The Conservation Manager** has made the following comments,

The proposal is basically similar to the previous application on this site, but the building now cut into the rising ground so as to address concerns raised over the impact on the adjacent Listed Building. When considering the previous application I had no objection to the design, with the dwelling set gable on to the road, which is similar to the pattern of development found elsewhere in the village. Since the issue of height has now been dealt with I have no further objection to the proposal.

- 19. **The Local Highway Authority** has asked that the applicant show vehicular and pedestrian visibility splays on the submitted drawings. Additional comments will be presented verbally.

Representations

- 20. None received to date. The earlier application received one letter from the occupier of No. 10 High Street who raised concerns over the height of the proposal, the potential for a turning area within the site to address Highway issues and the use of local materials

Planning Comments – Key Issues

21. The main issues to be considered in relation to this application are the impact of the development upon the character and appearance of the Conservation Area, the impact on the setting of the surrounding Listed Buildings and the impact of the proposed dwelling upon the amenities of neighbours and highway safety.

Impact on the Conservation Area and Listed Buildings

22. The said application was the result of preliminary discussions between the applicant and the Local Planning Authority. The Conservation Manager has had extensive input in the approach that has been put forward. In the comments made by the Conservation Manager, the scheme is seen as acceptable, specifically pointing out that the proposed development takes on board the design approach within the village, proposing the gable end to the road, much like the neighbouring properties within the street scene.
23. The impact on the neighbouring Listed Buildings will be minimal providing the materials are carefully selected and agreed before development commences, the erection of this building will compliment the neighbouring listed buildings incorporating elements of the surrounding older properties within new build development.
24. The frontage of the site is narrow and the scheme takes up a large quantity of the frontage. However it is my opinion that the proposed scheme is in accordance with the requirements of Policies EN30 and EN28 of the Local Plan 2004 and DP/2, CH4 and CH/5 of the Local Development Framework Development Control Policies as listed earlier in the report.

Impact on Neighbour Amenity

25. The dwelling has been designed to address any potential adverse neighbour amenity impact. The design predominately uses roof light in the elevations that face neighbouring properties. The six proposed roof lights in the eastern elevation of the roof, facing towards no. 11 High Street are secondary windows to the Master bedroom, bedroom 1 and bedroom 3, the remainder are predominately used for lighting bathrooms and landings. These are shown on the drawings to be approximately 1.6 metres from cill to floor level. I am of the opinion this is adequate to avoid unnecessary overlooking and can be conditioned accordingly.
26. The openings at first floor on the western elevation are of a similar format. The roof lights over bedroom 2 look north to the rear of the plot, those over the landing are of an adequate height from floor level at 1.6 metres and the only opening that faces No. 7 at first floor provides an oblique view of the High Street and the rear of No 7; primarily facing the gable of No. 7 itself.
27. The bulk of the building in this plot has been reduced significantly by being dug into the plot; the main aim of doing this was to lessen the impact on the neighbouring Listed Building at No 7. This has benefits for the surrounding properties also. When visiting the site and viewing from No 11 it was apparent that some loss of a view would occur from the overlooking windows, although this is not a material planning consideration when determining applications, the reduction in height of the proposed scheme will overcome this and the impact on the neighbours reduced to nil.

28. The impact on No. 7 is also minimal, the building has been designed so as not to dominate the listed building, the bulk of the two storey is located to the east of the site, away from the Listed Building and therefore impact reduced on the occupiers also.
29. I am of the opinion that the scheme does not adversely impact neighbour amenity and is in accordance with the abovementioned policies.

Impact on Highway Safety

30. The comments made from the Local Highways Authority are shown to have been addressed on the drawings. However closer inspection shows these have been drawn incorrectly and the site is unlikely to be able to address this concern unless the front elevation is reduced and set further back in the site. I have been unable to discuss this further with the Local Highways Authority at the time of writing the report and further comments will be passed on verbally at the meeting.
31. In light of the above issues and resolutions I am of the opinion this scheme accords with the aforementioned policies within the Development Plan Documents. Further consultation is needed with the Local Highway Authority and these should contribute to the final decision of this scheme.

Recommendation

Approval subject to conditions and further comments from the Local Highway Authority

1. **The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**
(Reason – To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which would not have been acted upon.)
2. **No development shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details**
 - a) **The materials to be used for the external walls and roof**
(Reason – To ensure that visually the development accords with neighbouring buildings and the development not incongruous.)
3. **No further windows, doors or openings of any kind shall be inserted in any elevation of the development, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.**
(Reason – To safeguard the privacy of occupiers of the adjoining properties and to protect the setting of adjacent Listed Buildings and the surrounding Countryside in accordance with the requirements of Policies DP2, DP3 and CH/4 of the Local Development Framework 2007)
4. **No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measure for their protection in the course of development.)**
(Reason - To enhance the quality of the development and to assimilate it within the area in accordance with the requirements of Policies DP2 of the Local Development Framework 2007.)

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

(Reason - To enhance the quality of the development and to assimilate it within the area in accordance with the requirements of Policies DP2 or the Local Development Framework 2007.)

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

(Reason - To enhance the quality of the development and to assimilate it within the area in accordance with the requirements of Policies CH4 and CH5 of the Local Development Framework 2007)

7. **Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order), the following classes of development more particularly described in the Order are expressly prohibited in respect of the property and each unit thereon unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf: -**

i) **PART 1, (Development within the curtilage of a dwellinghouse, all classes).**

ii) **PART 2, (Minor operations), Class A (erection of gates, walls or fences).**

(Reason – To safeguard the character of the area and to ensure that additions or extensions which would not otherwise require specific planning permission do not overdevelop the site with consequent harm to the setting of Conservation Area and nearby Listed Buildings).

8. **During the period of construction no power operated machinery shall be operated on the site 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 agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions.**

(Reason – To protect the occupiers of adjacent properties from an unacceptable level of noise disturbance during the period of construction)

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **South Cambridgeshire Local Development Framework (LDF) Core Strategy**, adopted January 2007:) and Development Control Policies 2007. ST/6 (Group Villages)

- **South Cambridgeshire Local Development Framework (LDF) Development Control Policies**, Development Plan Document (to be adopted July 2007):
Policy DP/2 (Design of New Development)
Policy DP/3 (Development Criteria)
Policy CH/4 (Development Within the Curtilage or Setting of a Listed Building)
Policy CH/5 (Development within Conservation Areas)
- **Cambridgeshire and Peterborough Structure Plan 2003:**
Policy P1/3 'Sustainable Design in Built Environment'
Policy P7/6 'Historic Built Environment'
- **South Cambridgeshire Local Plan 2004:**
HG10 (Housing Mix and Design)
EN28 (Development within the Curtilage or Setting of a Listed Building)
EN30 (Development in Conservation Areas)

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

- South Cambridgeshire Local Development Core Strategy (adopted January 2007) and Development Control Policies 2007.
- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Ref: S/1149/07/F and S/597/07/F/F

Contact Officer: Saffron Garner – Senior Planning Assistant
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee1st August 2007**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0919/07/F - PAPWORTH EVERARD
Erection of 2 Industrial Units (Use Classes B1(A), B1(C) and B2)
with Associated Parking, Landscaping and Wind Turbine
Plot 10, Stirling Way, Papworth Business Park
for Wrenbridge (Papworth) Ltd and Wrenbridge (Papworth 2) Nominee Ltd

Recommendation: Approval

Date for Determination: 16th August 2007
(Major Application)

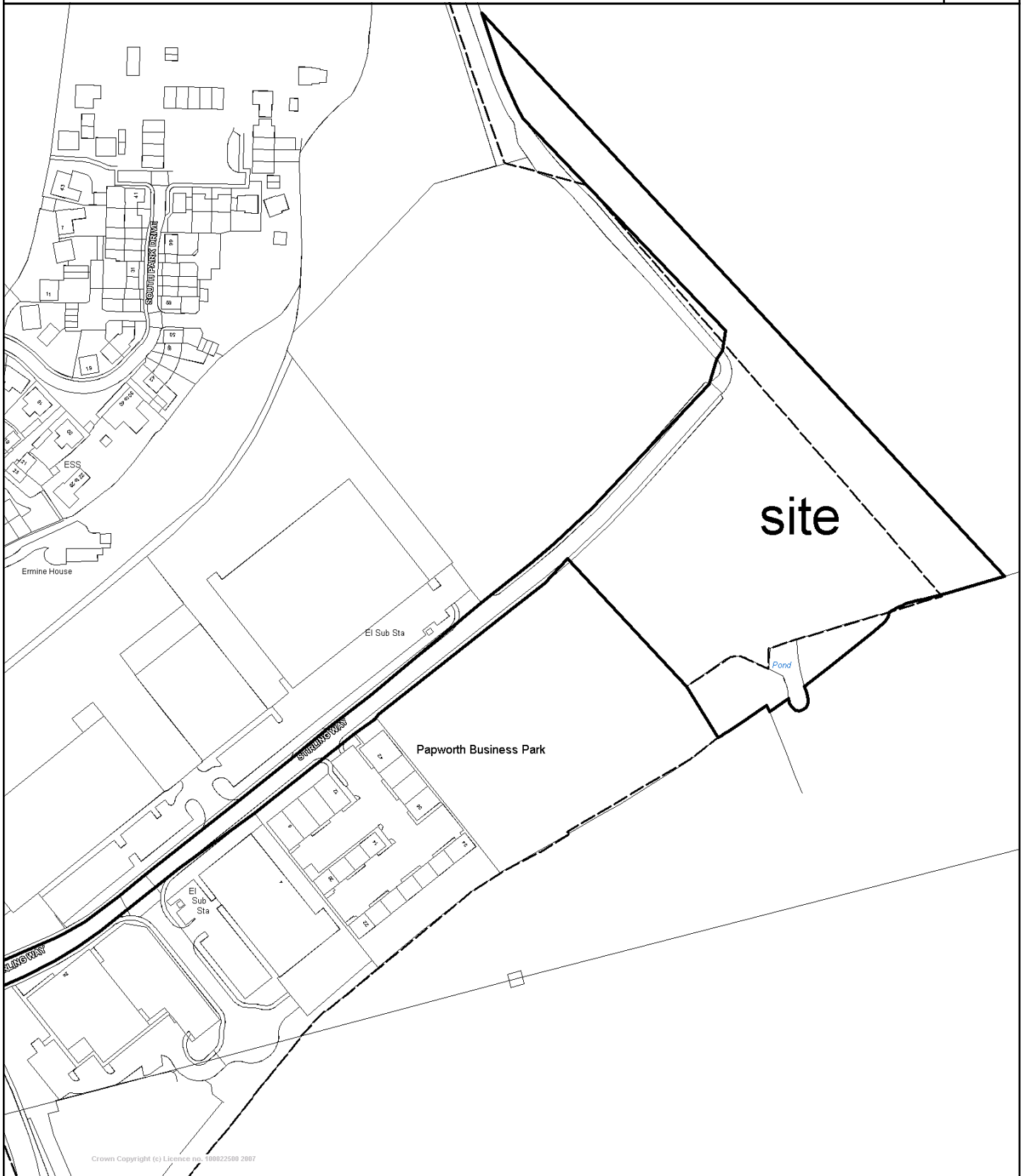
Notes:

This Application has been reported to the Planning Committee for determination because the Parish Council's objection does not accord with the Officer recommendation.

Site and Proposal

1. The 2.4 ha site is located in the south-eastern corner of the Papworth Business Park. The site is overgrown former agricultural land. There is a copse of mature deciduous trees on the southern boundary containing an overgrown pond.
2. To the west is a recently completed development of B1/B2 starter units built by the applicants. To the east is open countryside. To the north is an overgrown site with planning permission to the applicants for a B1/B2 unit, approved at last month's meeting of the Planning Committee (Item 11). This and the current application site are the last to be developed on the Business Park.
3. The full application, received on 17th May 2007 and amended on 12th and 27th June 2007 proposes the erection of two speculative commercial buildings within the use classes B1(A) Office, B1(C) Light Industrial and B2 General Industrial. It is accompanied by a Design and Access Statement, a Landscape Statement, a Drainage Assessment, a Geo-environmental Assessment, an Ecological Assessment, a Transportation Statement and a Sustainability Appraisal.
4. The proposed units are set back from the estate road behind landscaping and car parking with a central vehicular access to further parking and rear service yards. The smaller unit to the west of the proposed access road measures 2,208 sq.m. (including 288 sq.m. of first floor ancillary office) and has its main elevation facing Stirling Way. The larger unit measures 3,486 sq.m. (including 450 sq.m. of first floor ancillary office) and is gable end on to Stirling Way. Both units are 11.6m high and are clad in profiled steel coloured in silver/blue with a grey roof. A wind turbine (column height approx 20m) is proposed in the western end of the woodland copse to the rear of the site. Both side boundaries are shown with 10m planting belts.

S/0919/07



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Scale 1/2500 Date 17/7/2007

Centre = 529193 E 262345 N

August 2007

5. In a covering letter the applicant states the site compliments the established Business Park by providing a variety of unit sizes. It is anticipated the smaller unit will be a B1(C) use but has been designed to accommodate a B2 use if necessary. The larger unit will be a B2 use.
6. The application is in full because it includes landscaping proposals for the woodland and the restoration of a pond which were not part of the outline planning permission site area for the Business Park. This will improve its ecological character.
7. The Design and Access Statement says that the design strategy is to create 2 quality high-tech units. Car parking meets the Council's standards and cycle parking is also included. The location of the units at the end of the estate road means there will be no impact on residential properties, and the site is well screened by existing buildings and the woodland belt on the southern boundary. New landscape planting will provide additional screening.
8. Disabled parking bays are proposed close to the main entrance to both buildings, with level access into the buildings.
9. The sustainability appraisal addresses the impacts of climate change. A number of measures are proposed:
 1. Air conditioning will be excluded in favour of natural ventilation where practicable.
 2. High levels of insulation will be used.
 3. New 10m wide landscape belts will provide protection from the prevailing winds as well as solar shading.
 4. The pond will be restored and topped up with surface water from hardstandings on the site.
 5. Efficient use is made of the site area.
 6. Natural daylighting will be maximised and low energy lighting used in office areas.
 7. The steel building frame will have increased strength to allow a "Solar Wall" system to be installed in the future.
 8. Construction waste will be reduced on the site through the use of prefabricated materials.
 9. The steel building materials are recyclable.
 10. A wind turbine is proposed to help meet the requirements for 10% of predicted energy needs to be generated on site.

The ecological assessment concludes that the proposed development of the site will enable the retention and positive management and enhancement of the woodland copse and pond.

Planning History

10. Outline planning permission for Phase 2 of the Business Park (B1/B2 uses) was originally granted in 2002 and renewed in 2005.
11. A full application by the current applicants for 2 similar units on this site was withdrawn in March this year because a legal agreement with the Environment Agency had not been concluded.
12. The 10m landscape belt proposed on the eastern boundary of the site has a separate planning permission.

Planning Policy

The following policies are relevant:

Cambridgeshire and Peterborough Structure Plan:

13. **Policy P1/3** requires a high standard of design and sustainability for all new development.
14. **Policy P2/6** encourages sensitive small-scale employment development in rural areas.

South Cambridgeshire Local Plan 2004:

15. **Policies EM2 and Papworth Everard 4** allocate Papworth Business Park for B1 and B2 uses (allowing for the relocation of existing B2 uses in the centre to the allocated site to the south of the village).
16. **Policy EM3** places limitations on the occupancy of new premises within Class B1 (offices, research and development and Light Industrial).

Local Development Framework (LDF) 2007:

17. **Policy DP/1** - Sustainable Development - states development will only be permitted where it is demonstrated that it is consistent with the principles of sustainable development.
18. **Policy DP/2** - Design of New Development - states all new development must be of high quality design.
19. **Policy ET/1** - Limitations on the occupancy of new premises in South Cambridgeshire - states other small-scale industries, in use classes B1(C), B2 and B8 (up to 1,850m²) will be permitted if it contributes to a greater range of local employment opportunities, particularly if it takes advantage of the development of locally based skills or expertise.
20. **Policy NE/1** - Energy Efficiency - states development will be required to demonstrate that it would achieve a high degree of measures to increase the energy efficiency of new buildings.
21. **Policy NE/3** - Renewable Energy Technologies in New Development - states that development proposals greater than 1000m² will include technology for renewable energy to provide at least 10% of predicted energy requirements.

22. **Policy NE/6** - Biodiversity - states new development should aim to maintain, enhance, restore or add to biodiversity.

Consultations

23. **Papworth Everard Parish Council** objects:

“Status of Application:

This Full application for speculative development supersedes Outline consent S/1475/99/O, as extended by S/2292/04/F, for the site. In addition, its receipt by SCDC stamped 17th May 2007 exceeds the limit of 10th April 2007 specified by S/2292/04/F for receipt of an application for the approval of any matter reserved for further consideration.

As such, it is our belief that the proposals in this new application are not solely enabled or constrained by the policies pertaining to earlier approvals for the site, and in addition that they need to comply with all current policies and material requirements.

Refusal is recommended on the following grounds:

1. Scale

Local Plan policies EM3 and PE4 allocate this site for B1/B2 employment use.

LDF Development Control Policy ET/1 1d note 4 states that ‘other small-scale industries’ in use classes B1C, B2 and B8, are restricted to a maximum size of occupation of any one user on a site to 1850m².

Policy ET/1 Paragraph 5.2 reserves employment land for development that can demonstrate a clear need to be located in the area. Paragraph 5.3 states ‘Large-scale manufacturing, distribution and warehousing, and office firms that could equally well locate in other areas of the county will not be permitted.’

Policy P2/6 of the Cambridgeshire & Peterborough Structure Plan 2003 states that employment development should be of a ‘sensitive small-scale’.

The large floor area of building 10:20 that, as stated in Part B of the application form, includes 3051m² (*but see note at end*) of B2 industrial space on the ground floor, significantly exceeds the ET/1 restrictions.

In addition, by choosing to speculatively locate two separate large units on the one site, under Policy ET/1 it would need to be ensured that the owners did not permit ‘any one user’ (whether B1 and/or B2) to occupy both buildings.

2. Access

Policy P2/5 of the Cambridgeshire and Peterborough Structure Plan 2003 requires that manufacturing be located on sites that are accessible to a ‘range of transport methods’. The accompanying ‘Transport Statement’ fully documents the total absence of any ‘range of transport methods’ close to this village location.

3. Green Travel

As there are intended to be 48 cycle parking spaces, presumably aimed at minimising vehicular traffic and attracting a local workforce, we would wish also for the District Council to ensure the provision of the proposed footpath/cycleway link through the Countryside/Hopkins Homes development, to the eastern side of the village (see S/1603/03/F), or an agreed alternative, as part of any further development on the Business Park.

4. Landscaping

While we welcome the landscaping proposal to regenerate the pond area copse, we are concerned by the seeming failure of the applicant to provide an effective barrier between the copse and the employment area, as this may lead to the copse being used for recreational purposes, with the associated problems of litter and disturbance to the flora and fauna.

The landscape belt along the whole of the eastern boundary between the Business Park and the open countryside needs to effectively screen the functional industrial architecture and soften the long vistas of the site from the countryside, from Cambourne and from the A428 corridor.

From discussions with Lesley Dickinson we believe that this interface was planned to be a 10m wide tree belt in order to achieve this outcome.

The applicant's proposals for this eastern boundary are totally inadequate as, even when mature, they are planned to provide no more than a 10m grassy wildflower strip, with some hedgerow and a very sparse sprinkling of not particularly impressive trees.

This proposal, contrary to Section 4.2 of the Landscape Statement, will not achieve effective screening of plot 10, let alone that for the massive building proposed for plot 9.

A significant number of additional trees (taller/more dense) need to be provided along the eastern landscape belt so as to minimise the visual impact of these tall and massive buildings across the surrounding countryside.

5. Landscaping maintenance

The Landscape Statement paragraph 5.3 states that subsequent maintenance/failure replacements will be limited to a twelve-month period. This is clearly inadequate if a meaningful landscape belt is to be established along the barren eastern edge of the Business Park.

All landscape planting around the periphery of the site would need to be commenced at the earliest possible time so that new trees/shrubs can get established and provide the necessary screening.

6. Siting of Wind Turbine

We welcome the inclusion of a wind turbine on the site to satisfy part of the renewable energy requirement of LDF policy NE/3. The absence of sufficient detail on the proposal makes it impossible to judge the effectiveness of such provision.

In particular: We object strongly to the proposed location of the turbine among the mature trees in that part of the copse to the rear of the site. If it is placed there it will be necessary to clear space for the access path and the turbine itself, making it necessary to fell some large mature trees. This is totally unnecessary and unacceptable.

The more open land on the extreme SE corner of the application site would appear to be a more appropriate location.

The running noise levels associated with the operation of any turbine would need to be assessed for its specific location prior to its installation, as such noise might adversely affect not only those employed on the site, but also those employed on adjacent sites.

7. Turbine output

We are concerned to note the following statements in the 'Building Services Renewables Report' that indicate that output from the turbine is not expected to fully meet the requirements of Policy NE/3. This requires at least 10% of predicted energy requirements to be supplied from renewable resources.

Section 3.0, third paragraph: 'The intention is that the buildings are to be serviced as speculative warehouses (no heating/cooling) *with naturally ventilated offices....*' (i.e. the likely demand by the occupants for air conditioning is not taken into consideration.)

Section 3.0, paragraph immediately following item b) 'As the warehouses are unheated/untreated *these are excluded from the calculations and are deemed to be part of the new occupiers responsibility to provide any additional renewable measures following their fit-out.*'

It is our understanding that there would be no legal requirement on the occupiers of the building to provide any shortfall in the renewable energy requirement of NE/3 for their industrial operations, nor for them to provide any of the other energy, water saving or recycling facilities.

In these changed times, with increasing emphasis on the need for all operations to reduce energy consumption from non-renewable resources and to reduce carbon footprints, there needs to be a legally binding condition that requires the applicant to ensure that the fully-functioning buildings conform fully with the requirements of Policy NE/3.

The occupants of the buildings should also be required to minimise any unnecessary use of clean water and to recycle all appropriate materials.

8. Emissions

There would be a need for any emissions (fumes, odours, air quality etc) from the industrial operations to be effectively controlled.

NB: Ref. Section 2 above: The floor area of unit 10:20 is variously described as 3051, 2969.4 and 2629 m² in the bundle of application documents."

24. **The Local Highway Authority** states the proposed increase in traffic from the site will inevitably have an impact on the functioning of the Ermine Street traffic signal

controlled junction. A detailed survey of the impact that increased traffic movements are likely to have is requested.

NB: The applicant has submitted a 'technical note' in response to this and a verbal report will be made.

25. **The Environment Agency** states that with the proviso that the development is constructed and maintained in accordance with the documented Section 30 Agreement (Anglian Water Act 1977) no objection is made to the proposal. Informatives are suggested.
26. **Anglian Water** has not commented.
27. **Cambridgeshire Fire and Rescue Service** request a condition requiring five hydrants.
28. **The Council's Ecologist** comments the applicant should be commended for undertaking a thorough assessment of the site following initial concerns over the potential impact on the adjacent pond. The recommendations of the ecological assessment are supported and should be secured by condition. Concerns are expressed at the location chosen for the wind turbine within the woodland copse. Research into the operating effects of wind turbines is drawing attention to the potential for turbines to cause harm to bats (and birds to a lesser extent unless located on migration route). I would wish to see the turbine located outside of the woodland area and preferably not within a hedgerow that forms a linkage to the woodland as bats may travel along such features. Ideally the turbine should be located within the car parking area or within an open area of improved grassland.

If the applicant still wishes to locate the turbine in the woodland area then a bat survey, in advance of the application's determination, will be required to support the case that the woodland is of low value to bats.

The woodland itself also contains an attractive spread of native bluebells which should not be compromised by the development.

29. **The Trees and Landscapes Officer** has no objection to the proposal. Two informatives are suggested:
 1. Heras fencing to be erected 2m from the wooded edge to protect trees during construction.
 2. The bird and bat boxes should be attached to the trees with 'rubber' and not secured directly with nails into the main stem(s) of the trees.
30. **The Landscape Design Officer** states the landscape scheme is acceptable. More detailed information is required on the work to the pond and this has been undertaken and supplied.
31. The comments of the **Corporate Manager (Health and Environmental Services)** will be reported verbally.

Representations

32. No representations have been received.

Planning Comments – Key Issues

33. This is the last plot without detailed planning permission on the estate. The two key issues are the appropriateness of the size and scale of the 2 units and the acceptability of the proposed wind turbine in terms of its impact on the woodland belt in which it is sited and the noise likely to be generated.

Size of the Units

34. Members will recall the discussion about the scale of the building the same applicants proposed on an adjacent site at the July Committee meeting (Item 11). This is a less sensitive site on the southern side of the estate road, further from the South Park housing estate which is under construction and partly occupied. The buildings proposed are lower than that approved last month (11.6m cf 13.4m) and the site is well screened from the south by a mature woodland copse.
35. The Parish Council argue that, as this is a full application, the Local Development Framework Policy, which now restricts the size of B2 units should apply. I would point out the site has outline planning permission and the applicants could have submitted a reserved matters application but were requested by officers to submit a full application to enable the restoration of the pond and management of the copse which lie outside the boundary of the outline consent. The Parish Council had no objection to an application for very similar sized units on the site which was withdrawn earlier this year solely because a drainage agreement had not been concluded. The proposed units are in keeping with the character, footprint and scale of other units built and permitted on the estate. They are of an above average design and with the proposed landscaping should comfortably be assimilated into the estate.

The Wind Turbine

36. The issue of the proposed wind turbine has arisen again, as Members will recall from last month's discussion on Plots 7-9. I am awaiting the comments of the Council's Corporate Manager (Health and Environmental Services), but given the distance from the nearest housing (built and proposed) and the intervening industrial buildings, a positive recommendation may be forthcoming. With this scheme the concern is more one of the precise location of the turbine. Its proposed position in the copse causes problems of impact for the Council's Ecologist and the Parish Council. There is scope to move the turbine further eastwards to an area where the woodland is much thinner. This could be conditioned. A verbal report will be made.

Recommendation

37. Approval, as amended by plans and renewables report franked 12th June 2007 and the 'technical note' franked 27th June 2007.

Conditions

1. Standard Condition (Reason A).
2. No development shall commence until samples of the materials to be used for the external walls and roofs of the buildings and hard surfacing have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details. (Reason - To ensure that visually the development accords with neighbouring buildings and site.)

3. Sc51 Landscaping (Rc51).
4. Sc52 - Implementation of Landscaping (Rc52).
5. The use shall be restricted for 10 years from the first occupation of each building to in the case of:
 - (a) Offices over 300 sq.m. to the provision of a local or sub-regional service or administration facility principally for persons resident or organisations situated in the Cambridge Area, excluding national or regional headquarters offices; or
 - (b) 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.
 - (c) Light industry to a maximum of 1,850 sq.m. of floorspace.
(Reason - To meet the employment needs of the Cambridge Area.)
6. No further mezzanine floors, other than those approved by virtue of this permission shall be inserted in any of the units hereby approved, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.
(Reason - In order to limit the demand for additional vehicular parking provision within the site.)
7. No development shall commence until 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 has been submitted to and approved in writing by the Local Planning Authority. No development shall take place other than in accordance with the approved scheme.
(Reason - To ensure adequate water supply is available for emergency use.)
8. 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 building(s) but excluding office equipment and vehicles and the location of the outlet from the building(s) of such plant or equipment, shall be submitted to an 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 restriction.
(Reason - To minimise disturbance to neighbouring residential properties.)
9. Before the use, hereby permitted, commences, the buildings shall be acoustically insulated in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
(Reason - To minimise disturbance to neighbouring residential properties.)
10. No external lighting, including floodlighting, shall be provided or installed on the site other than in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.
(Reason - To minimise the disturbance to neighbouring residential properties.)
11. In the event of night time deliveries (i.e. 18.00-08.00hrs), a noise management scheme shall be entered into with the Local Planning Authority and approved

in writing before the use commences. The use shall be carried out in accordance with the approved scheme.

(Reason - To minimise night time disturbance to adjacent residential properties.)

12. Before development commences, and notwithstanding the siting shown on drawing no. PO56/102L, the precise location of the wind turbine shall be submitted to and agreed in writing by the Local Planning Authority. The wind turbine shall not be sited other than in accordance with that agreed scheme.
(Reason - To ensure the trees and ecology of the woodland copse are not damaged.)
13. Before the wind turbine is installed, its precise height shall be submitted to and agreed in writing by the Local Planning Authority. The turbine shall not be installed other than in accordance with the agreed height.
(Reason - To avoid it being unduly prominent.)
14. Prior to the commencement of development, timescales for the implementation of the Scheme Description (as contained within Section 6 of the Ecological Assessment by Catherine Bickmore Assoc. November 2006) shall be agreed in writing with the Local Planning Authority. The agreed scheme shall be fully implemented in accordance with the agreed timescales.
(Reason - To secure the restoration and management of the pond and its surrounding habitat.)
15. The buildings shall not be occupied until a Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority. Implementation shall be carried out in accordance with the approved details and timescales of the plan.
(Reason - To encourage car sharing and the use of alternative means of travel to the site.)
16. + any further conditions required by the Corporate Manager (Health and Environmental Services).

Informatives

1. The Environment Agency comments:
 1. All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.
 2. Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.
 3. All foul sewage or trade effluent, including cooling water containing chemical additives, or vehicle washing water, including steam cleaning effluent shall be discharged to the foul sewer.
 4. Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies.
 5. Prior to being discharged into a watercourse, surface water sewer or soakaway system, all surface water drainage from lorry parks and/or parking areas for 50 car park spaces or more and hardstandings should

be passed through an oil interceptor designed compatible with the site being drained. Roof water shall not pass through the interceptor.

6. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.
 7. The on-site surface water sewers should be designed so they discharge into the sewers in Stirling Way, which in turn flow in an easterly direction to the balancing ponds mentioned in the Drainage Assessment. The S. W. sewer pipes on the site should be designed to convey a 1 in 100 year critical storm from the site without flooding so the run-off can be conveyed to the balancing ponds, which are designed to contain the 1 in 100 year storm run-off from the Phase 2 development of the Business Park.
2. The Council's Tree Officer comments:
1. Heras or similar type fencing should be erected 2m from the southern wooded edge of the site to protect trees during construction.
 2. The proposed bird/bat boxes should be attached to the trees with 'rubber' and not secured directly with nails into the main stems of the trees.
3. The Council's Ecologist comments:
- "The hard landscaping scheme should avoid the use of kerbs that may prohibit or trap the future movements of small animals such as amphibians migrating to, or from, the pond and surrounding habitats. The further input of the ecologist should be sought on this matter."

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **South Cambridgeshire Local Development Framework (LDF) Development Control Policies 2007:**
 - DP/1** (Sustainable Development)
 - DP/2** (Design of New Development)
 - ET/1** (Limitations on the Occupancy of New Premises in South Cambridgeshire)
 - NE/1** (Energy efficiency)
 - NE/3** (Renewable Energy Technologies in New Development)
 - NE/6** (Biodiversity)
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
 - P1/3** (Sustainable design in built development)
 - **South Cambridgeshire Local Plan 2004:**
 - Policy Papworth Everard 4** (Allocates site for B1 and B2 Uses)
 - Policy EM2** (Allocations for Class B1 and B2 Employment Uses)

2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - The appropriateness of the scale of the buildings given the character of the area
 - The impact of the proposed wind turbine

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

- South Cambridgeshire Local Development Framework (LDF) - Development Control Policies 2007
- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Ref: S/0919/07/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 Committee1st August 2007**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

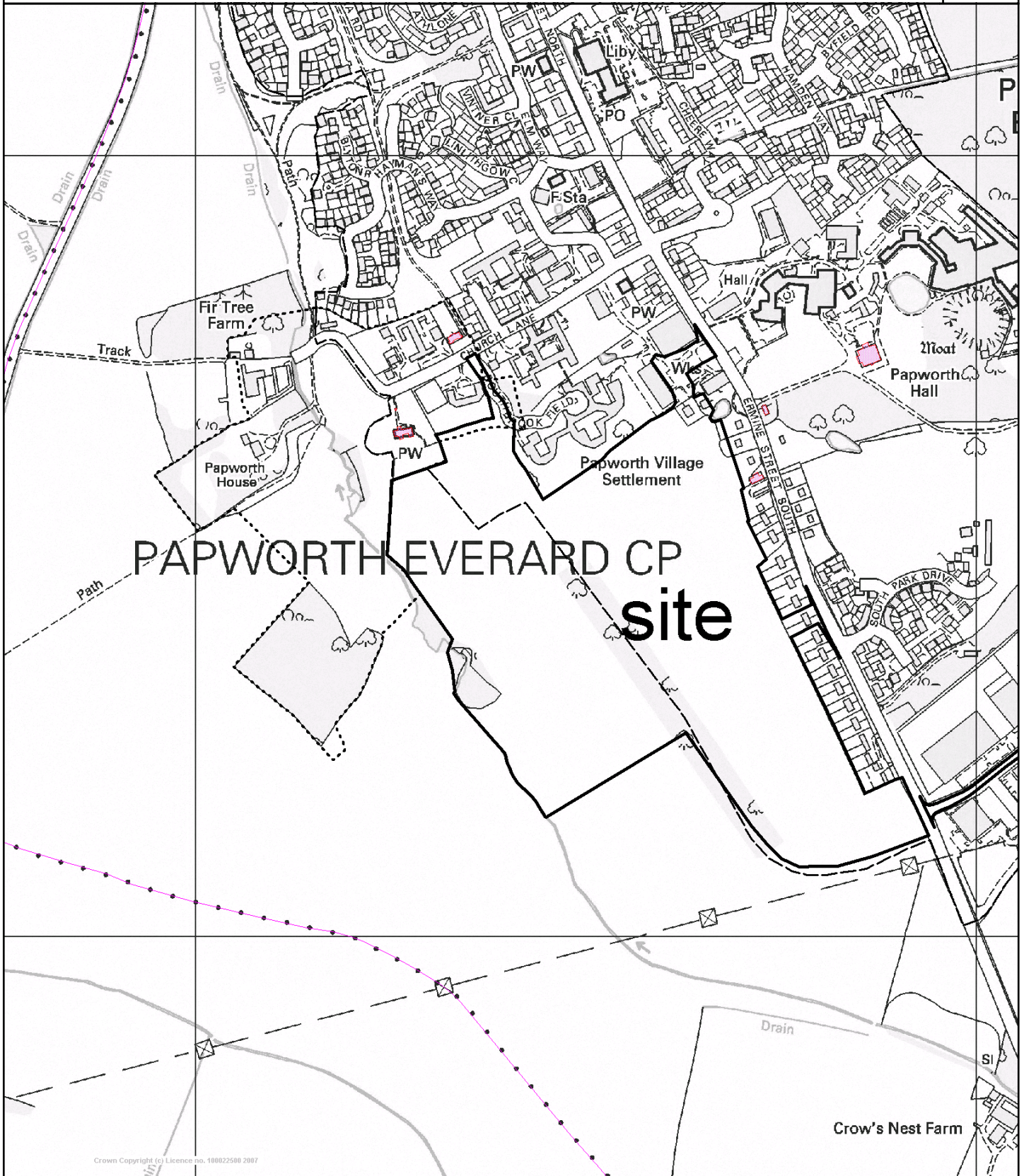
S/0093/07/RM - PAPWORTH EVERARD**Erection of 365 Dwellings with Associated Open Space and Landscaping
(Reserved Matters Pursuant to Outline Planning Permission Ref S/2476/03/O)
Land South of Church Lane and West of Ermine Street South
For Barratt East Anglia/Kingsoak****Recommendation: Delegated Approval****Date for Determination: 31st August 2007
(Major Application)****Notes:**

This Application has been reported to the Planning Committee for determination because the recommendation of delegated approval by Officers is anticipated to conflict with objections likely to be received from Papworth Everard Parish Council and local residents.

Adjoining Conservation Area**Site and Proposal**

1. The 21.63 ha site lies on the south western side of the village and is fringed with a ribbon of housing on the eastern Ermine Street boundary. To the north is the Parish Church, a residential nurses home, sheltered housing and a former printing works. To the south and west is open countryside; Cow Brook forms the south-western boundary with the newly completed bypass beyond.
2. Running north-west/south-east across the centre of the site at its highest point is a plantation of young trees. To the west of the belt, the site slopes sharply down into the valley of Cow Brook. The site is overgrown former agricultural land and there are few trees on site other than the plantation and adjacent to Cow Brook.
3. The application site includes 3 pairs of semi-detached houses dating from the 1940's-50's which are to be demolished. Also included in the north-east corner of the site is the existing car park to the Papworth Trust offices.
4. The reserved matters application received on 16th January 2007 and amended on 1st June and 17th July 2007 proposes the erection of 365 dwellings with associated open space, play areas and landscaping. The application is supported by an urban study, a landscape strategy, a Landscape and Visual Impact Statement, a sustainability appraisal, an archaeological evaluation and an ecological and Arboricultural assessment, and a Management Plan for the Areas of Public Open Space.

S/0093/07/RM



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Scale 1/6845 Date 17/7/2007

Centre = 528406 E 262443 N

August 2007

5. In its amended form the 365 dwellings comprise 11 one bed flats, 36 two bed flats, 76 two bed houses, 173 three bed houses, 64 four bed houses, 4 five bedroom and 1 six bedroom house. The flats are distributed throughout the site with the main concentration in a 'landmark' three storey apartment block at the southern entrance to the site. Other three storey elements occur, mainly in terracing, around the proposed Church View Square. The remainder of the dwellings are two and a half and two storey.
6. The development is a mixture of traditional and contemporary styles; the contemporary units are concentrated around the southern entrance road and the village green.
7. The overall density of housing is approximately 30 dwellings per ha.
8. The layout follows the basic principles laid down in the Council's Development Brief with the residential development confined to the allocated area on the eastern side of the existing plantation. To the west of the plantation an extensive area of public open space (7.6 ha) is proposed, sloping down to Cow Brook.
9. A central landscaped spine road runs through the housing area linking the northern and southern vehicular access points to Ermine Street South.
10. A village green (including a LEAP) and Church View Square are proposed public spaces on the route of the spine road, and a number of smaller open spaces (including 3 LAPS) are proposed within the residential area, including one on the north eastern edge of the development to protect the setting of a listed cottage.
11. To the North West of the proposed residential area is a kick about area, a NEAP and a super LEAP and a youth shelter are proposed, together with a surface water balancing pond.
12. The plantation is shown trimmed on the eastern (development) side and supplemented with new planting on the western (public open space) flank, together with an extended area of new planting along the southern boundary of the developed site. This accords with the approach recommended in the Development Brief.
13. New footpath/cycleway links are proposed from Ermine Street South westwards to the proposed village green and the public open space to the west of the plantation, and northwards to Church Lane to complete the pedestrianised route through the village to the school. Other footpaths are proposed across the areas of public open space.
14. Although not within the site and subject to a separate, current application, proposals are shown to demolish unsympathetic flat roofed extensions to the former Papworth Trust Housing Office at the northern entrance to the site, and to provide it with an access off the new estate road and a parking area. A pumping station is also proposed for the development adjacent to the car park. To the south of the Housing Office is a pond, which is also outside the site area, but is proposed for enlargement/restoration. The existing car park in front of the Bernard Sunley Centre, which will be displaced by the construction of the northern vehicular access, will be relocated to the rear of the building and will also be the subject of a separate planning application.
15. In the supporting statement accompanying the application, it states that the previous withdrawn reserved matters application was the subject of some 12 months consultation with the Council and two public exhibitions were held in the village. The information gathered during this period has fed into the development of the current

application, which itself has been the subject of pre-application consultation with the Council. A further public exhibition was held in the village in October 2006.

16. It is anticipated the development would be completed in approximately four years from commencement. The areas of open space will be set out, equipped and planted at the end of the construction period for the adjacent phases of development, subject to planting season. This will ensure that the risk of compaction and other damage associated with construction vehicles will be minimised.
17. **The Urban Design Study** identifies a number of 'character areas' within the proposed development and develops a landscape design code for each area. Character area materials are illustrated.
18. **The Landscape Strategy** sets out key objectives which are to integrate the development site into the surrounding countryside and to link the existing plantation into a new network of ecological corridors which respect and reinforce the local landscape character. Over half the site will become public open space, and the key spaces are identified and planting/landscaping proposals outlined.
19. **The Ecological Assessment** of the site identified a population of water voles in Cow Brook and a copse adjacent to Cow Brook was discovered to be an important feeding and roosting habitat for two species of bat. The landscape strategy proposes the planting of a native hedge around the periphery of the copse to discourage its use by residents and their dogs.
20. **The Archaeological Evaluation** has involved a desktop assessment, a geophysical survey, and 58 trial trenches being dug. An interim summary of the results has been included with the application.
21. **A Sustainability Appraisal** has been undertaken in accordance with Condition 5 of the outline consent. A range of efficiency measures, including the provision of solar collectors on a minimum of 40 dwellings, will produce a 14% reduction in carbon emissions compared to the requirements of the building regulations. Solar collectors will be offered as an option on other appropriate properties. Measures to reduce water use and to encourage recycling are also proposed. An Eco Homes rating of "Good" will be achieved.
22. **Public Art** - a draft brief has been discussed and agreed with the Council's Arts Development Officer.

Planning History

23. In 2003 the Council published a residential development brief for the site which was adopted as supplementary planning guidance.
24. In 2005 Outline Planning Permission was granted for residential development on the site, including public open space, vehicular accesses together with the demolition of 3 blocks of semi-detached housing.
25. In 2006 a reserved matters application for 397 dwellings and public open space was submitted and withdrawn later that year.

Planning Policy

Cambridgeshire and Peterborough Structure Plan 2003:

- 26. **Policy P1/3** seeks a high standard of design and sustainability for all new development.
- 27. **Policy P5/3** states densities of at least 40 dwellings per ha should be sought in locations close to a good range of services and where there is good public transport accessibility. Densities of less than 30 dwellings per ha will not be acceptable.
- 28. **Policy P7/2** states all development will seek to conserve and enhance the biodiversity value of the areas which they affect.
- 29. **Policy P7/6** states Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.

South Cambridgeshire Local Plan 2004:

- 30. **Policy Papworth Everard 2** states that within housing allocations an average density of 25 dwellings per ha will be achieved, although a range of densities above and below that level will be sought.
- 31. **Policy Papworth Everard 3(c)** states the following sites (inter alia) are allocated for development for housing and incidental open space:

12.01 ha south west of Papworth Everard, providing a minimum of 259 dwellings within a developable area of 10.36 ha.

Planning permission for area 3C will not be granted until appropriate contributions towards the funding of the bypass have been secured.

The supporting text refers to a shallow ridge running across the site and says extensive tree planting will be required to prevent intrusion into the surrounding open countryside and to soften the impact of the village from the proposed bypass. The close proximity to St Peters Church to the north west boundary of the site requires developers to demonstrate that the design and layout will not adversely affect its setting.

In order to absorb the new housing areas into the wider landscape, appropriate landscaping works will need to be undertaken within and around the areas so as to soften and screen the housing edge. Woodland belts, trees, hedgerows and copses should be used. The screen belt should have a minimum width of 10 metres.

Additional areas of public open space are also required. These areas should be well related to the built-up area but may be beyond the village frameworks and the sites allocated for development.

- 32. **Policy SE9** states development on the edges of villages should be sympathetically designed and landscaped to minimise the impact of development on the countryside.
- 33. **Policy HG4** allocates the site for residential development and states development in Papworth will be at least 25 dwellings per ha.

- 34. **Policy HG10** states residential requirements will be required to contain a mix of units providing accommodation in a range of types; sizes (including 1 and 2 bedroom dwellings).
- 35. **Policy RT2** sets out standards for the provision of public open space and children's play space.
- 36. **Policy EN15** seeks to protect/preserve/enhance sites of archaeological importance.
- 37. **Policy EN28** states where it appears a proposal would affect the wider setting of a listed building, the Council will require the submission of sufficient illustrative and technical material to allow its impact to be clearly judged.

South Cambridgeshire Local Development Framework (LDF) 2007:

1. Core Strategy

- 38. **Policy ST/5** designates Papworth Everard a Minor Rural Centre, limiting residential development and redevelopment up to a maximum size of 30 dwellings in village frameworks.

2. Development Control Policies

- 39. **Policy DP/1** states development will only be permitted where it is demonstrated that it is consistent with the principles of sustainable development.
- 40. **Policy DP/2** states all new development must be of a high quality design, and requires the submission of Design and Access Statements.
- 41. **Policy DP/3** sets out development criteria, including car parking being kept to a minimum and outdoor play space.
- 42. **Policy DP/6** states, where practicable, large-scale development should, inter alia, recycle construction waste and accommodate construction spoil within the development.
- 43. **Policy HG1** states residential developments will make best use of a site by achieving average net densities of at least 30 dwellings per ha. Higher average net densities of at least 40 dwellings per ha should be achieved in more sustainable locations.
- 44. **Policy HG2** states developments will contain a mix of units providing accommodation in a range of types; sizes and affordability. Developments over 10 houses will have regard to economic viability, including any infrastructure provision, the context of the site and the need to secure a locally balanced community. In market housing, a proportion of dwellings designed to lifetime mobility standards will be sought.
- 45. **Policy SF/6** states that in determining planning applications the Council will encourage the provision of publicly accessible art, craft and design works on residential developments comprising 10 or more dwellings.
- 46. **Policy SF/10** requires all residential developments to contribute towards outdoor playing space.
- 47. **Policy SF/11** sets out open space standards.

- 48. **Policy NE/1** requires development to demonstrate that it would achieve a high degree of measures to increase the energy of new buildings, and developers are encouraged to reduce the amount of CO₂ m³/year emitted by 10% compared to the minimum Building Regulations requirement.
- 49. **Policy NE/3** states all development over 10 dwellings will include technology for renewable energy to provide at least 10% of their predicted energy requirements.
- 50. **Policy NE/6** requires development to maintain, restore, or add to the biodiversity.
- 51. **Policy CH/2** states that Archaeological sites will be protected in accordance with national Policy (currently PPG16).
- 52. **Policy CH/4** states planning permission will not be granted for development which would adversely affect the wider setting of a listed building.
- 53. **Policy TR/2** states car parking should be provided in accordance with the maximum standards set out in the document, to reduce over-reliance on the car and to promote more sustainable forms of transport. (i.e. average of 1.5 spaces per dwelling across the District (up to a maximum of 2 per 3 or more bedrooms in poorly accessible areas. In addition, short-term parking for service vehicles and visitors, generally provision should not fall below 0.25 spaces per dwelling provided with 2 spaces.) Cycle parking should equate to 1 secure space per dwelling where possible.

Development Brief

The site is subject to a Development Brief commissioned by the Council and adopted as supplementary planning guidance in September 2003.

Consultation (pre-final amendment)

- 54. **Papworth Everard Parish Council**

“Introduction

These comments are the Parish Council’s initial thoughts on the proposed development. They are not a full and formal response to the planning application, but a contribution to an on-going dialogue which we hope will result in the creation of a new housing area which will satisfy the aspirations of all involved in the planning and development process.

The comments are not exhaustive, but we seek to build on the preliminary comments recently submitted to the applicant by the South Cambridgeshire District Council’s planning department (*SCDC: Summersfield, Papworth Everard: Comments on planning Submission - Ref S/0093/07*).

Please note: In many instances the District Council’s comments are also our comments, so to avoid unnecessary duplication, many of them have not been repeated here.

The intention in preparing this document is to place additional emphasis on issues about which the Parish Council feels particularly strongly and, in certain instances to expand on the comments made by the District Council.

We consider, given the goodwill of all concerned, that it should be possible to discuss these issues with the aim of reaching agreement on what amendments can be made to the application.

IN NO SPECIFIC ORDER, WE HAVE CONCERNS ABOUT:

General

1. The lack of sufficient detail on which we can make informed judgements.
2. The discrepancies between the plot numbers used on the Site Layout Plan 06-0943-001 Revision E and those on the Landscaping Plan 924 A2/01, that result in confusion when trying to make reference to planning details.
3. The different site 'boundaries' shown on plans/drawings SX320EA004-01, 06-0943-001, 002, 003 and 004, 924 A2/01, 924 A2 Figures 1 and 10, and Section 3a of the Urban Design Study.
4. The levels plan does not indicate any off-site levels for existing properties on Ermine Street and Southbrook Field that are immediately adjacent to the proposed new dwellings. Given the sharply sloping nature of the land in places this lack of information makes it impossible to judge the impact of each on the other.
5. The multitude of inaccuracies in the 'Urban Design Study', the inconsistencies within the document, and the inappropriate choice in many instances of the 'Existing Solutions'.

Summary:

- **correct the discrepancies and errors as indicated above**
- **provide the missing information and details as indicated above and in the comments below**

Layout and Massing

1. There should be no 2.5 storey buildings on the perimeter of the site as they would either overlook the existing properties or dominate the skyline along the open edge of the village. Such buildings need to be placed within the core of the development.
2. The overwhelming 'urban' concentration of tall buildings with continuous frontages around Church View Square is totally out of character for this rural village.
3. The building line frontage of the large Landmark building at the Southern Entrance needs to be located further back from the Ermine Street kerb so as to respect the adjacent buildings at the start of the village, and to provide a better sight line as a 'welcome' into the whole village. The large buildings on the opposite side of Ermine Street in the Business Park are set well back from the road edge and benefit from the provision of a sizeable tree and shrub belt across the intervening frontage. The applicant's previous submission **(S/0097/06/RM)** in January 2006 placed the Ermine Street frontage of an apartment block in this location exactly in line with the adjacent Police house. This new application needs to replicate that building line.

4. It is essential that the public footpath in front of this Landmark building on Ermine Street continues right across the site frontage so that it can meet up with the future extension of the existing footpath into the village. The residents of the Summersfield development will need *safe* access from the Southern Entrance junction, across the building frontage, to the north-bound bus stop further along the west side of Ermine Street. The January 2006 application indicates just such a footpath in this location. This new application needs to replicate that provision.
5. The January 2006 application contained no dwellings on the southern boundary of the site immediately adjacent to the southern entrance road junction. Were this strategy to be followed in this application it would be possible to provide an open landscaped, more welcoming, entrance to the whole development and to the village, where shrubs and trees could be planted that met the restrictions imposed by the presence of the nearby power lines. Instead, an isolated pair of contemporary 2.5 storey semi-detached houses has been proposed for this key village site.
6. Plots 3-7 (and 18?) are indicted as having traditional style features. If it is absolutely necessary to build at these visually key locations then it would appear more appropriate for the dwellings to be in the contemporary style using a soft colour palette.
7. There is an absence of any detailed layout, planting, surface treatment and lighting information around the balancing pond, recreation area and School Walk public footpath link. School Walk itself is not even marked as the key pedestrian link in the NE corner shown on landscape document 942 A2 figure 10.
8. There is an absence of any detailed layout, planting, surface treatment and lighting information for the public footpath from Green Walk through to Ermine Street.
9. There is an absence of any details on the planting and lighting in the parking courts.
10. There are no details about the necessary vehicular access points to the rear of the existing houses on Ermine Street South.
11. The suggested road name that is marked as 'Claire Close' is spelt incorrectly. It should be 'Clare Close'.

NB: These comments on layout and massing do not include the fine detail of where we consider that individual dwellings/gardens/parking provision is too congested and will not 'work', as may of these have been covered in the SCDC comments.

Summary:

- **Remove all the 2.5 storey dwellings from the perimeter of the development**
- **Reduce the mass of buildings around Church View Square**
- **Redesign the area around the Southern Entrance**
- **Provide the missing details**

Plot Accommodation Schedule and Boundary Treatments

1. The plot accommodation schedule submitted, is not a schedule of plots, it is a house type and style schedule.
2. There is an absence of any meaningful information about the boundary treatments (front and rear) for each individual plot. It is not sufficient that only such information provided is by reference to the generalised Character Area Landscape Design Code schedule in Section 3b of the Urban Design Study booklet.
3. There is no information about the boundary treatment along the northern and eastern edges of the site where new dwellings or open spaces will adjoin existing houses. None has been provided for the northern side of the landmark building on Ermine Street.
4. The proposed use of hit and miss fencing on the rear boundaries of plots 1-7 will provide insufficient screening for the early residents of those dwellings. This is likely to result in the residents introducing a variety of fencing solutions across this important village frontage.
5. For any development we consider it reasonable to expect the provision of a schedule of information for each individual plot indicating: house type, style, roof form, chimney, door type, canopy type, window type, boundary treatment (front and rear), plus information about the materials and colours of each.

Summary

- **Provide a more detailed schedule for each plot**
- **Provide details of the site boundary treatment along the northern and eastern edges**

Character Areas

1. The 'character areas' set out in the *Urban Design Study* are too small. No area is large enough to give a specific and identifiable character. The relatively scattered distribution of house-types, sizes and materials will not produce clearly definable areas of strong architectural character.
2. Consideration should be given to reducing the number, and thus increasing the extent, of the character areas into which the development has been divided. A greater concentration of house styles would produce a real difference in atmosphere that would be felt when moving through the development.
3. In our opinion there should be no more than four or five character areas for the entire Summersfield site and no parts of these character areas should be detached from the main area defining that character.
4. The boundaries between character areas should not be defined by the roads. To emphasise a distinct and identifiable character for a particular area, both sides of each road should have buildings of the same character/style.

Summary

- **Reduce the number and increase the size of the character areas**

- **Produce a more concentrated grouping of house sizes and styles**

Materials

1. The pallet of materials that will actually be used should be much more precisely specified at this stage. Confusion is caused by inconsistencies and contradictions between the *Urban Design Study* and the architectural drawings of the house types. The 'Legends' to the drawings frequently omit one of the finishes that are present on the house elevations. Often there is no indication of the colours of the renders to be used on individual house types. The shade of weatherboarding is often not made clear.

Brick

1. The Parish Council strongly supports the District Council's call for a very significant increase in the number of buildings that will utilise buff brick in their construction. As explained in SCDC's *Residential Design Brief* for Summersfield, light coloured cream/yellow bricks are the preferred brick type for the development, with red brick used only for the occasional building for emphasis or highlighting. The justification for this is that virtually all of the pre-1914 brick buildings in Papworth are of buff Gault clay bricks, and buff brick is predominant in the recent housing developments in the village.
2. The applicant's *Urban Design Study* illustrates four brick types, but only one (stock red) is utilised in the design of the houses of Summersfield. We would wish to see the light types of brick illustrated used much more extensively.
3. Please note: In the District Council's detailed preliminary comments, suggestions are made under selected house types about where buff brick should be used. However, the District Council have confirmed to us that they would expect a broader use of buff brick in general, and that this should not be limited to those house types against which they have included this specific comment as a reminder, as this was generally placed where they had few other comments to make.

Render

1. The Parish Council would wish to see a greater use of rendered finishes - in white/light/cream colours.

Timber Boarding

1. The use of black boarding for some buildings, particularly within parking courts, sometimes gives an oppressive feeling. In some instances a somewhat paler colour for the boarding may be appropriate.
2. We do not consider the bright blue boarding on A5 V3 Style 11 plots 304 and 305, or the dark boarding on the rear of style 12 contemporary properties, to be in keeping with the Papworth vernacular, nor to enhance it.

Driveway Surfaces

1. The impermeable nature of the proposed hard surfacing across this large estate will result in a significant volume of surface water run-off in wet situations. Climate change prediction is that winters will be wetter than the current 30-year average. To minimise the risk of flooding for the adjacent existing properties -

most of which are at a lower level - consideration should be given to providing a porous surface to driveways in their vicinity.

Summary

- **Resolve inconsistencies between the *Urban Design Study* and the architectural drawings**
- **Revise the Legends on the drawings, where necessary**
- **Wherever brick is specified, use a light coloured yellow/cream brick, almost exclusively**
- **Use red brick only occasionally for highlighting individual buildings**
- **Make more extensive use of softly coloured rendered finishes**
- **Where black/dark boarding is currently proposed, consider a lighter colour alternative**
- **Provide porous surfaces for driveways in sensitive locations**

Mix of Materials on Individual Buildings

General

1. Simplicity of design using clean lines and using only one dominant material on any elevation is appropriate for houses in this rural situation and located in the western part of South Cambridgeshire.
2. Except in special situations (e.g. contemporary buildings), no more than two materials should be used for walling in any building. There should be no horizontal division between brick, render and boarding on any façade. One material type should be dominant, with any other material only being used to highlight or emphasise the form of a building.
3. Having visited the applicant's site at Baker's Mill we were impressed with the palette of materials and colours chosen for that development - light coloured brickwork, soft pale renders and light (cedar?) wood cladding. Such a mix would be well suited to this location in Papworth.

Detailing on Gable Ends

1. It is essential that all gable ends of houses that can be viewed from a considerable distance or from public spaces must include an appropriate level of detailing/windows to add interest. However, care should be taken not to produce an over-elaborate response to this comment.

Doors, Door Surrounds, Porches and Canopies

1. Although a wide variety of door styles are illustrated in the *Urban Design Study* none of these actually appear within the proposed development - which relies on a very restricted standard range of door designs.
2. A clear hierarchy of door types should be developed that relates to the size and style of the houses.

3. The type of porch or canopy should relate to the size of the house and the style of the door. For example, a formal six panel door with a classical flat canopy is inappropriate to use on a small 'cottage style' house, while a cottage style boarded door with a small window and a 'bonnet-style' canopy is inappropriate on medium sized and larger houses.
4. Door surrounds should also reflect the size and style of houses. The doors of the smallest houses should, generally, have no surround. Simple surrounds may be appropriate for larger houses. Very elaborate surrounds should be avoided in Papworth Everard developments.
5. The Parish Council welcomes the use of a variety of door colours shown on the designs for individual buildings and would support the more extensive application of colour to the many white doors proposed.

Plinths

1. The depth of plinths around the base of houses should be kept to an absolute minimum and the height of the plinth should never be greater than the level of the damp-proof course. The inclusion of plinth increases the 'fussiness' of house designs and usually introduces an additional material to elevations - both of which undermine our Council's wish for simplicity in design and use of materials.

Summary

- **Minimise the mixture of finishes on individual dwellings**
- **In prominent locations introduce features into blank gable ends**
- **Rationalise the use of doorway styles and features**
- **Minimise the depth and height of plinths**

House Types

In general, the Parish Council accepts that the design of the smaller and medium sized house types suits the village location of the development. However, there are some comments that we would like to make with regard to some specific house types:

All 'contemporary houses of Style 12

- The range of materials is too large. In many instances no single material predominates on facades.
- Elevations are too 'fussy'. Red stock brick detracts from the contemporary feel of the houses
- The terracotta roof-ridge is a feature of the 19th/very early 20th century in this area
- Dark red render will be too strident
- Colour render or boarding should be used with restraint, only to add highlights

The Parish Council is not in favour of the heavy dark boarding on the entire rear elevation and the rear part of the side elevation of the contemporary buildings -

particular for Plots Nos. 48 and 365, where these elevations will be visible from public paths and Summer's Hill Green.

We support the drawing by SCDC, which suggests giving the upper floor of 'contemporary' style houses greater depth, thus avoiding a 50:50 horizontal split.

Having visited the applicant's site at Baker's Mill we were impressed with the palette of materials and colours chosen for that development - light coloured brickwork, soft pale renders and light (cedar?) wood cladding. Such a mix would appear well suited to this contemporary style. A similar palette of materials for contemporary building that has recently developed in this part of Cambridgeshire (and in the city of Cambridge) consists of buff brick, cream render, pale timber boarding, slate tiles, grey (or dark grey/very dark blue) window and door frames. Use of these softer colours would be particularly suitable for houses fronting Summer's Hill Green.

Type A5 v1 (Style 11)

- Reduce depth of plinth
- Colour of boarding?
- Small paned windows not appropriate for Papworth Everard

Type A5 v3 (Style 11)

- Blue boarding too eye-catching. Remove.
- Horizontal division of walls into three parts not acceptable (simplify with one material type, preferably buff brick)
- Remove clock tower (potential long-term maintenance problem)

Type B4 (Style 11)

- Horizontal division between ground floor (brick) and first floor (render) not appropriate
- Small pane windows not appropriate to site
- Cut rafter ends not appropriate to this design
- No indication of colour of render in 'Legend'

Type B5 (all styles)

- The two roof levels and the addition of the gable on the front façade do not provide the clean lines we would wish to see within the development

(*Type B5 (Style 9)* is particularly inappropriate due to the variety of different materials proposed)

- Remove this House Type

Type E5 v2 (Style 11)

- Redesign needed
- Too massive
- Small pane windows not appropriate in Papworth Everard
- Unattractive division between brick and boarding
- No indication of colour of boarding

Type E6 (Style 11)

See B4 Style 11 for comments.

Type K1 v3 (Style 11)

See comments for K2 (style 11), K1s, below

Type K2 (Style 11), (K1s)

The Parish Council agrees with the District Council that the style and mass of this building is inappropriate for the village setting, and needs completely redesigning. The feeling that the scale is overpowering is emphasised by the proposed use of dark red brick, the apparent rustication of the stonework and the horizontal break between the ground floor and the brick upper floors. Also, stone is not a material that is appropriate in Papworth Everard, as stated in the SCDC Residential Design Brief. Care needs to be taken with steps leading directly onto the public footpath as they may (depending on clearance) pose a hazard for those in wheelchairs.

Type M2 (Style 11)

This house type/style is a harsh and unpleasing contrast to most of the other dwellings in the development, which are generally simpler and lighter in detail, without quoins and with a flush join between roof and gable wall. The door detailing and edges of the bay roofs are too elaborate. (The only place where such a design might be acceptable is at Plot 306 on Church View Square (Peterhouse Square).

- Redesign with simpler clean lines.

Type M2 (Style 11)

Comments as for M2 (Style 1) - Except that the numerous small window panes and the contrast between the slate roof and terracotta roof ridge increase the fussiness of the design and reduce the acceptability of this design still further.

- Redesign with simpler clean lines and less detail.

Type N2 v1 and M3 (Style 3/8)

A large elevation without a door, as that to the Northern Boulevard (Summer's Hill Drive), appears very sterile and un-village like without any indication of a door. (There is at least one other prominent instance in the village where we now appreciate that it was a mistake not to include a door in this situation.)

- add door to front elevation to Northern Boulevard

(There is also an error on the drawings with regard to the materials shown on each elevation)

Type T3 (Style 11)

Comments as for (M2 Style 1) and M2 (Style 11)

Plot 142

The Parish Council agrees with the District Council that the house on this plot requires an individual design. This is one plot within the development where the use of red brick in a simple traditional style with a hipped roof would be appropriate, to acknowledge and reflect the style of the neighbouring houses on Ermine Street South.

Type Z1

This building is not suitable as the landmark, 'gateway' to the Village of Papworth Everard. The design goes against the design principals that the Parish Council believes are essential for an attractive village development - simplicity and use of a limited range of materials.

The design seems to have resulted from a misinterpretation of the *Residential Design Brief*, which states that a subtle form of art-deco might be appropriate for this building to represent the origins of Papworth Everard's growth in the earlier part of the 20th century. However, the *Urban Design Study* misquotes the *Residential Design Brief* in stating that the building should be a subtle blend of art deco and contemporary. This has given rise to the design of a building that is a very uncomfortable amalgam of competing styles. It can be argued that *art deco* architecture ceases to be *art deco* if it is combined with any other additional style. If the applicant can justify the use of a more contemporary design by formulating an acceptable design that will sit comfortably with and enhance the village landscape, the Parish Council are prepared to support this.

- The palette of materials is far too broad.
- There are too many windows of different sizes and shapes.
- The horizontal division between the ground floor and the upper floors, between brick and render is unappealing (except, perhaps on the simpler rear - slate roofed - element).
- The red render is too strident.

A redesign of the building is needed in a clearer, simpler and distinct architectural style, taking particular account of its very prominent position and the scale of the neighbouring properties.

Parking, Cycle and Bin Stores

1. The Refuse, Parking and Cycle Plan indicates only six short-term visitor parking spaces for the whole development. This inadequate provision falls abysmally short of the requirements of Local Plan 2004. (Where six 'Visitor parking' spaces have actually been indicated in green (by plots 283 and 284) five of those are numbered as belonging to nearby dwellings.)

2. There also needs to be some disabled resident and visitor parking spaces close to the access points of multi-occupancy buildings.
3. Many parking spaces are unacceptably remote from the dwellings they serve.
4. Vehicular access to and manoeuvrability around many parking spaces is too restricted, in places, impossible.
5. It appears impossible to exit from some driveways onto the 'Boulevard' in forward gear.
6. In some locations the pedestrian access between homes and allocated parking is via narrow enclosed pathways that appear unsafe; some parking courts are not overlooked and are consequently unsafe.
7. Safe cycle parking facilities are required for all apartment blocks and for homes without garages.
8. Refuse facilities for some plots appear unacceptably remote from those dwellings and/or insufficiently close to SCDC refuse collection points. It is essential that every resident is able to comfortably utilise their facilities without choosing to park their wheelie bins in the street.
9. The (non-dimensioned) enclosed space associated with A5v1, A5v2 and A5v3 coach houses that is allocated for the storage of two wheelie bins and a recycling box appears to be inadequate.

Summary

- **Significantly increase the number of visitor parking spaces**
- **Ensure that every parking space is appropriately located and accessible**
- **Provide disabled parking and secure cycle parking spaces for multi-occupancy buildings**
- **Provide conformant refuse storage/collection facilities**

Artist's Brief

1. We strongly oppose any suggestion that the public art strategy could address the legacy of Papworth Hospital. The Hospital is still at the heart of Papworth village and the Parish Council would wish that such a legacy be addressed on the actual hospital site if and when the hospital finally moves out of the village. It would be inappropriate for its existence to be prematurely marked by some public art within a new residential development that is in no way associated with Papworth Hospital.
2. We should like to discuss the public art, both its form and its location. The Parish Council proposes that the founding of the modern village as a TB colony should be commemorated, and one idea is that a Youth Shelter be commissioned in the style of a TB hut.
3. If Church View Square were to be considered an appropriate location for any other form of public art, then this must be considered at this stage to ensure that the area is suitably laid out.

Summary

- **Abandon any suggestion of addressing the legacy of Papworth Hospital on this estate**
- **Discuss the Public Art provision with the Parish Council**

Landscaping

General

1. There is insufficient detail of the landscaping, and the landscaping drawing frequently does not tally with the layout plan in that there are differences between the number and position of the tree locations shown on each of these plans.
2. There is a general lack of trees amongst all the housing areas, especially in the NW quadrant, and there is virtually nothing east of the spine road. There must also be a row of trees on the eastern boundary.
3. The 3m landscape strip along Summer's Hill Drive requires bollards or similar to prevent cars from being parked on the grass and destroying it.
4. No information has been provided concerning the location and general contents (shrubs etc.) of planting areas to the front of dwellings, in the surrounding streets and in parking courts.
5. We await the details of the proposed management and maintenance regime "to be provided during the application period".
6. In order to protect the sub-structure of the soil from unnecessary disturbance and impaction where trees are planned to be planted, it is essential that Summersfield Green, Play Green, Thatched Cottage Green and St Peter's recreation be fenced off prior to commencement of building works.
7. Please confirm that the Varrier-Jones Foundation agrees to the planting of a hedge east of Cow Brook, as responsibility for maintenance of the hedge will fall to the VJF.
8. Where the existing tree shelterbelt is to be trimmed, we propose that as many trees as possible are retained within back gardens. A reasonable working zone will obviously need to be provided and then a decision could be taken at the time the individual plot boundary fencing is erected as to which trees to keep and which to fell.
9. We do not agree with the proposed covenant (3.3.3) to prevent tree or large shrub planting which might obscure views of the Church.
10. The apartment block on Ermine Street does not appear to have a private/communal garden where residents can sit out. Also many of the garden areas associated with other apartment blocks or individual dwellings do not appear to meet minimum requirements. (See the Summersfield Residential Development Brief 13.2.1 and the SCDC Design Guide.)

11. Figure 10: ancient track called 'Elm Way' to be way marked: this would not be appropriate as there is already an Elm Way in the village, and it would cause confusion.
12. The Quercus Ilex proposed for Thatched Cottage Green is inappropriate, and would suggest planting Quercus Palustris in this location.
13. Summersfield Green could have at least one more Quercus Robur east of plot 331.
14. There is an unnamed tree in front of 924 A2/01 plot 19.
15. Two substantial specimen trees should mark the southern entrance from Ermine Street.
16. We do not think that bicycle racks are required on Summersfield Green.
17. The footpaths on Summersfield Green need rationalisation.
18. The shape of the footpath by the LAP in St Peter's Lane needs to be less formal.

Church View Square

1. We would like to see details of the feature gates to plot 306.
2. We should prefer to have wood-effect recycled plastic seats, rather than metal, around the tree.
3. No railings are required on the west side of the square.
4. Any metal furniture that is not recycled plastic (e.g. tree guard and rails) to be green, not blue.

Northern Entrance Green

1. Please may we have details of the proposed low-level surface water pumping station?
2. The green (presumably hedging) lines west of Estate Office are not shown on the landscape plan.
3. We would prefer to see silver setts over the whole of the circular area in the centre, unless this type of surface is unsuitable for wheelchairs.
4. We should prefer to have wood-effect recycled plastic seats, rather than metal, around the tree.
5. Use block edging, not aluminium (see detail of section AA).
6. We can see no sustainable reason for removing all the established mature planting along the steep bank adjacent to the public footpath on Ermine Street.

Summary

- **Provide missing details and information**
- **Prevent parking on the grass strip along the boulevard**

- **Protect planting areas during the construction process**
- **Increase number of street trees**
- **Retain some shelterbelt trees and shrubs on Ermine Street**
- **Provide alternative tree species in some locations**
- **Include communal gardens**
- **Rationalise footpaths; remove cycle rack**
- **Use wood-effect recycled plastic for benches etc**

Play Provision (Clause numbers refer to Landscape and Visual Impact Assessment and Landscape Strategy)

1. For sustainability and ease of maintenance all the benches (and bins?) should be wood-effect recycled plastic, not metal. If in certain locations it is essential to use metal then for ease of maintenance it should be a natural, rustless unpainted finish.
2. Presumably the two unequipped LAPs will be fenced, and have benches and bins.
3. The LEAP and NEAP both need a second bin. Emptying of bins should be taken into account when considering their location. Bins should not be positioned on grass areas, but on wetpour or tarmac.
4. At least 6 dog waste bins must be provided: 3 within the development, one by the recreation ground, and two on the edge of Cow Brook Open Space. Each of these needs to be accessible by road for emptying purposes.
5. The bench in the NEAP should be at the side, not placed with its back to the main piece of equipment.
6. Please may we have some seating on Summersfield Green outside the play area?
7. The metal fencing of the NEAP and Super LEAP is inappropriate, and should be wooden (see the Countryside/Hopkins Homes South Park play area), with galvanised metal gates.
8. The metal fencing of the LAP and LEAP should be anodised black (no yellow gates).
9. The LEAP on Summersfield Green needs one entrance on the eastern side, and one on the western side.
10. The LAP on Play Green needs one more piece of equipment.
11. The Forbidden City (on the LEAP) is inappropriate. 4.9.1 describes Summersfield Green as providing '*a green heart to the centre of Summersfield and a green link from South Park down to Cow Brook*', and, at 4.9.2 '*Colours of equipment will be subtle and muted*'. The proposed main piece of

equipment may be in relatively subdued colours, but the design is not subtle. It should be replaced by a low timber structure.

12. The Leprechaun Multi-Play (on the Super LEAP) and the Wolf Multi-Play (on the NEAP) are both inappropriate. The applicant's 'Landscape & Visual Impact Assessment' states at 4.5.1. *'The local Parish Council are keen that play equipment in the recreation ground is predominantly timber or steel with subdued colours. This is because of its elevated position and proximity to the listed church and open countryside.'* At 4.6.2 *'As with the Super-LEAP, the local Parish Council are keen that play equipment in the NEAP is predominantly timber or steel, with subdued colours'*. Both these statements have been ignored. All the equipment on the recreation area (on the Super LEAP and the NEAP) should be predominantly in timber, with a minimum use of steel. The Wolf Multi-Play on the NEAP is, in any case, inappropriate for 8-18 year olds, and should be replaced by a challenging timber structure.
NB: Firms such as Timberline, Timberplay, Anglian Playground Services show timber-based equipment in their literature.
13. The Youth Shelter needs to be sited further away from the NEAP than as shown on 924 A2/01 so that different groups are separately able to use each facility. The illustrated Youth Shelter is not acceptable, and we should like to discuss alternative designs. For safety reasons any shelter should incorporate solar powered lighting.
14. Who is to maintain the play areas? If there is to be any question of the Parish Council being asked to do so (for a commuted sum) then the play areas must be green tarmac, not grass. (In any event, the proposed layouts of the LAP, NEAP and Super LEAP all pose problems for a large mower.)

Summary

- **Provide missing details and information**
- **Use wood-effect recycled plastic for benches etc**
- **Provide and site bins as indicated above**
- **Change the fencing and contents of play areas as indicated above**
- **Discuss Youth Shelter with Parish Council"**

55. **Hilton Parish Council** comments:

"Hilton is concerned at the potential impact of construction traffic associated with the development and would like to see the traffic diverted away from Hilton.

Hilton is concerned at the potential additional rain water run off likely to be generated by the development and would like appropriate measures taken to ensure that there is no increase in the flood risk to our village.

Hilton is concerned at the impact on the village of the increased local traffic that will be generated by the additional housing and would like to see measures put in place to minimise the impact of this traffic on the village.

Finally, Hilton sees Papworth as its nearest big neighbour and we see increasing use of the facilities in Papworth e.g. Doctors, Library etc. Hilton would like to see a cycle/footpath linking the two villages to minimise vehicle traffic between the villages.”

56. **The Local Highway Authority** comments:

There remain a considerable number of issues (some that were discussed at the last meeting) that still need to be addressed.

1. All the layout plans should correspond with each other. There are several instances where information/detail given on one plan differs from that given on another. The drawings by Brand Leonard even show forward visibility which I would not wish to see on this development.
2. Is the route through the development to accommodate buses? If not, why is the main street 6.0m wide? If so, where are the bus stops?
3. Whilst the main street accommodates raised junction tables, I doubt that such features alone will result in a blanket speed restriction to 20mph. It is my view that the junctions along the main street should comprise visibility splays suitable for a realistic vehicle speed. Such visibility splays to be provided clear of trees.
4. It is not clear from the submitted plans if the parking ratio is such that the shared surface streets proposed are appropriate. You will recall that discussions at the last meeting raised the issue of parking ratio and the question mark over the suitability of the infrastructure proposed if insufficient parking were to be provided.
5. The street categories are still not clear. It appears that some standard 'black top' streets with upstand kerbing have footways missing where there should be footways and some shared surface streets have footways, when clearly they should not have. This does not provide a legible (or safe) environment.
6. Secondary 'black top' streets should, as a baseline, comprise a carriageway of 5.0m (but they can have local narrowings - in context with the built form).
7. Shared surface street should, as a baseline, comprise a width of 5.5m. However, in context with the built form this width can be increased or indeed reduced.
8. Some shared surface streets appear to have ramps within them. Why? Some shared surface streets accessed off raised junction tables are shown to have ramps. Why?
9. No footway/footpath that is to be offered for adoption should have steps within it.
10. I will need to see tracking diagrams for refuse and removal vehicles in respect of the turning areas at the end of adoptable streets like The Slype.
11. The areas identified for adoption within plans 10342-C-05 and 06 is not agreed. The area notated as Church View Square together with other 'amenity' and non-highway related areas will not be considered for adoption.

There are other minor issues that need to be addressed but these can be discussed, along with the above, at the next scheduled meeting.”

57. **The Environment Agency** comments:

“The application as submitted does not include specific detail in respect of surface water drainage. However, the Agency recommended a number of conditions relating to surface water drainage to the previous planning approval, S/2476/03, which remain outstanding.

The applicant should be aware that **no** development may commence on site until such time as your authority has discharged the aforementioned conditions.”

58. **Anglian Water** comments:

“Foul flows from the development must be directed to the new foul water sewer, in the process of being constructed for the site by Anglian Water via Requisition under Section 98 of the Water Industry Act 1991. Under no circumstances should foul flows be directed to the sewer in Ermine Street.

There are no public surface water sewers and therefore alternative methods of surface water disposal will be required for the site, i.e. soakaways or direct to watercourses with the necessary consents. No discharge of surface water should be made to the foul system.

Should planning permission for the site be granted we request that the following drainage conditions be imposed:

Condition: Foul water flows to be directed to the newly requisitioned foul sewer.

Reason: To ensure satisfactory drainage of the site.

Condition: Details of drainage proposals for the site shall be submitted to and approved by the Local Planning Authority in conjunction with the drainage authority before any work on site commences. The drainage works shall be constructed in accordance with the approved plans.

Reason: To ensure satisfactory drainage of the site.”

59. **English Heritage** has no objections and states the application should be determined in accordance with national and local policy guidance on the basis of the Council’s specialist Conservation advice.

60. **Cambridgeshire Fire and Rescue Service** asks for adequate provision to be made for fire hydrants. (NB: a condition of the outline permission). Access and facilities for the Fire Service should also be provided in accordance with Building Regulations Approved Document B5, Section 16.

61. **The Architectural Liaison Officer (Cambridgeshire Constabulary)** comments:

“Thank you for the opportunity to comment on the amended plans in respect of the above proposed development. I welcome some of the improvements made, particularly in relation to parking and permeability but would add the following comments:

Dwellings are often at their most vulnerable to crime along exposed rear boundaries so that care should be taken to ensure that such boundaries are not unduly exposed to public space or car parking courts which have unnecessary permeability.

Parking courts should, in essence, be seen as private space so that the provision of visitor spaces and the placing of FOGs (flats over garages) within parking courts should be avoided. They increase the degree of anonymity sought by offenders by impliedly inviting public access, while the degree of natural surveillance provided by FOGs is likely to be only of a limited value.

Plot 101, a FOG, is within a parking court inviting public access via FOG 102 into the court increasing the vulnerability of the rear of plots 96-100 and 103-107. The purposes and ownership of the space immediately to the front of plot 101 is not clear and should be defined to avoid potential for dispute.

The parking court arrangement to the rear of plots 101 and 108 should be redesigned, primarily to exclude the provision of adjoining parking courts which creates excessive permeability and thus additional access and escape routes for offenders. Providing visitor parking between the garage blocks opposite the rear of plot 101 increases the degree of anonymity so that presence of unknown individuals is unlikely to arouse interest or suspicion. A lockable gate should be provided to control access to the rear of plots 109-113.

Gates are shown to both sides of plot 108 where there are narrow paths which are not overlooked. It is recommended that access to the parking court should be shared vehicle/pedestrian as in e.g. plot 102 with the paths removed.

The entrance to plot 117, a FOG, is within a parking court. As alluded to earlier this implies an invitation for public access to an area, a parking court, which should be more private in nature. The typical resident of a FOG may well be seen to be someone who may be out for most of the day reducing opportunities for natural surveillance.

The parking allocation, such as for plots 125 and 126 where neighbouring dwellings use separate parking courts, has created a situation where the two parking courts either side of plot 117 are linked by a path running along the rear boundaries of plots 122-126. This creates excessive permeability and vulnerability to crime for dwellings and vehicles, which is increased by the fact the parking court with vehicular access via plot 87 has two more pedestrian access points to the front and rear of plot 129.

To provide a more active frontage over the path between Ermine Street South and Green Walk and thereby to enhance natural surveillance and a sense of territoriality, it is suggested that plot 138 could have its front entrance facing south.

Plot 161 is another FOG within a parking court which itself serving 12 dwellings is rather large. While garage provision is welcomed the size of the court creates problems with additional pedestrian access points and the exposure of the rear boundaries of dwellings (plots 149-159). The area between plot 161 and the garage for 157 is necessary for the occupant of 161 to get access to an allocated garage but, without careful treatment preventing unauthorised access, may provide a link between two parking courts.

If the requirements for the rear gardens permit, consideration should be given to moving plots 168 and 169 further north to allow the parking space for plot 169 to be within the curtilage of plot 169 to the south.

Plot 183, a FOG, is situated within a parking court yet requires access to a neighbouring court where its parking provision is located. Once more this creates circumstances of permeability and vulnerability of rear boundaries which may be to the advantage of offenders. A similar point can be made in relation to the path which passes the rear of plots 185-189.

While perhaps not an ideal solution in relation to plot 183, the situation might be improved by having the flat entrance facing plot 184, creating something more of a small cul de sac rather than a parking court. If the parking for plot 180 can be moved into the parking court behind 172 the need for a link between the two courts could be eliminated.

Visitor parking has also been provided in the court to the rear of plot 274. In this particular case 11 dwellings have rear fences or gates backing onto the parking court and there are also areas adjacent to garages where suspects can lurk out of view.

There appear to be bollards to prevent vehicular access under the FOG at plot 305. A space under the FOG at this point may well become a place of informal association for youths to gather particularly during inclement weather. While this may not be criminal it may be a cause of disturbance or intimidation to other users.

To reduce opportunities for access to rear gardens plot 334 should be provided with a gate to the parking court containing the parking space allocated to it, in place of the one provided, with a shared gate to the rear path brought forward to the front of the garage for plot 340.

It is not clear what purpose the enclosed path to the rear of plots 346-348 serves. If it is intended to provide access to the parking court a further shared gate should be provided at the entrance.

Finally in respect of layout and design, I would suggest that if plot 365 faced Summersfield Green it would enhance natural surveillance over the area to the west of the LEAP, views over which might be restricted by the planting indicated around the area.

Where trees are planted in areas over which natural surveillance is necessary, canopies should not be allowed to fall below 2.2m above ground level with ground cover planting not exceeding 1m in height to maintain clear visibility splays. Consideration might also be given to planting of trees with open branches or narrow trees which will allow views between them.

All roads (adopted or otherwise), foot/cycle paths and parking courts should be provided with column mounted white down lighting to BS5489: 1996 Code of Practice for outdoor lighting."

62. **The Definitive Map Officer (County Council)** expresses disappointment that a possible upgrade of Public Footpath No. 1 (Papworth Everard to Bridleway) has been discounted and would like to receive some reassurance that the Developers will carry out measures to prevent the use of the public footpath by cycles and horses. With reference to the public footpath that is shown running over the public open space, it is queried whether this route will be dedicated as a Definitive Public Right of Way and have the route recorded on the Definitive Map? If this is not the intention who will be responsible for its maintenance in the future?

(NB The applicant has confirmed the footpath across the public open space will not be dedicated as a Definitive Public Right of Way.)

63. **Cambridgeshire Archaeology** comments:

“Our records indicate that the site lies in an area in which archaeological remains were discovered during a trench-based evaluation of the site in 2006. Depicting activity and settlement ranging from Bronze Age to Medieval date, these remains will be severely damaged or destroyed by the proposed development. In view of this fact a mitigation scheme will need to be prepared that will ensure that the archaeological landscape is safeguarded from development impacts either by its excavation and recording and/or by its long-term preservation in situ.

The application boundary includes areas that have not been subject to archaeological evaluation due to their present residential use as or the Estate Office Building. Principally concerning access points along the eastern boundary, i.e. along the Roman Road of Ermine Street, these areas stand to contain the presence of archaeological remains contemporary with either the late Pre-Roman to Roman hill top settlement or the Medieval development of the village. It will be important to ensure that these access points will be evaluated as part of the archaeological mitigation strategy devised for the development. Should important remains be found in these locations, detailed excavation may be required.

We therefore consider that the site should be subject to a programme of archaeological investigation and reportage and recommend that this work should be commissioned and undertaken at the expense of the developer. This programme of work can be secured through the inclusion of a negative condition (PPG16, para 30) in any planning consent. It is standard practice for this office to produce a design brief for the evaluation phase. We would also suggest that you advise the applicant that such investigations are liable to involve some financial outlay”. (NB Archaeological Condition attached to the outline planning permission.)

64. **The Conservation Officer** comments

“The scheme has the potential to impact on the historic built environment in 3 specific areas:

1. The setting of the Grade II* listed Church of St Peters
2. The setting of the Grade II* listed Papworth Hall and associated drive and lodge
3. The setting of the Grade II listed building at 28/30 Ermine Street.

1. Setting of St Peters’ Church

The site is some distance from the church and will not directly impact on the setting of the church. The church has been acknowledged in the plan layout with a vista focussed on the tower.

2. Setting of Papworth Hall

Again the site is some distance from the Hall and will not directly impact on its setting. The original development brief included a continuation of the avenue forming the drive to the hall, but this is not appropriate when viewed on site and has therefore been omitted.

3. Setting of 28/30 Ermine Street

This listed cottage is most at risk from the development. The scheme has been designed to provide space around the listed cottage and therefore while its setting will necessarily be changed by the construction of 365 dwellings it will not be directly harmed (subject to appropriate landscaping of the spaces).

In conclusion these proposals will not, in themselves, harm the historic built environment.”

65. **The Council’s Ecologist** comments:

“Pleased to see the northern pond retained as part of the character setting and the road moved further away from it. I don’t appreciate why it needs to be enlarged, is this for water balancing purposes? Given that this will be quite a visually important area but also represents one of the present existing biodiversity features, I wish to see at least one side of the pond retained with semi-natural grass and habitat around it. I support the finding within the Ecological Assessment that the pond could be improved for wildlife. Roads adjacent to the pond should not have kerbing as it will prevent the movement of small animals to the pond (dropped kerbing could be acceptable). A scheme should be proposed which clearly sets out having the pond enlarged, cleared of detritus and litter, and which trees will be removed/thinned. S106 funding must be provided for specific future management of the pond otherwise it could become problematic for the future owners (it may need desilting more frequently if receiving site run-off. How will water quality be maintained? Condition and S106 needed.

The pictures in the urban Design Study 3.2 Village Pond are not really very helpful and don’t give me confidence in what might be delivered at present.

The Ecological Assessment (part 4.8) notes the presence of Japanese knotweed in one area. This invasive non-native plant must be removed to a waste controlled site otherwise it presents a serious risk to new landscapes and habitats if spread through this development. Condition requiring a scheme of control and eradication needed.

I accept that no bats are likely to be disturbed during building demolition. However, 2 years have passed from the initial survey and the potential for decolonisation exists - resurvey of all issues relating to protected species should be conducted where there remains potential for new colonisation and conflict with the proposed development (i.e. survey of boundary feature for badgers not required). I accept that the trees with potential for bat roosts are best protected through further planting, particularly in light of the occurrence of barbastelle bats.

Issues relating to water voles should be re-surveyed given that two years have passed and vole populations can fluctuate. This survey information must feed into the drainage proposals given that it is a protected species. If parts of the Cow Brook are to receive greater fluctuations in water levels this impact will need to be evaluated. Measures should be incorporated specifically for the water vole as this will meet the aspirations of the SCDC Biodiversity Strategy (BAP rw/13).

As the Northern pond is proposed to be enlarged it would be prudent to re-survey it and to use torch light as well as bottle trapping (I realise that net sweeping would be too dangerous).

I accept that no further work on reptiles is required unless new information comes to light.

I accept that no Schedule 1 bird species are believed to be within the development site. A standard approach to the clearance of nesting habitat and ground nesting birds such as sky lark will be required by condition. In line with Council policy 50% of the dwellings should have an association within a bird or bat box of a high quality design. Furthermore, can any habitat be provided for farmland birds such as the skylark and grey partridge, can scrub areas be created/enhanced for bullfinch? Measures should be incorporated specifically for the house sparrow as this will meet the aspirations of the SCDC Biodiversity Strategy (BAP urb/17). Measures should be incorporated specifically for barn owls such as the erection of boxes on trees in edge of the POS as this will meet the aspirations of the SCDC Biodiversity Strategy (BAP fm/7).

I wish to have further details on the general approach to water attenuation throughout this development as it may provide further opportunities for the integration of biodiversity.

The creation of the POS along the Cow Brook is very interesting and Ecological Management Strategy should be developed to maximise opportunities for key BAP species and habitats. How much natural planting will be undertaken and of what types (meadow, hedges, copses etc). Measures should incorporate areas of traditional orchard planting as this will meet the aspirations of the SCDC Biodiversity Strategy (BAP tw/7).

Comments on the Management Plan for the Areas of Public Open Space will be given verbally.

66. **The Council's Environmental Operations Manager** comments there are several issues that would prevent waste from being collected from locations within the proposed development:

1. **Private Drives:** There are several long private drives where the houses at the end of the drives are well in excess of the 25 metre guideline distance from the property to the collection point. Our RCV will not generally go into private drives to make refuse collections. Householders will have to pull their bins to the end of the drives where it may be necessary to create collection points for several bins. This comment is also applicable to houses not fronting a road or a drive where the collection point may be well in excess of 25 metres from the property.
2. **Flats:** All flats will have to have stores for bulk bins which must be positioned within 10 metres of a highway for access. For sizes of the stores see the "Planning Design Guide fore the Storage of Solid Waste in New Developments".

It seems that there are some blocks of flats accessed off parking areas which cannot be accessed by an RCV. This is unacceptable. All such blocks of flats will have to be accessed by an RCV, i.e. constructed to take 26 tonne vehicles, 6 metre radii kerbs for turning off roads. Arches, where provided, to have 4 metre clearance.

3. **Rear Accesses:** Many properties are not provided with an access to the front of the property, where these have a rear access to a car park this must be accessible to the RCV, see comments for flats. Where there is no such access then a storage area at the front of the property must be provided for the wheeled bins".

67. **The Corporate Manager (Health and Environmental Services)** recommends the following condition:

1. Before any development is commenced, a scheme for protecting the proposed dwellings from noise from the road shall be submitted to and approved in writing by the Local Planning Authority and all works which form part of the approved scheme shall be completed before any one of the permitted dwellings are occupied.

The developer should be advised to ensure that the design guide criteria for the proposed development takes account of the requirements of PPG24 and the Council's standards in respect of road noise where it is proposed to locate residential development close to roads. Consequently, it is recommended that the developer should carry out a baseline noise survey to establish the Noise Exposure Category into which the site falls and incorporate noise mitigations with reference to the Council's standards on noise.

Any scheme submitted should indicate how it is proposed to protect potential occupiers of the development from the effects of road traffic noise from the A428 and how the effects could be mitigated e.g. orientation of the property, location of bedrooms and habitable rooms and acoustic fencing.

2. Prior to the development commencing, an investigation of the site shall be undertaken to establish the nature and extent of any contamination of the site and any remedial works to deal with contamination. This shall initially consist of a desktop study, which will include details of the site history, development of a site conceptual model, and a preliminary qualitative risk assessment. If any likelihood of contamination is indicated by the initial study then a further detailed site assessment shall be carried out which shall include intrusive investigations and which shall fully characterise the nature, extent and severity of contamination. Recommendations for a remediation strategy and post-remediation validation testing should be included. Remedial work should be carried out before development commences. The work shall be carried out in accordance with the approved details. Any variation to the above shall be agreed in writing with the Environmental Health Department before work being undertaken. Copies of all reports should be submitted to and approved by the Environmental Health Department and the Development Services Department of the Local Planning Authority.

Note: A guidance document on the procedures for dealing with potential land contamination will be available from the Environmental Health Department.

3. Owing to the size of the proposed development of 365 dwellings, the applicant ought to submit an air quality assessment for the scheme owing to the proximity of the A428 and A1198, which both have high vehicle flows. Increasing numbers of vehicles leading to congestion can result in a direct worsening of air quality and this needs to be assessed against the National Air Quality Standards. Planning Policy Statement 23 states that air quality is a material planning consideration both in introducing receptors to areas of poor air quality and introducing new emission sources.

The recently updated NSCA guidance "Development Control: Planning for Air Quality" (2006) suggests that an air quality assessment may be appropriate based on transport criteria for proposed residential developments exceeding a site area of 1 hectare or greater than 80 residential units. The assessment should examine the impact of the potential future transport emissions from the

site and the influence of traffic movements on the flow of vehicles along the A1198.

(NB. These conditions are not appropriate for a reserved matters application).

68. **The Council's Arts Development Officer** comments:

"The brief for a public artist is draft only and the timescale has slipped. The developer should secure the formal appointment of an artist (as stated in paragraph 6 'Timescale' of the brief) before planning approval.

The fees for design, consultation, fabrication and installation are modest for the scale of development, particularly if the 'trail' concept, discussed with officers, is to be realised.

The developer should consider an additional 10% to be allocated for maintenance (see para 10)."

Representations

69. 4 letters of objection were received from Ermine Street residents.

The main points can be summarised as follows:

1. Object in principle to residential development because:
 - (a) Sewerage system cannot cope
 - (b) Will lead to increased risk of flooding
 - (c) A new electricity sub-station will be required.
 - (d) There will be damage to the countryside and wildlife.
2. Loss of view and overlooking.
3. Loss of access to rear boundary hedge for maintenance.
4. Three storey buildings will be an eyesore and block sunlight.
5. The site boundary illustrated and the rear boundary of properties needs clarification.

Planning Comments – Key Issues

Background

70. It is necessary to go into some detail here. The site is the last (and largest) of those allocated in the village for residential development in the 1993 Local Plan still to be developed. Because of its significance external urban design and landscape consultants have worked with officers from the outset.
71. Members are reminded this is a reserved matters application, the outline planning permission having been granted with a Section 106 Legal Agreement in 2005. The Agreement required, inter alia, financial contribution towards enhancement of community facilities in the Parish and/or towards the provision of affordable housing

elsewhere in the District, but not on the site itself. This was because of the Parish Council's concerns at the disproportionate number of rented properties in the village, mainly owned by the Papworth Trust. The permission included details of the main northern and southern vehicular access points off Ermine Street South, together with a temporary haul road midway between. A new footpath/cycleway link to Church Road in the north was also approved.

72. Discussion began with the Applicants in 2005. The Council had published a Development Brief for the site in 2003 and this formed the basis for the layout of the site. Housing was to be confined to the eastern side of a young plantation of trees which ran north-south along the highest part of the site, bisected by a new village street which ran parallel with Ermine Street South and linked to the northern and southern access points. There would be a central village green, with a footway/cycleway link to Ermine Street South. Another proposed street would be aligned to give views of the Church, and an avenue of trees would continue east-west across the site following the alignment of those in the grounds of Papworth Hall on the eastern side of Ermine Street South. A gateway/landmark building was proposed at the southern entrance point, which would be the first residential building encountered upon entering the village from the south. To the west of the plantation belt is an area of approximately 7.60 ha which slopes down towards Cow Brook and was identified as potential public open space linking in with the proposed village green within the development. More formal play areas, including a kickabout area and two equipped play areas were proposed in the north-western corner of the site where the site levels out. Two further equipped children's play areas were identified within the residential area itself. The layout facilitated a pedestrian route from the northern edge of the development, linking via Southbrook Field and Church Road to the pedestrianised walk running northwards to the village school.
73. Following pre-application discussions, meetings with the Parish Council and an exhibition in the village, a reserved matters application for 397 dwellings with associated open space was submitted in January 2006. A phased development of the site was proposed with a Masterplan and a Design Code. The layout followed the general principles of the design guide and introduced the additional concept of a "Church View Square", but was generally considered to be too urban in concept and lacking in a variety of densities across the site. The Parish Council strongly objected to the number of houses proposed. The 2004 Local Plan required a minimum of 259 dwellings on the site, the Development Brief referred to this lower limit and the outline planning permission required that the Reserved Matters should "generally accord" with the Council's Development Brief. The Policy Team supported the Parish Council's concerns about the excessive numbers of houses proposed. The Applicant's withdrew the application and Counsel's opinion was sought on the issue of numbers. Counsel concluded the Council could not impose a maximum number of dwellings in this case but discussions on siting, design and landscaping may validly have the effect of limiting overall numbers.
74. In January 2007 the current reserved matters application was submitted for 365 dwellings with associated open space and landscaping, following further discussions with officers, their consultants and the Parish Council. A Public exhibition was held in the village in October 2006.
75. Although still underpinned by the principles set out in the Council's Development Brief, the scheme has been prepared by different architects and bears little resemblance to the earlier scheme both in terms of layout and house design. The reduction in house numbers has enabled a larger village green to be proposed. The Church View Square element devised by the previous architects has been retained, and the main village

street has taken on a more sinuous alignment. Additional play areas have been provided within the developed area itself, above the requirements of the Development Brief.

76. The extensive discussions and numerous amendments described above have narrowed the key issues down to the layout, house design and landscaping.

Layout

77. The Applicant's decision to delete 32 houses compared with the earlier scheme was a major breakthrough in discussions. This has enabled a greater variation in density across the site to be achieved (averaging 30 dwellings per ha), with lower densities on the site's countryside margins and around the village green. Higher densities along the main spine road and around Church View Square have been agreed.
78. The challenge has been to break down what is a very large housing development into the distinctive character areas identified in the Council's Development Brief. The Council's Urban Design Consultant has made a major contribution to the evolving layout, working closely with the applicant's to create a layout with the required degree of variety.
79. The Local Highway Authority's outstanding concerns about the road widths/the provision of footpaths have been addressed the latest amended plans.
80. The Parish Council has been fully engaged over the past 2 years in discussions with the Council and the Developers, including a visit to other sites built by the Applicants. As a result many changes to the layout have been agreed, including a direct link for vehicles between the southern and northern accesses, the redesign of the northern access as a more open space rather than a narrower "gateway", a larger village green and an effectively landscaped southern boundary. The Parish Council agreed with the Council and the Applicants that the extension of the avenue of trees in the grounds of Papworth Hall across the site suggested in the Development Brief would not achieve the views of the Hall anticipated, and this was omitted from the layout in favour of more space within the housing area. Concerns about the proposed level of the parking have continued to be expressed and the Applicant's have continued to try and address this in successive amended plans, without detracting from the visual quality of the scheme. The latest amended plans propose an average of about 2 parking spaces per dwelling, including visitor parking which is more dispersed across the site. This meets the Council's maximum parking requirement of an average of 1.5 spaces per dwelling plus visitor parking.

House Design

81. From the beginning of discussions an element of contemporary architecture was sought to add visual interest to the scheme and contribute towards the objective of distinct character areas, and this was accepted by the Applicants. Much time has been spent on the design and siting of the "landmark" apartment block on the visually important southern entrance to the scheme. The Parish Council's concern that the building should reflect the general building line in Ermine Street South has been agreed and the palette of "neutral" materials accepted. The Council's Urban Design Consultant has had a considerable input into the design and siting of this important building, advising that the design be amended in several respects, particularly to achieve a change in massing with the highest element centrally placed, dropping down on the flanks to reflect neighbouring development.

82. The Consultant has reviewed all the house types and their variations and suggested many changes to the detail and materials. The Applicant's have generally accepted his comments without reservation and revised or deleted inappropriate house types. The Parish Council was actively involved in this process, particularly with regard to materials, and as a result a predominance of buff brick is now proposed, which will be more in keeping with the village. Window detailing will be important with some of the more traditional house types and this can be conditioned.
83. The housing mix is acceptable with 81% one, two and three bedroom properties.

Landscaping

84. The Council's Landscape Consultant has been anxious to ensure that sufficient space has been allowed for the planting of the proposed trees within the residential area. This is particularly important along the main spine road where the intention has been to achieve a strong line of trees to give it a unified character. Suggestions have been made about individual species to reinforce the individual character areas and these have been accepted.
85. The treatment of the existing plantation of young trees has been the subject of much discussion. The Development Brief accepted some clearance on the inner (eastern) edge and the Consultant has been keen to ensure sufficient clearance to the proposed housing and adequate replanting on the outer edge as envisaged. It has been agreed that the precise alignment of the required protection fence and trees to be retained will be agreed on site before development commences.
86. Special emphasis has been placed on the delivery of a substantial landscape belt on the southern boundary of the site, which at one stage was proposed for housing. The proximity of overhead electric cables had proved a complication not anticipated in the Brief, but the latest amendment achieves the degree of planting required.

Neighbours

87. Relatively few neighbour objections have been received (4) and those are mainly concerned with the principle of the development, which has already been approved, or minor matters of detail such as boundary treatment. I am satisfied the impact on neighbouring properties will be acceptable given the clearance of the proposed houses to the site's boundaries and their scale (ie nothing over two storeys).

Update

88. A verbal update will be given on the consultation regarding the latest amended plans, including the further comments of the Council's Consultants

Recommendation

89. Delegated approval of the reserved matters (as amended by plans and documents franked the 1st June and 17th July 2007) for the siting, design and external appearance of the buildings, and the landscaping of the site in accordance with the outline planning permission ref: S/2476/03/O.

90. Additional Conditions

1. Wall and roof materials for dwellings;

2. Temporary parking for the Bernard Sunley Centre to be provided prior to the construction of the northern access road;
 3. Public Art to be provided in accordance with the agreed brief;
 4. A scheme for the provision of solar panels on 40 dwellings to be agreed;
 5. A scheme for the provision of bird and bat boxes on the housing to be agreed;
 6. Details of window design on specific plots to be provided;
 7. Additional landscaping conditions;
 8. Design of the youth shelter to be agreed;
 9. Design of refuse stores.
- + any requirements of the Local Highway Authority.

Informatives

1. Comments of Anglian Water
2. Parish Council to be consulted on Public Art
3. Ecologists comments ie pond/bats/water voles/birds etc.

Reason for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 1. **South Cambridgeshire Local Development Framework (LDF)**
 - (1) **Core Strategy 2007**
PST/5 Minor Rural Centres
 - (2) **Development Control Policies**
P.DP/1 - Sustainable Development
P. DP/2 - Design of New Development
P. DP/3 - Development Criteria
P.DP/6 - Construction Methods
P.HG/1 - Housing Density
P.HG/2 - Housing Mix
P.SF/6 - Public Art and New Development
P.SF/10 - Outdoor Playspace and New Development
P.SF/11 - Open Space Standards
P.NE/1 - Energy Efficiency
P.NE/3 - Renewable Energy Technologies in New Development
P.NE/6 - Biodiversity
P.CH/2 - Archaeological Sites
P.CH/4 - Development Within the Curtilage or Setting of a Listed Building
P.TR/2 - Car and Cycle Parking Standards
 - (3) **South Cambridgeshire Local Plan 2004:**
Policy Papworth Everard 2 - Density

Policy Papworth Everard 3 (c) - Allocation of Housing Area

P.SE9 - Village Edges

P.HG/4 - Allocations in Limited Rural Growth Settlements

P.HG/10 - Housing Mix and Design

P.RT/2 - Public Open Space

P.EN15 - Archaeological Sites

P.EN28 - Development within the Curtilage or Setting of a Listed Building

(4) **Cambridgeshire and Peterborough Structure Plan 2003:**

P1/3 - Sustainable Design in Built Development

P5/3 - Density

P7/2 - Biodiversity

P7/6 - Historic Built Environment

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

- Impact on the Existing Character of the Village and the Surrounding Countryside
- Impact on Neighbouring Residential Properties

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

- South Cambridgeshire Local Development Framework - 2007 (Core Strategy / Development Control Policies)
- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Ref: S/0093/07/RM
- 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 Committee1st August 2007**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/1084/07/F – SAWSTON**Change of Use from Public House and Restaurant to Public House, Restaurant and Takeaway (Classes A3, A4 & A5) at The Black Bull, 98 High Street - for M Miah****Recommendation: Approval****Date for Determination: 7th August 2007****Notes:**

This Application has been reported to the Planning Committee for determination because the recommendation is contrary to the response of the Parish Council.

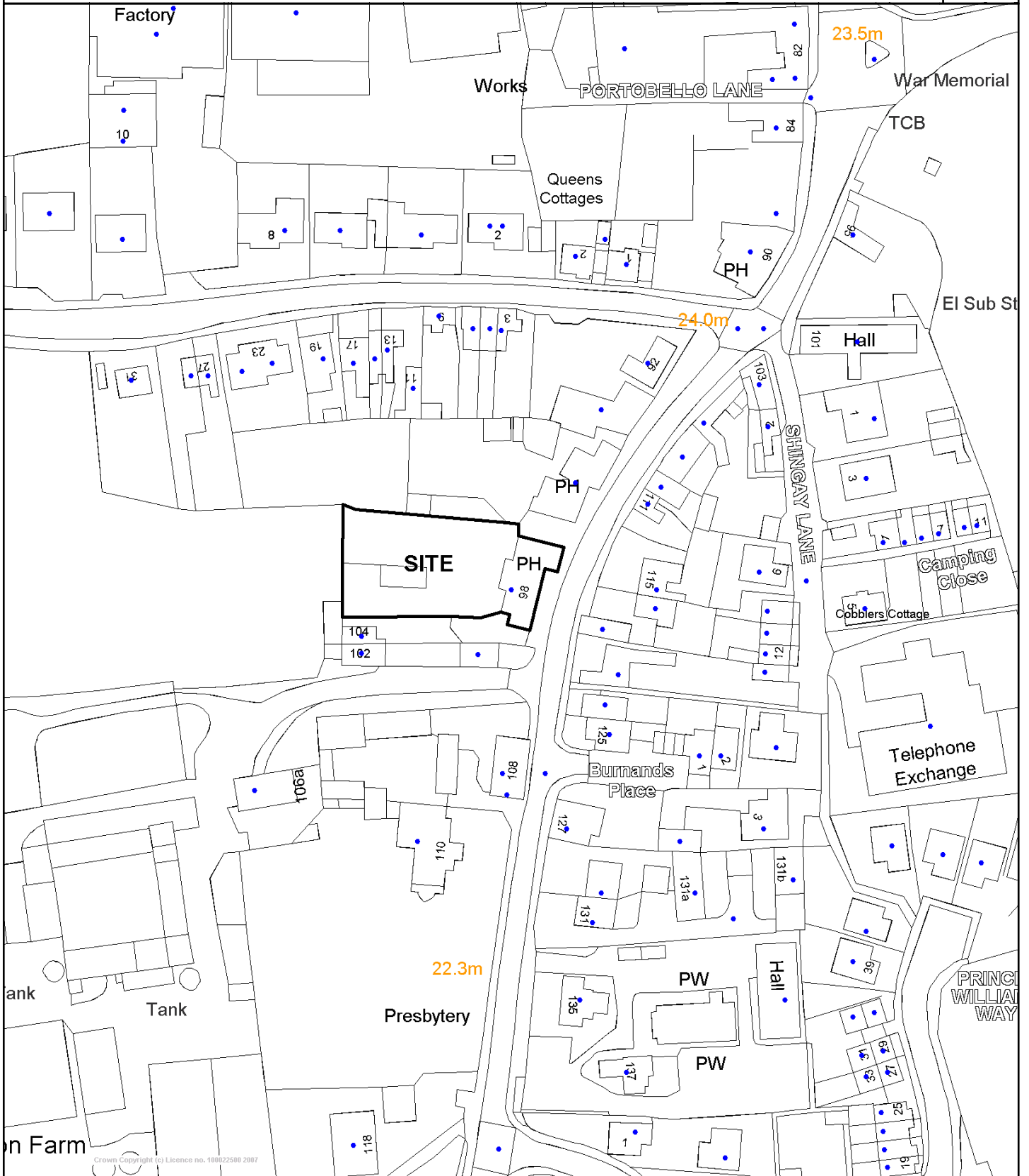
Conservation Area and Listed Building**Site and Proposal**

1. The Black Bull is a Grade II listed public house/Indian restaurant/takeaway located on the west side of the High Street. There is a car park to the rear of the building accessed via an approximately 5 metre wide drive that also serves the rear car park to the adjacent public house to the north, the White Lion. The old fire engine shed, which has permission for use as an office, lies to the south, and behind this are a pair of dwellings, Nos. 102 and 104 High Street. There are double yellow lines on both sides of this section of the High Street and the site also lies within a 20mph speed restriction area.
2. As set out within the history section below, a temporary 1 year permission was granted in October 2005 to change the use of the building from a pub/restaurant to a pub/restaurant/takeaway. This consent expired in October 2006 but the takeaway element has been operating in the meantime without planning permission. This full application, registered on 12th June 2007, seeks to continue the takeaway use (Class A5) within the pub/restaurant use (Classes A3 and A4) on a permanent basis. No external alterations to the building are proposed.

Planning History

3. Members may recall that, at Committee in October 2005, permission was granted to change the use of the Black Bull from a public house and restaurant to public house, restaurant and takeaway. Consent was given for a temporary one year period (expiring on 31st October 2006) in order to enable the impact of the development on highway safety and the amenity of neighbours to be assessed. There were also conditions: restricting takeaway sales to the hours of 8am – 11pm on Mondays to Saturdays and 8am – 10.30pm on Sundays; and requiring an air filtration scheme to be implemented before commencement of use. (Ref: S/1528/05/F).

S/1084/07/F - Sawston



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4. The following year, listed building consent was granted for the addition of an air filtration system on the rear of the building (S/1590/06/LB) and the aforementioned condition of the temporary consent was subsequently discharged.

Planning Policy

5. **Policy P7/6** of the Cambridgeshire and Peterborough Structure Plan 2003 requires development to protect and enhance the quality and distinctiveness of the historic built environment.
6. **Policy EM7** of the South Cambridgeshire Local Plan 2004 supports the expansion of existing employment firms in villages.
7. **Policy TP1** of the 2004 Local Plan seeks to promote more sustainable transport choices by, amongst other things, restricting car parking to a maximum of 1 space per 5 square metres of restaurant/public house floor space.
8. **Policy EN26** of the 2004 Local Plan relates to the conversion of listed buildings to new uses and states that, in judging applications for changes of use, the District Council will consider whether or not: the existing use can continue with reasonable utility or life expectancy; all other options for less damaging uses have been explored; the proposed use can take place without the necessity for extensive alterations or extensions which would be harmful to the fabric, character or setting of the building; and the proposal would harm the setting and amenity of adjacent buildings.
9. **Policy ET/5** of the South Cambridgeshire Local Development Framework Draft Development Control Policies 2006 reiterates the requirements of Policy EM7 of the 2004 Local Plan.
10. Draft Local Development Framework **Policy TR/1** repeats the objective of adopted policy TP1 but alters the parking standards to a maximum of 1 space per 5 square metres of restaurant floor space and 1 space per 10 square metres for pubs/bars.
11. **Policy CH3** of the draft Local Development Framework requires applications affecting listed buildings, including change of use proposals, to be considered against national policy (currently PPG15).

Consultations

12. **Sawston Parish Council** objects to the application, but no reasons for recommending refusal are given.
13. **The Conservation Manager** raises no objections providing there are no internal alterations or changes to the existing kitchen extract system.
14. **The Local Highways Authority** raises no objections stating that the streets around the site within convenient walking distance are safeguarded by on-street parking restrictions, whilst the site has car parking provision to the rear. It is noted that speed management measures have been applied to Sawston High Street. Parking on street would be likely to be a nuisance rather than a danger to other vehicles.
15. **The Corporate Manager (Health and Environmental Services)** raises no objections in respect of noise or environmental pollution issues, and confirms that, since the previous consent was issued, there have been no complaints on the grounds of odour, noise, litter etc. In addition, the kitchen extract system approved under condition 3 of the previous

temporary planning consent and under listed building consent reference S/1590/06/LB has been fitted and is operational.

16. **The Definitive Map Officer** raises no objections, as the application is for a change of use and does not involve any additional building work that might impact on the route of the public footpath that runs through the site.
17. **The Ramblers Association** raises no objections providing: the route of the public footpath that runs through the site is not obstructed by materials, debris lorries etc during construction; the surface of the path is not disturbed by increased traffic to the site; and that any signage is not obscured or damaged.

Representations

18. A letter of objection has been received from the owner of the Redfort Garden Tandoori at 84 High Street who states that the takeaway and restaurant use been operating without proper health and safety condition. No changes have been made, as required by a condition of the previous permission, and there is no canopy exhaust fan in the kitchen, which represents a threat towards the health and safety of the people they serve. In addition, there is no valid permission for the use, as the consent for the takeaway expired in October 2006, but they have been operating since that time without permission. Finally, concern is expressed about the location of the property on an awkward bend where there are previous records (including police records) or road accidents.

Planning Comments – Key Issues

19. The key issues to consider in the determination of this application are:
 - a. Highway safety/parking;
 - b. Pollution/smell; Health and safety of customers.

Highway Safety and Parking Issues

20. The previous planning permission for a takeaway use at this property was granted for a temporary one year period. This was partly in response to concerns expressed by the Parish Council and local residents about the location of the site on an awkward bend, where there are double yellow lines, and the use possibly giving rise to parking on the High Street. In the Officer's report to committee dated 5th October 2005, it was advised that the parking area at the rear of the pub has in excess of the maximum number of spaces required within the Local Plan (and this fact still holds true today). However, it was considered that a temporary permission would enable the impact of the takeaway use, in highway safety and on-street parking terms, to be fully assessed.
21. I have contacted both the maintenance depot of the Local Highways Authority at Whittlesford and the Sawston police station. Neither has any record of any complaints relating to on-street parking problems in the vicinity of the pub since consent was granted for the takeaway use. In addition, no specific objections have been raised by the Local Highways Authority to the proposal given that there is ample parking at the rear of the pub and that there are on-street parking restrictions in the immediate vicinity of the pub.

Health and Safety/Residential Amenity Issues

22. The 2nd reason behind the previous temporary consent was to enable the impact of the use on the amenities of neighbours (in terms of noise, odour and litter) to be assessed.

At the time the previous application was being considered, the Environmental Health Officer had received a complaint of odour from the Indian restaurant. However, no further complaints have been received since then. In addition, contrary to the comments made by a nearby resident, the restaurant has been fitted with a satisfactory air filtration system, as required by condition 3 of the previous consent.

23. In conclusion, the takeaway use has been in operation for in excess of a year. There is no evidence to suggest that the use has been creating any highway safety/on-street parking or neighbour amenity problems. As such, I consider the permanent introduction of a takeaway use to the pub/restaurant to be acceptable providing the takeaway element is subject to the same restricted hours of operation as previously imposed.

Recommendation

24. Approval:

Conditions

1. There shall be no takeaway sales from the premises other than between the hours of 08:00 to 23:00 Monday to Saturday and 08:00 to 22:30 Sundays.
(Reason – To protect the amenity of neighbours)

Informatives

General

1. The footpath must remain open and unobstructed at all times. The applicant must ensure that cars parked in the car park do not obstruct the line of the path at any time (it is an offence under s.137 of the Highways Act 1980 to obstruct a public right of way)
2. No alteration to the surface of the footpath is permitted without consent (it is an offence to damage the surface of a public right of way under s1 of the Criminal Damage Act 1971)

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
P7/6 (Historic Built Environment)
 - **South Cambridgeshire Local Plan 2004:**
EM7 (Expansion of Existing Firms in Villages)
TP1 (Planning More Sustainable Travel)
EN26 (The Conversion of Listed Buildings to New Uses)
2. The proposal is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Health and safety of customers;
 - Highway safety.

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

- South Cambridgeshire Local Development Framework (LDF) Draft Development Control Policies 2006
- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Refs: S/1084/07/F, S/1528/05/F, and S/1590/06/LB.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee1st August 2007**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/2338/06/F - HINXTON**Erection of Building to Provide 8 Guest Rooms,
The Red Lion Public House, 32 High Street, for Mr A Clarke****Recommendation: Approval****Date for Determination: 30th January 2007**

This Application has been reported to the Planning Committee for determination at the request of the local Member, Councillor Tony Orgee.

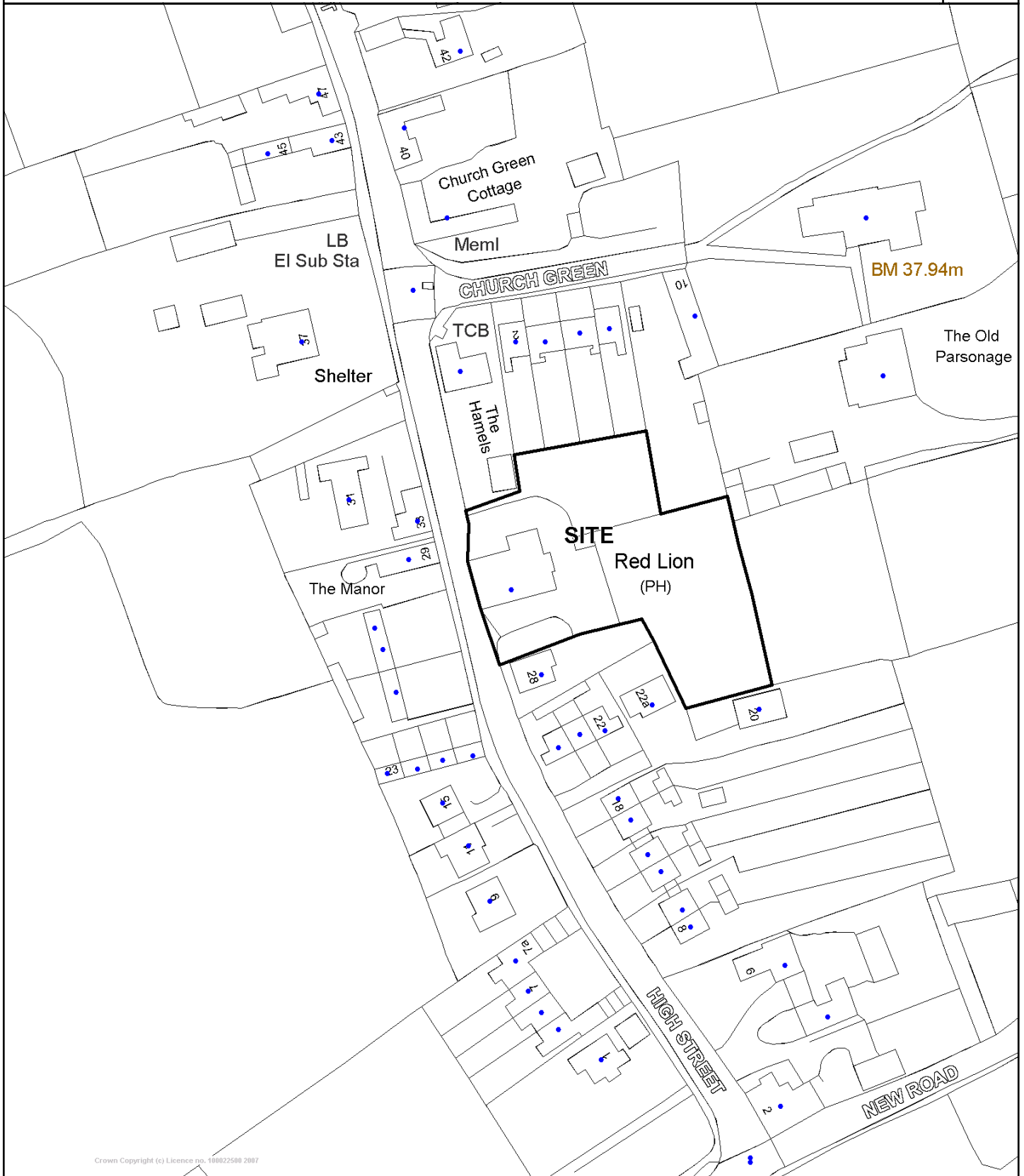
Conservation Area**Introduction**

1. Members considered this application at the meeting of the Planning Committee on 7th March 2007, following a visit to the site. Members resolved as follows:
2. *The Committee gave officers DELEGATED POWERS TO APPROVE OR REFUSE the application depending on the outcome of discussions between officers and the applicant on the re-orientation of car parking spaces, the placement of roof lights and the level and height of the proposed building. Approval would be for the reasons set out in the report from the Corporate Manager (Planning and Sustainable Communities), and subject to the conditions referred to therein.*
3. A copy of my report is attached electronically at Appendix 1.
4. Members conducted a second site visit on 2nd July to consider revisions to the application. Following this site visit, it was decided to withdraw the item from the agenda of the Planning Committee on 4th July 2007, to enable further discussions with the applicant to take place.

Subsequent developments

5. Amended drawings have been received date stamped 17th July to address the issues identified by Hinxton Parish Council and local residents.
6. The height of the building has been reduced. All ridges have been lowered by reducing the roof pitch from 35 to 30 degrees. Hipped ends have been added to all roofs. The floor level of the north east block has been dropped by 450mm. Compared with the last amended plan, the southern wing (adjacent to 20 High Street) has been lowered by 1.05m, the south end of the west wing (facing No. 22A High Street) by 650mm, and the north end of the west wing (facing No.28 High Street) by 200mm. The agent considers that further lowering into the ground would not be feasible because of the desirability of keeping sill levels above ground level, and the expense of doing so.

S/2338/06/F - Hinxton



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7. The roof lights have been omitted from the south roof slope, except in Bedroom 4, and have been added to the north roof slope in Bedrooms 2 and 3. As a result one roof light faces towards No.20, compared with ten as originally proposed.
8. Car parking spaces have been grouped to the rear of the cold store outbuilding, where they are less prominent on the site than as originally proposed. The proposal includes one disabled parking space. An existing car parking space adjacent to the entrance to the public house is to be relocated to the rear, as a benefit to the setting of the listed building.

Consultations

9. **Hinxton Parish Council** - Comments awaited.
10. **Conservation Manager** - Recommends approval of the revised scheme, to include conditions to require details of materials and landscaping, and windows, flintwork, eaves, porches and rooflights to be submitted and agreed.

Representations

11. A letter of representation was sent by the occupiers of No 28 High Street within the required consultation period in respect of the original proposals. This letter, which was sent by email, was not received by officers and was not reported to Members. For the most part, the concerns raised were also referred to by other objectors, and so were taken into account by Members. The writers did raise a concern about the siting of the building, which would adjoin the rear boundary of the garden to No 28. Currently they enjoy an open outlook towards the attractive wall on the eastern boundary of the public house, with trees beyond. The proposed building will obscure this view. The building would be overbearing on their property, particularly as the land on the application site is higher. They are concerned that the arrival and departure of visitors will cause unacceptable noise disturbance late at night and in the early morning. Lights from the development would be a nuisance at night.
12. Representations from other third parties, if received, will be reported verbally to Members at the meeting. A frequent comment in the last round of consultations concerned an alleged inaccuracy in the plans. The northern elevation (now shown in drawing no. 04/161/05/E) indicates that the adjoining north eastern boundary wall is 2.4m high, and that the north eastern end of the building is positioned at a distance of 2.4m from it. Objectors have misinterpreted this part of the drawing as representing the rear (south eastern) boundary wall, which is lower. I am satisfied that the drawing does represent an accurate depiction of the existing boundary walling on the site.

Policies

13. The following policies in the **Local Development Framework Development Control Policies Development Plan Document** (2007) are relevant:

DP/2 Design of New Development;
DP/3 Development Criteria;
ET/10 Tourist Facilities and Visitor Accommodation;
CH/4 Development Within the Curtilage or Setting of a Listed Building;
CH/5 Conservation Areas.

Planning Comments

14. Members have visited the site twice. I understand that Councillor Orgee is concerned to ensure that Members should assess the height of that part of the proposed building that faces the side elevation of No.20 High Street. The land on which this part of the building is to be sited is sloping and the ridge height is shown to be between 4.3 and 4.5m. The proposed development will be sited between 4.0m and 6.2m from the boundary wall, and 6.5m from nearest windows. The ground floor windows in the northern elevation of this dwelling are secondary serving the dining room, whilst the first floor windows serve two bathrooms. I do not consider that the development will give rise to any serious loss of amenity due to loss of light, loss of outlook or privacy will result to this dwelling.
15. The comments raised by the occupiers of No.28 High Street have not previously been taken into account by Members. The dwelling is sited some 23 metres from the boundary, and 26 metres from the proposed building. The occupiers will see the roof above their fence at this distance. I do not consider that this will result in an unacceptable loss of outlook, or any significant overbearing impact on this property. I do not consider that any serious noise disturbance or light pollution will be likely to result, given the distance between the properties and the layout of the site.
16. Subject to conditions as recommended by the Conservation Manager, I consider the amended proposals to be acceptable.

Recommendation

17. Approval of the application dated 5th December 2006, as amended by drawing nos. 04/161/04B date stamped 16th April 2007, and 04/161/05E and 04/161/06F date stamped 17th July 2007, subject to the conditions and reasons as set out in my report dated 7th March 2007.

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

- South Cambridgeshire Local Plan 2004
- South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document (2007)
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Refs: S/2338/06/F and S/0160/06/F

Contact Officer: Ray McMurray – Acting Area Officer
Telephone: (01954) 713259

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee1st August 2007**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0956/07/F – GREAT SHELFORD**Erection of single storey building to accommodate Cambridge Cancer Help Centre, Scotsdales Garden Centre, 120 Cambridge Road for Mr D Rayner****Recommendation: Approval****Date for Determination: 12th July 2007**

This Application has been reported to the Planning Committee for determination because approval of the application would be a departure from the development plan.

Departure Application**Site and Proposal**

1. The application relates to a 52m x 28m area of land comprising part of the grassed/landscaped area at the front of the garden centre and part of the rear garden areas of Nos 132 and 134 Cambridge Road. A number of storage sheds and trees have recently been cleared from the site. The site is bounded to the northeast by the garden centre car park, by the landscaped setting of the garden centre to the southeast and southwest, and the rear garden area of No.136 Cambridge Road to the northwest.
2. This full application, registered on 17th May 2007, proposes the erection of a single-storey building to be used by Cambridge Cancer Help Centre as a social/meeting place with therapy rooms. The building is of a simple rectangular design with a gabled entrance. The lower walls are to be finished in brick with stained boarding above, and the roof in concrete tiles of Old English Dark Red. The footprint of the building is shown to be 39.0m x 15.3m. This will provide a floorspace of 625 square metres, and will have a ridge height of 5.5m.

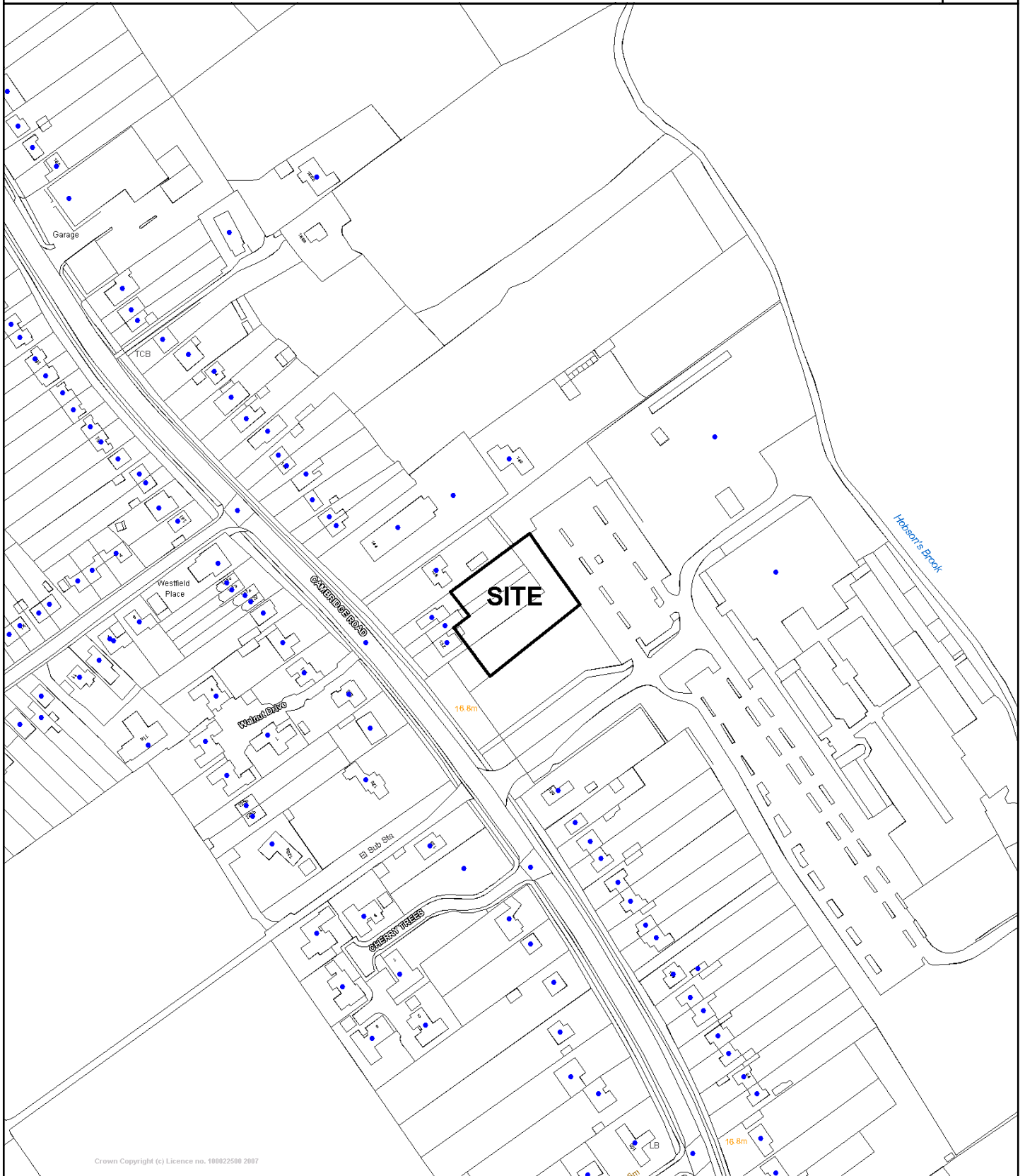
Planning History

3. Planning permission for a Community Cancer Help Centre was granted 11th May this year (**S/1839/06/F**). The permission related to the same site as the current application. This design included two distinctive pyramidal roofs, 6.5m high, providing a floorspace of 417 square metres.
4. Consent for an ornamental display garden and log cabin was granted on the adjacent grassed area to the south east of the site in 2005 for a temporary period of five years (**S/1529/05/F**).

Planning Policy

5. Approximately half of the proposed building would be within the village framework, and half in the countryside and Green Belt.

S/0956/07/F - Great Shelford



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Scale 1/2500 Date 23/7/2007

Centre = 545530 E 253531 N

Planning Committee - August

**South Cambridgeshire Local Development Framework (LDF) Core Strategy
(2007)**

6. **ST/4** (Rural Centres) Development and redevelopment without any limit on individual scheme size will be permitted within the village frameworks of Rural Centres, provided that adequate services, facilities and infrastructure are available or can be made available as a result of the development.

**South Cambridgeshire Development Control Policies Development Plan
Document (2007)**

7. **GB/1** (Development in the Green Belt)

There is a presumption against inappropriate development in the Cambridge Green Belt as defined on the Proposals Map.

8. **GB/2** (Mitigating the Impact of Development in the Green Belt)

1. Any development considered appropriate within the Green Belt must be located and designed so that it does not have an adverse effect on the rural character and openness of the Green Belt.
2. Where development is permitted, landscaping conditions, together with a requirement that any planting is adequately maintained, will be attached to any planning permission in order to ensure that the impact on the Green Belt is mitigated.

9. **GB/3** (Mitigating the Impact of Development Adjoining the Green Belt)

1. Where development proposals are in the vicinity of the Green Belt, account will be taken of any adverse impact on the Green Belt.
2. Development on the edges of settlements which are surrounded by the Green Belt must include careful landscaping and design measures of a high quality in order to protect the purposes of the Green Belt.

10. **DP/3** (Development Criteria)

Planning permission will not be granted where the proposed development would have an unacceptable adverse impact:

- a. On residential amenity;
- b. From traffic generated;
- c. On village character;
- d. On the countryside, and landscape character;
- e. From undue environmental disturbance such as noise, lighting, vibration, odour, noxious emissions or dust;

- f. On ecological, wildlife and archaeological interests;
- g. On flooding and flood risk;
- h. On the best and most versatile agricultural land;
- i. On quality of ground or surface water;
- j. On recreation or other community facilities.

11. **DP/7** (Development Frameworks)

- 1. Outside urban and village frameworks, only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted.
- 2. Development and redevelopment of unallocated land and buildings within development frameworks will be permitted provided that:
 - a. Retention of the site in its present state does not form an essential part of the local character; and
 - b. Development would be sensitive to the character of the location, local features of landscape, ecological or historic importance, and the amenities of neighbours; and
 - c. There is the necessary infrastructure capacity to support the development; and
 - d. Development would not result in the loss of local employment, or a local service or facility, protected by Policies ET/6: Loss of Rural Employment to Non-Employment Uses: SF/1: Protection of Village Services and Facilities and SF/9: Protection of Existing Recreation Areas.

Cambridgeshire and Peterborough Structure Plan 2003

- 12. **P1/2** (Environmental Restrictions on Development)- development will be restricted in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.
- 13. **P9/2a** (Green Belt) – within the Green Belt new development will be restricted to that required for agriculture or otherwise appropriate to a rural area.
- 14. The **Great Shelford Village Design Statement 2004**, adopted as Supplementary Planning Guidance, refers to the importance of preserving glimpses of the countryside from inside the village. Paragraph 4.1 of the Landscape section states: “The sense of enclosure makes the glimpses of countryside from inside the village of great importance. Much of the rural and agricultural landscape is hidden by buildings. So the gaps between them and those places where fields abut the road, are very important. They keep the link between village and surrounding countryside.” Additionally, paragraph 8.2 of the Character Areas section states, in describing the character of Cambridge Road, that the generous verges and trees give a valued green aspect to

the road, as do the views between development into the rural setting beyond to east and west. The open space at the front of Scotsdales is identified in the map accompanying the design statement as an important viewpoint.

Consultations

15. **Great Shelford Parish Council** – The Parish Council has made the following comments: “No objection to the amended design and materials. The floor area of this building is 55% greater than the original approval therefore there is less outside space for the users. To create such a space would impinge on the openness of the Green Belt. It is necessary to have details of hard and soft landscaping, incorporating the remaining trees, to the south of the new building (as required in the conditions on the previous approval) to assess the overall impact of the larger building on a valued view in the open countryside. There are no details of energy saving features in the building. We hope these will be considered to minimise the Charity’s running costs.”
16. **Landscape Design Officer** – comments to be reported verbally when received.

Representations

17. A letter of objection has been received from the occupier of 138 Cambridge Road, which adjoins the northern boundary of the site. The objector considers that the scale and footprint of the building is far too large within the garden of a low density residential area. The footprint is approximately five times as large as that of any of the surrounding houses, and the building would occupy virtually the whole rear garden area. The bungalow at No.132 Cambridge Road would be left with virtually no garden. If allowed, this would set an unwelcome precedent. The size of the building should be limited to approximately half of the proposed footprint, without any extension into the Green Belt and with a significant part of the garden restored for use by No. 132. The writer is also concerned that work has commenced on site, and foundations put in, in advance of any planning permission being granted. The writer notes that the application relates to the rear garden of 132 Cambridge Road, and not to 120 Cambridge Road as stated in the application form.

Planning Comments

Green Belt and countryside

18. The principle of the erection of a building for use as a community cancer help centre has been established by previous permission S/1839/06/F. This was referred to the Secretary of State as a departure from the development plan, but was not called in for determination. The current proposal is 1.0m lower than the approved scheme, and has a floorspace 50% or so larger. For the most part, the additional floorspace is located in the former garden area of No.132, which is within the village framework. The part of the building that encroaches into the Green Belt and countryside extends some 7m beyond the village boundary, which is less than the approved scheme, which extended 9m into the Green Belt. The amount of floor area to be sited in the Green Belt is equivalent to that previously approved. I consider that the proposal is not likely to have any greater impact on the openness of the Green Belt or character of the countryside than the approved development.

Neighbour amenity

19. The proposed building is shown to be sited 4.2m from the boundary with No.136 Cambridge Road, to the north west and approximately 13.2m. from the boundary with

No.138 beyond. This is 1.5m closer than the previous scheme, and there is proposed a greater length of building adjacent to this boundary. As the building has been reduced in height, I do not consider that undue loss of amenity due to overshadowing or overbearing impact will result to this garden area as a result of the development.

20. The building is shown to be sited closer to the bungalow at No.132 Cambridge Road than the approved scheme, however a separation of 9.5m between these buildings will remain, which is sufficient to avoid any undue overbearing impact on that property. The site area, including loss of garden area to No.132, is the same as previously approved.

Sustainability

21. The applicant has stated that the Directors of Scotsdales will be assessing the building with a view to introducing measures for energy conservation, recycling of waste products, and reducing identified carbon emissions. The roof design will incorporate photovoltaics to provide electricity. Solar panels will contribute towards water heating in the building.

Recommendation

Approve, without further reference to the Secretary of State, taking into consideration that the previous application, was not called in and this proposal has no greater impact upon the Green Belt

1. Standard Condition A Time limit (Reason A).
2. SC40 'the provision of non-residential health care and associated services', 'Class D1' - (RC40 a).
3. SC5 a) part a)'walls and roofs' - (RC5 a)ii)
b) part f) delete all after 'site – materials to be used for hard surfaced areas (RC5(a)(ii)
c) part i) (RC i)-means of access for disabled persons (RC5i)
4. SC51 landscaping - (RC51)
5. SC52 implementation of landscaping - (RC52)
6. SC60 'all site boundaries', 'building is' (RC60)
7. SC26 – *Add at beginning* "During the period of construction", *then* "8am/8am/6pm/1pm" - RC26

Reasons for Approval

1. Although the proposal is not in accordance with Policies P1/2 (Environmental Restrictions on Development) and P9/2a (Green Belt) of the Cambridgeshire and Peterborough Structure Plan 2003 and Policy GB/1 (Development in the Green Belt) of the South Cambridgeshire Development Control Policies Development Plan Document (2007), nor with the identification of the site as being within an important viewpoint in the Great Shelford Village Design Statement 2004, it is considered that an exception to these policies is acceptable in this case, taking into account the following factors:

- The absence of a suitable alternative site, despite an extensive search having been made;
 - The lack of any significant adverse impact upon the openness of the Green Belt;
 - The nature of the site as partly previously developed land;
 - The nature of the proposed use and service to be provided
 - The prior existence on site of adequate car parking facilities, thereby not requiring additional car parking in the Green Belt.
2. The proposal is not considered to be significantly detrimental to the following material considerations, which have been raised during the consultation exercise: **scale of development; impact on the openness of the area; sustainability.**

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

- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- South Cambridgeshire Development Control Policies Development Plan Document (2007)
- Cambridgeshire and Peterborough Structure Plan 2003
- Great Shelford Village Design Statement 2004
- Planning Files refs S/0956/07/F, S/1839/06/F, S/1529/05/F

Contact Officer: Ray McMurray – Acting Area Officer
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee
1st August 2007
AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0624/07/F – FEN DITTON
45 Lighting Columns at Vehicle Park R/O North Works Newmarket Road
for Marshall Group
Recommendation: Approve

Date for Determination: 22nd May 2007

Notes:

This Application has been reported to the Planning Committee for determination because the Parish Council's recommendation of refusal is contrary to that of the officer recommendation of approval.

Departure Application**Site and Proposal**

1. The site consists of 4.5 hectares of land at the rear of the Marshall North Works site. The site is outside of the village framework and within the Cambridge Green Belt. The site currently has permission for use for vehicle parking for a limited period and the site is now used as a staff car park serving Marshall's. The site has a gated entrance and is clearly signposted for staff parking only. To the west and north is a wide belt of landscaping which screens the adjacent housing. Most of the area has been laid to parking with a small area still covered in grass. There are about 12 lighting columns already on the car park but the applicant states that this number is insufficient to illuminate the area to the necessary Health and Safety standard.
2. The application, received 27 March 2007, proposes 45 galvanised steel lighting columns which are 8 metres high and 12cms in diameter. These columns will support 63 lighting fitments.

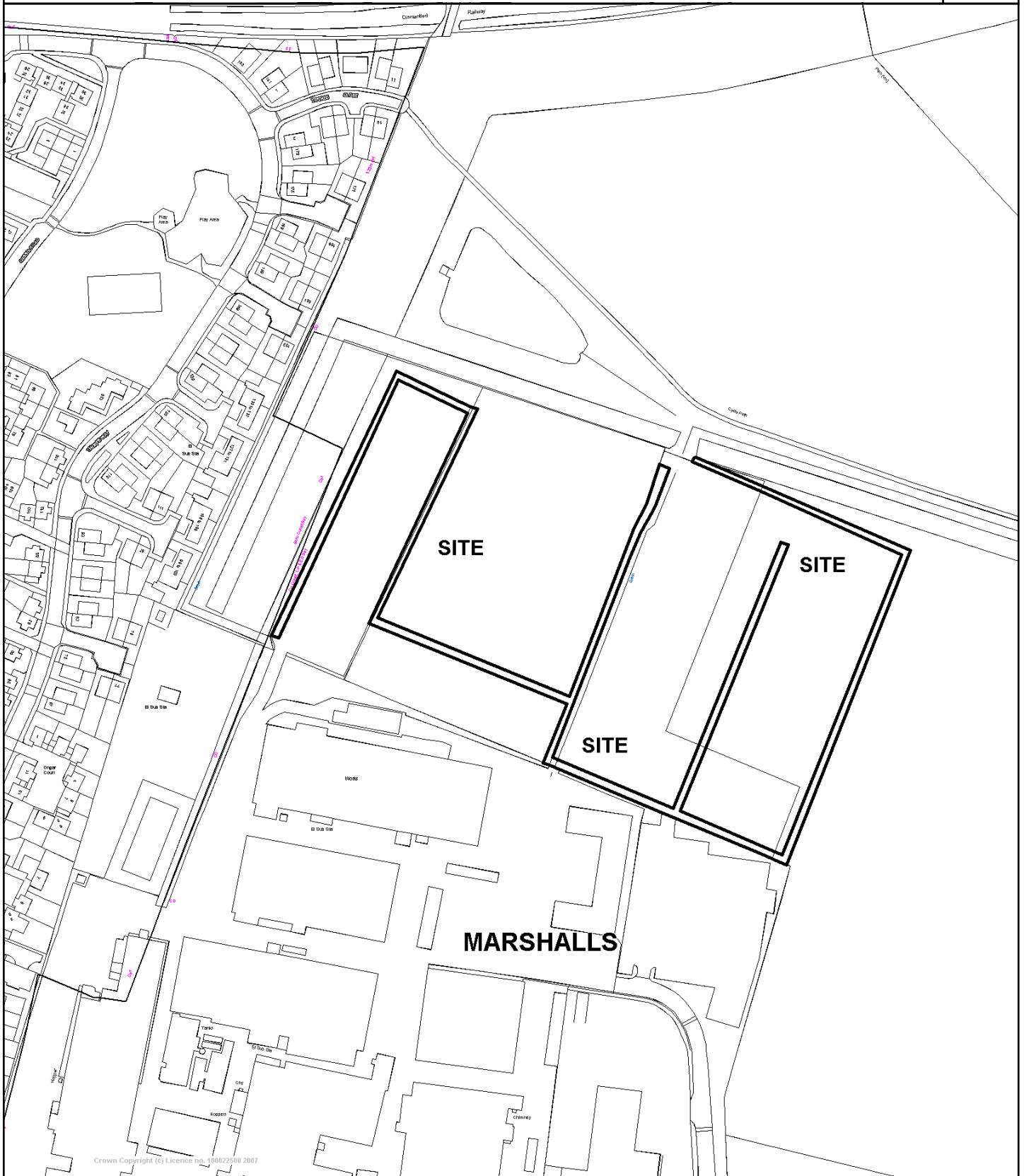
Planning History

3. **S/0272/07/F** Use of land for vehicle parking (renewal of time period consent S/0232/03/F) granted for temporary period until 31 December 2009.
4. Planning Application **S/0232/03/F** for the temporary use of land for vehicle parking was approved until the 30th of June 2008.

Planning Policy

Cambridgeshire and Peterborough Structure Plan 2003

S/0624/07/F - FEN DITTON



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Scale 1/2500 Date 19/7/2007

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AUGUST PLANNING COMMITTEE 2007

5. **P1/2 “Environmental Restrictions on Development”** states that development will be restricted in the countryside unless proposals can be demonstrated to be essential in a particular rural location.
6. **P9/2 “Green Belt”** states that development in the Green Belt will be restricted to that required for agriculture and forestry, outdoor sport, cemeteries or other uses appropriate to a rural area.

South Cambridgeshire Local Plan 2004

7. **ES3 “Commercial Lighting Facilities”** - In considering development proposals requiring or likely to require external lighting other than road and footway lighting, the District Council must be satisfied that:
 - (1) the proposed lighting scheme is the minimum required to undertake the task;
 - (2) there is no light spillage above the horizontal;
 - (2) appropriate measures are in place to ensure the lighting does not have an adverse impact upon neighbouring or nearby residential properties;
 - (3) in edge of village or countryside locations appropriate measures are undertaken to screen the lighting to reduce the impact upon the surrounding countryside;
 - (5) there will be no dazzling or distraction to drivers, cyclists or pedestrians
8. **GB2 – “Green Belt”** states that planning permission will not be granted for inappropriate development in the Green Belt unless very special circumstances can be demonstrated. Development is defined as inappropriate unless it comprises (in part):
- 9 **Policies NE/14 and GB1** of the Local Development Framework 2007 repeat the above considerations.

Consultation

10. **Fen Ditton Parish Council** - Refuse commenting “excessive light pollution”
11. **Teversham Parish Council** - Approve “noted that lights pointed downwards supposedly eliminating the giant orb of light effect at night”
12. **Chief Environmental Health Officer** - no objections from a noise or environmental pollution point of view.
13. **Cambridge City Council** - Some concerns that the number of lighting columns and fittings proposed appears excessive and considerably more than the minimum number required to satisfactorily illuminate this area given its use, sensitive siting at the edge of the City of Cambridge and proximity to residential properties. The number of columns their spatial extent and height would be visually intrusive in this edge of City location. The proposal would lead to the erosion of the open character of the area by reason of the proliferation of such columns.

Representations

None

Planning Comments – Key Issues

14. The site is within the Cambridge Green Belt and is on land which forms the vehicle park for the North Works. The development proposed is by definition inappropriate in the Green Belt. Very special circumstances will need to be put forward by the applicant to warrant a departure to the Development Plan. In this case the applicant has put forward the following very special circumstances. " Firstly this site is proposed to be released from the Green Belt as part of the Area Action Plan for Cambridge East. There are no substantive objections in principle to its development. The release of this site from the Green Belt has already gone through prolonged public consultation and is a site which is continued to be positively promoted as an urban extension. Considerable weight can be attached to the LDF documents some of which have already been adopted. Secondly the site has planning permission for a vehicle park and has been laid out for this purpose. The lighting scheme is to provide necessary illumination to ensure Marshall employees can use them safely. The scheme has been carefully designed to minimise the number of columns and fitments. Marshall has paid particular attention to controlling lighting spillage because of the relationship to the nearby runway approach lighting. The lights will be switched off when not required. The woodland planting belts screen the site so that it is not visible to any public view."
15. The site is currently allocated for development as part of the Cambridge East Area Action Plan and it is anticipated that it will be required as part of phase 1 of the development of the north of Newmarket Road. The Council has been working with Marshall's in bringing forward land at Cambridge East for development and finding a means to ensure that the company can relocate its businesses without undue disruption. The land in which this temporary car park is located is an important part of the redevelopment and therefore the applicant requires certainty over the timing of this development.
16. The Cambridge East Area Action Plan is currently being examined with the expectation that the plan will be adopted towards the end of 2007. Therefore a planning application for phase 1 north of Newmarket Road should be capable of being determined before the end of 2008 with development commencing by early 2009, with the first housing occupations by the end of 2009.
17. The use of the land for vehicle parking has temporary planning permission until the end of December 2009. It is considered that the very special circumstances put forward on planning grounds are sufficient to accept the proposed development.
18. In light of the above, a temporary consent to the end of December 2009 would be acceptable, as it would accord with the temporary permission for the vehicle park and with the Housing Trajectory that has been agreed with Marshall's.
19. The lighting according to the manufacturer has been designed to give zero upward light pollution. No objections have been raised by the Councils Chief Environmental Health Officer on noise or environmental pollution grounds.
20. For the reasons detailed above, I do not consider that the application needs to be referred to the Secretary of State under the Town and Country Planning (Green Belt) Direction 2005.
21. Having regard to the very special circumstances identified above I do not consider that the application needs to be referred to the Secretary of State either under the Departures or Green Belt Directions 1999 and 2005 respectively.

Recommendation

22. Approval subject to the following conditions:

1. The development hereby permitted shall be removed from the site on or before the 31 December 2009.
(Reason The approval of the proposal on a permanent basis would be contrary to the planned development of the area incorporated within the Local Development Framework Cambridge East Area Action Plan);

Reasons for Approval

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

Cambridgeshire and Peterborough Structure Plan 2003:

P1/2 Environmental Restrictions on Development

P9/2 Green Belt

Local Development Framework 2007

NE/14 Lighting Proposals

GB/1 Development in the Green Belt

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

- Excessive light pollution

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/0272/07/F

Contact Officer: Frances Fry - Senior Planning Officer
Telephone: (01954) 713252

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee
1st August 2007
AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

-
1. S/0880/07/F - OVER
 2. S/0881/07/CAC - OVER
 1. Underground Pumping Station, Control Kiosk and Enclosure
 2. Total Demolition of 4 Bay Open Sided Outbuilding
R/O 15 High Street, Over for Camstead Homes

Recommendation: Approval

Date for Determination: 3rd July 2007

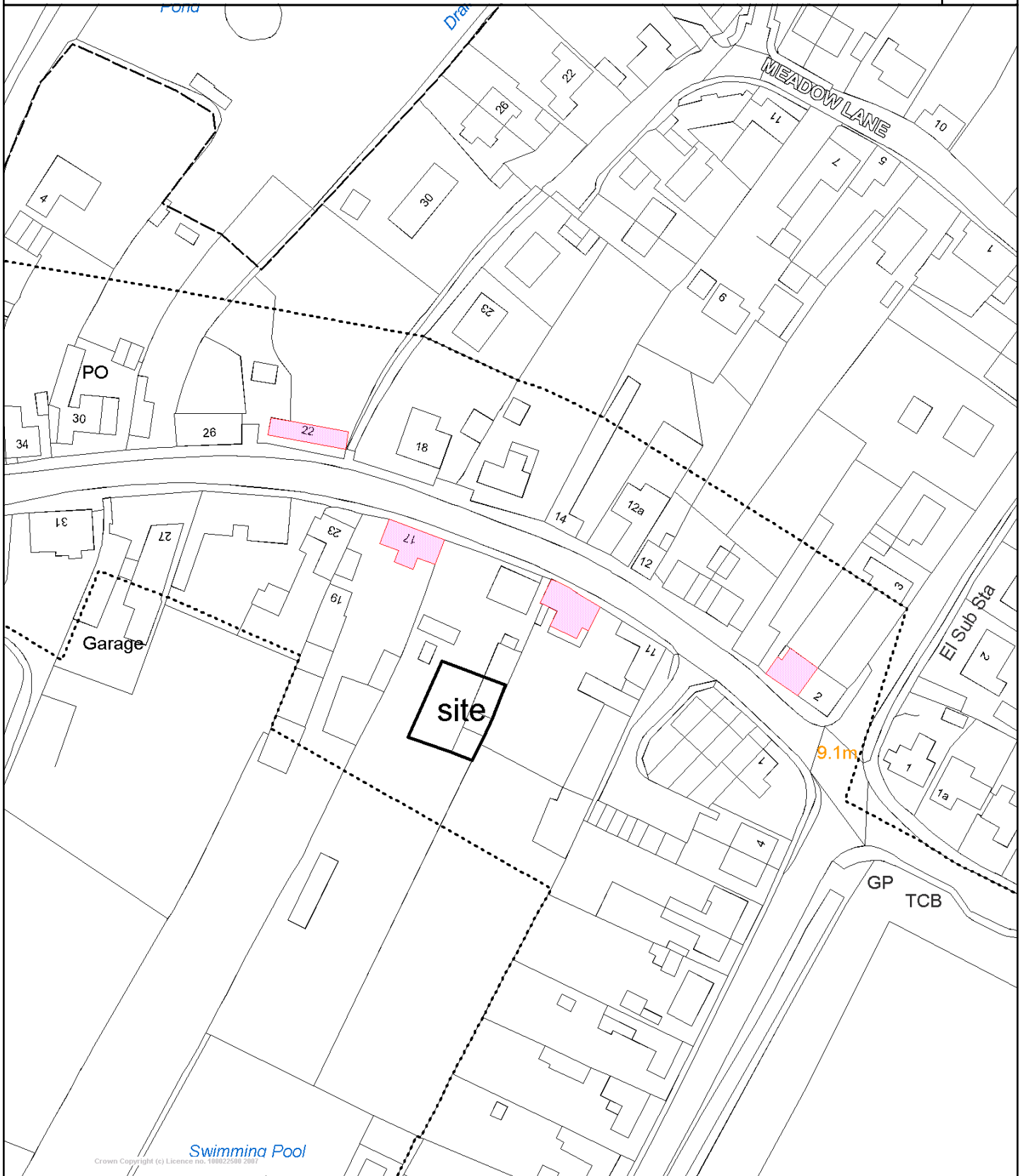
Notes:

These Applications have been reported to the Planning Committee for determination because the Parish Council objections do not accord with the Officer recommendation.

Conservation Area/Adjacent Listed Building**Site and Applications**

1. The 238m² site is located to the rear of 15 High Street and currently forms part of its garden. On the eastern garden boundary with 13 High Street is a low (2-2.5m) flat and monopitched outbuilding, largely open fronted and built in 2 sections. Adjoining it to the north, towards No. 15, is an older, more substantial outbuilding which is boarded and has a conventional pitched roof.
2. The applications, received on 8th May 2007 propose the removal of the flat/monopitch roofed outbuilding and its replacement with an underground pumping station, including a control kiosk measuring 2.5m x 0.7m x 1.7m high, and an enclosure measuring 17m x 9m x 1.8m high constructed of 'hit and miss' boarding. Access is via the yet to be constructed estate road for a 28 house development (see "Planning History") and it is proposed to have a grass block finish with screen planting on either side.
3. In a covering letter the applicant explains that following further discussion with Anglian Water, it is proposed to relocate the pumping station which had previously been shown slightly further to the south in the approved appeal scheme layout, in order to take the equipment further away from the nearest proposed residential plot and this resiting also enables the site to be further set back and landscaped accordingly, which will enhance the entrance to and from the site. The resiting involves the demolition of a poor quality outbuilding of no architectural or historic value to the rear of 15 High Street. The applicant comments that the revised location will enhance the appearance of this part of the Conservation Area compared with the previous proposal.

S/0880/07 & S/0881/07



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Scale 1/1250 Date 17/7/2007

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August 2007

4. The Design and Access Statement adds that the relocation provides a more spacious arrangement to facilitate the layout preferred by Anglian Water, and allows an additional 4.5m width of landscaping along the estate road in that location. The design of the pumping station is of little consequence as it is almost entirely underground, apart from the control kiosk, which itself will be screened by a robustly constructed 1.8m high stained fence. In total the fence will be set back approx. 6.5-7m from the estate road and will compliment the 1.8m high brick wall to be built around the rear garden of 15 High Street. The rear garden of 15 High Street remains in excess of 19m long, which is more than adequate for the dwelling. Access arrangements are limited to the occasional visits of maintenance lorries. This would be accommodated within the curtilage of the pumping compound with access across the landscaped strip via grass blocks to avoid interrupting the landscaped area.

Planning History

5. In April this year planning permission was granted on appeal for the erection of 28 dwellings and the provision of a playing field extension for Over Primary School on land adjoining the application site, with the estate road running along the western boundary of the site of current applications. The approval included a similar underground pumping station and smaller enclosure sited immediately south of the current proposal.

Planning Policy

Cambridgeshire and Peterborough Structure Plan 2003

6. **Policy P7/6** - states Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.

South Cambridgeshire Local Plan 2004

7. **Policy EN28** states the Council will refuse applications which would dominate a Listed Building or its curtilage buildings in scale, form, massing or appearance.
8. **Policy EN30** requires development in Conservation Areas to preserve or enhance their special character and appearance.

Local Development Framework - Development Control Policies 2007

9. **Policy CH4** states planning permission will not be granted for development which would adversely affect the curtilage or wider setting of a listed building.
10. **Policy CH5** states planning applications for development proposals (including Conservation Area, Consents for Demolitions) in or affecting Conservation Areas will be determined in accordance with legislative provisions, national policy, (currently in PPG15) and guidance contained in specific Conservation Area Appraisals (where they exist) and the District Design Guide.

Consultations

A. Planning Application (S/0880/07/F)

11. **Over Parish Council** objects:

“The Parish Council are concerned that this proposal did not appear in the original application, this pumping station is significantly different from that outlined in the approved application. The size has increased dramatically and seems unnecessarily large for the size of the approved development.”

12. **The Local Highway Authority** states no significant adverse effects on the public highway should result from the proposal. An informative concerning works to the public highway is proposed.

13. **The Environment Agency** has assessed the application as having a low environmental risk. The apparatus must be designed, constructed and adopted in accordance with Anglian Water’s requirements.

14. **Anglian Water** has no comment. An informative is requested.

15. **The Environmental Health Officer** requests more information on noise and vibration from the pump. This has been supplied and a verbal report will be made.

16. **The Conservation Manager** states the proposal will have minimal impact to the scheme approved at appeal.

B. Conservation Area Consent Application (S/0881/07/CAC)

17. **Over Parish Council** objects:

“The Parish Council is concerned that this proposal did not appear in the original application. The pumping station seems unnecessarily large for the size of the approved development.”

Representations

18. No representations have been received on either application.

Planning Comments – Key Issues

19. The key issues are firstly, the impact of the proposed pumping station compound and its access on the Conservation Area and the adjacent listed building, 13 High Street; and secondly whether the outbuilding to be demolished is of any architectural or historical merit.

20. The proposed compound will be enclosed by a 1.8m timber fence and gates, and will be set back from the new estate road yet to be constructed by 6.5-7m, allowing space for new landscaping. The degree of set back is a major advantage over the previously approved siting, which had a walled enclosure close to the roadway. Because the proposed access driveway into the compound will only be in occasional use, a “grasscrete” surface is proposed to enhance the landscaped frontage. Therefore, the proposal will not detract from the character of the Conservation Area; nor will it adversely affect the setting of the listed building or its curtilage, the site being largely screened by a tree in its garden.

21. The outbuilding to be demolished is of relatively modern construction and of no architectural or historic merit. Its removal will enhance the Conservation Area. The traditional barn adjoining is to be retained.
22. The Parish Council's objection is to the size of the proposed compound compared to that previously approved (153sqm of 50sqm). This is partly to meet the requirements of Anglian Water and to give sufficient clearance to the house proposed on Plot 1. The increased size is offset by the opportunity that has been taken to demolish an unattractive outbuilding, set the compound back and landscape the frontage, resulting in an overall improvement to the street scene and the Conservation Area generally.

Recommendation

23. A. S/0880/07/F - Approval.

Conditions

1. Standard Condition A Time Limit (Reason - A)
2. Sc51 Landscaping (Rc51)
3. Sc52 Implementation of Landscaping (Rc52)

Informatives

1. The Local Highway Authority has commented that granting planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.
2. Anglian Water has commented that the Applicant must submit a Section 106 application for consideration. Should a connection to the public foul sewer be desired including proposed pump rates for consideration on capacity. A Section 104 application would need to be submitted for consideration in accordance with Sewers for Adoption should an adoptable system be considered.

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **South Cambridgeshire Local Development Framework (LDF) Control Policies 2007**
CH4 (Development within the Curtilage or Setting of a Listed Building)
CH5 (Conservation Areas)
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
P7/6 (Historic Built Environment)
 - **South Cambridgeshire Local Plan 2004:**
EN28 (Development within the Curtilage or Setting of a Listed Building)
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 on the character of the Conservation Area
- Impact on the setting of 13 High Street, a listed building

24. B. S/0881/07/CAC - Approval.

1. The works to which this consent relate shall be started not later than the expiration of 3 years beginning with the date of this decision notice.
(Reason - To ensure that consideration of any future application for works will not be prejudiced by Conservation Area consents which have not been acted upon.)

Informatives

1. Reason for Approval

In this case the demolition is considered to be justified as the existing building makes little or no positive contribution to the locality and the detailed plans to redevelop the site propose a scheme of greater interest than the existing structure, in keeping with the character of the village and thereby enhancing the area.

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

- South Cambridgeshire Local Development Framework (LDF) Development Control Policies 2007
- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Files Ref: S/0880/07/F, S/0881/07/CAC and S/1114/06/F
- Documents referred to in the report including appendices on the website only and reports to previous meetings

Contact Officers: Bob Morgan - Majors Champion
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee
1st August 2007
AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/1049/07/RM - WILLINGHAM

Erection of 6 houses and conversion of storage building into 2 flats following demolition of existing dwelling at 1 High Street for Chesterton Enterprise Developments

Recommendation: Approval

Date for Determination: 24th July 2007

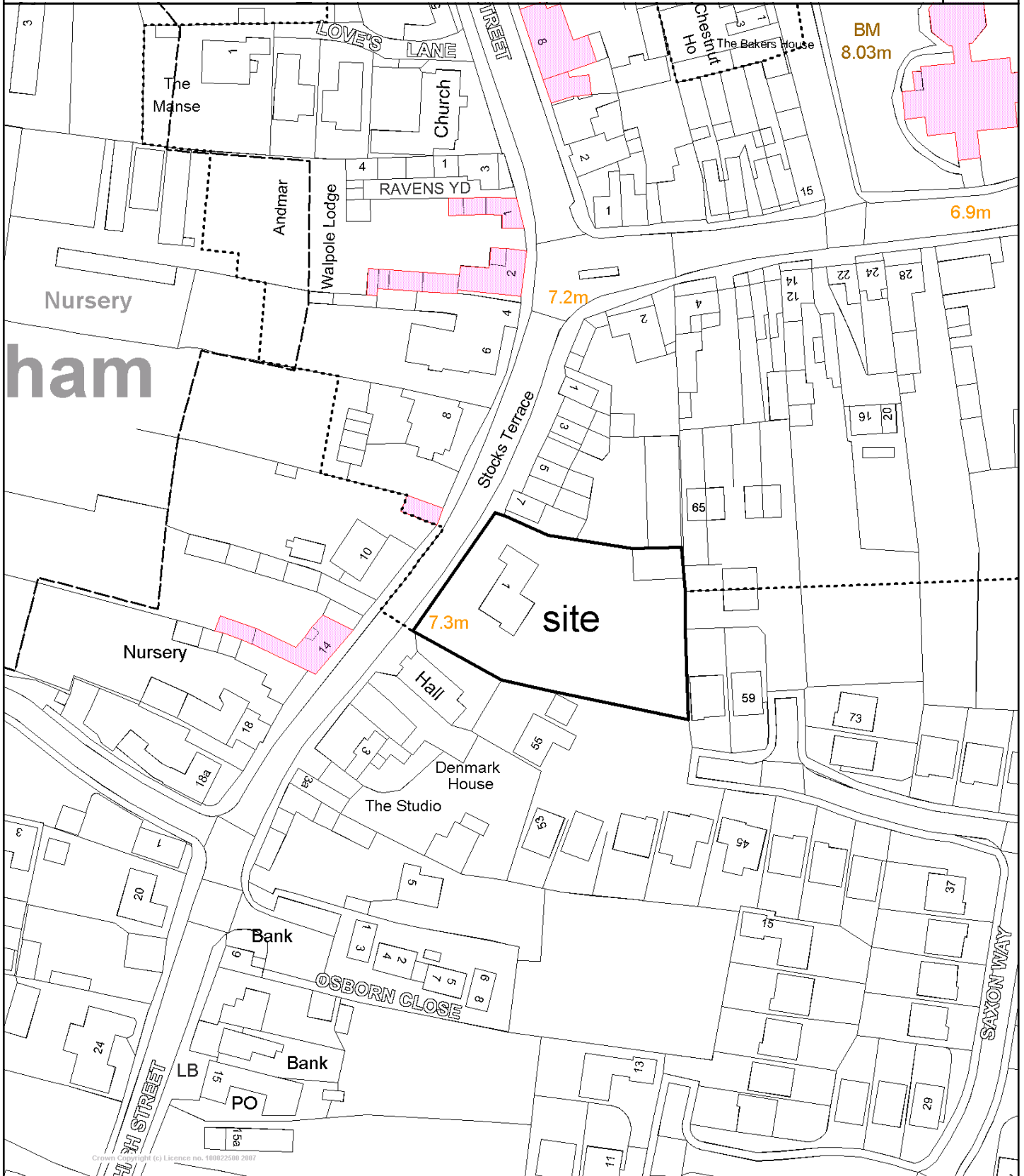
This Application has been reported to the Planning Committee for determination because the Parish Council objection does not accord with the Officer recommendation.

Conservation Area

Site and Proposal

- 1 This 0.20ha (0.50 acres) site occupies a central position in the village, fronting High Street. The site contains a modern two-storey house and a two-storey height outbuilding ('Apple Store'). A number of conifers have recently been felled opening up the site.
- 2 The frontage is marked by a 1.4m high wall with small conifers and shrubs behind. To the north, the side adjoins a terrace of modern dwellings (Stocks Terrace) fronting High Street. To the south, the site is adjoined by a hall with small car park to the rear, and a dwelling on Saxon Way. To the east, the site backs on to rear gardens of dwellings in Saxon Way.
- 3 The Reserved Matters application, received 29th May 2007, proposes to address the detailed matters of siting, design and external appearance. The access was approved at the Outline stage under planning reference **S/0247/06/O**.
- 4 The proposal is for three 2½ storey detached houses to the front of the site with a ridge height of approximately 9.1m and an eaves of 6.5m, a row of three 2½ storey terraced dwellings to the rear with a ridge height of approximately 8.5m and an eaves of 5m, and the conversion of the existing outbuilding to 2 flats.
5. The dwellings comprise two 2 bedroom flats, one 3 bedroom dwelling and four 4 bedroom dwellings.
6. Fourteen car parking spaces are to be provided within the site including those in garages and carports.
7. The proposal is for market dwellings only.
8. The development represents a density of 40 dwellings per hectare.

S/1049/07



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Scale 1/1250 Date 17/7/2007

Centre = 540371 E 270386 N

August 2007

Planning History

9. An earlier application for the erection of 7 houses and the conversion of the storage building to 2 flats was withdrawn by the applicant on 23rd December 2005, prior to determination. The agent agreed to take account of concerns raised by adjoining residents (Planning Reference **S/2147/05/O**).
10. Outline planning permission, ref. **S/0247/06/O**, was granted in July 2006 for the erection of 6 houses and conversion of outbuilding to 2 flats. The access was approved but all other matters reserved. An indicative layout showed a development similar to that now applied for.
11. In February 2007 a Full application was submitted for the erection of 6 houses and 2 flats following the demolition of the existing house and storage buildings. The application was withdrawn in April 2007 following the concern of officers that the layout was poor and would have too great an impact on the amenity of occupiers of existing properties surrounding the site.

Planning Policy

Cambridgeshire and Peterborough Structure Plan 2003

12. **Policy P1/3** (Sustainable Design in Built Development) of the Cambridgeshire and Peterborough Structure Plan 2003 requires compact forms of development through the promotion of higher densities that responds to the local character of the built environment. A high standard of design and sustainability for all new development will be required which provides a sense of place and which responds to the local character of the built environment
13. **Policy P5/5** (Homes in Rural Areas) – small scale housing developments will be permitted in villages only where appropriate, taking into account the need for affordable rural housing, the character of the village and its setting, and the level of jobs, services, infrastructure and passenger transport provision in the immediate area.
14. **Policy P7/6** (Historic Built Environment) Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.

South Cambridgeshire Local Plan 2004

15. **CS10** (Education) where planning permission is granted for 4 or more dwellings, financial contributions will be sought towards the provision of local education facilities.

South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007

16. **Policy HG/2** – (Housing Mix)
“Residential developments will contain a mix of units providing accommodation in a range of types, sizes and affordability, to meet local needs.

1. In developments of up to 10 dwellings, market properties should provide:

- a. At least 40% of homes with 1 or 2 bedrooms; and

- b. Approximately 25% of homes with 3 bedrooms; and
- c. Approximately 25% of homes with 4 or more bedrooms;

unless it can be demonstrated that the local circumstances of the particular settlement or location suggest a different mix would better meet local needs.”

17. **Policy TR/1** (Planning for more Sustainable Travel) states (in part):
“In considering planning applications the Council will seek to ensure that every opportunity is taken to increase integration of travel modes and accessibility to non-motorised modes by appropriate measures including: (amongst others)
- Minimising the amount of car parking provision in new developments, compatible with their location, by encouraging shared use parking (where appropriate) and restricting car parking to the maximum levels;
18. **Policy CH/5** (Conservation Areas)
“Planning applications for development proposals (including applications for Conservation Area Consent for demolitions) in or affecting Conservation Areas will be determined in accordance with legislative provisions and national policy (currently in PPG15) and guidance contained in specific Conservation Area Appraisals (where they exist) and the District Design Guide.”

Consultation

19. **Willingham Parish Council** – recommends refusal. It states:
- a. “Overdevelopment of the site;
 - b. Increase of traffic on to an already congested street;
 - c. Proximity of the exit to a pedestrian crossing;
 - d. Proximity to a busy junction (with Church Street).”
20. **Police Architectural Liaison Officer states:**
“I would recommend that gates 1.8m high are provided for the rear driveways for plots 1 & 2, together with a 1.8m high pedestrian gate to the rear of the garage but in front of the bin store area for plot 3, as close as possible to the south corner of the garage, to deter unauthorised or criminal access to the rear of these dwellings. There should also be a 1.8m high fence with a similar height gate extending from the front elevation of plot 3 to the existing 1.8m high wall along the southern site boundary.
21. The private drive should be provided with lighting by means of column mounted white down lighters to BS 5489: 1996 Code of practice for outdoor lighting. To provide adequate lighting thought should be given to placing columns on the outside of the bend opposite the rear garden wall of plot 1 and outside plot 8 in line with the front elevation of the garage for plot 3.”
22. **Cambridgeshire County Council Senior Archaeologist**
Advise that further works are required at this site – to be undertaken in advance of development. Recommends that this condition be carried forward to any consent awarded to the Reserved Matters application in order to secure the works.

23. **Cambridgeshire County Council Chief Financial Planning Officer**
Comments are awaited. However, comments in relation to the recently withdrawn application for the same number of dwellings required an education and community facilities financial contribution of £19, 250.
24. **Old West Internal Drainage Board**
Provided soakaways are used to accommodate all run-off from the site the Board's surface water receiving system will not be affected.
25. **Cambridgeshire Fire and Rescue Service**
Additional water supplies for firefighting are not required. Access and facilities for the Fire Service should be provided in accordance with the Building Regulations Approved Document B5, Section 17.
26. **Chief Environmental Health Officer**
No objections subject to a condition to restrict the use of power operated machinery during the period of demolition and construction and informatives to address pile driven foundations, bonfires and burning of waste and the requirement for a demolition notice.
- Council's Conservation Officer**
27. "The details contained in this reserved matters application broadly follow those set out in the original outline approval and have taken on board comments made at a pre-app meeting with the agent. The design of the dwellings at the front take their queues from the early Victorian 3 storey parapet walled dwelling opposite and, while they are higher than the adjacent dwellings forming Stocks Terrace, they are lower than the elaborate Victorian Hall structure immediately to the south of the site. The dwellings to the rear of the site are subservient to those at the front, and form a mews court, which is an appropriate model.
28. One concern I have is over the height and design of the boundary fences to the front gardens on plots 1-3. I would prefer to see these boundaries formed in 900mm high picket fencing with planting. Close boarding is not appropriate in such a prominent location.
29. No objection. In the event that the scheme is approved, I would request that the following conditions are added:
 - a. Samples of all external materials to be agreed before construction commences. Plots 1, 2 and 3 to be in Flemish Bond brickwork (using snapped headers as necessary);
 - b. Lintel to garage door on plot 3 to be agreed (I would suggest it is faced in timber set flush with the face of the brickwork);
 - c. All rooflights to be conservation type;
 - c. Large scale details (minimum 1:10) to be agreed for head cill and jambs of sash windows and dormer windows to plots 1-3;
 - e. Coping brick to new front wall to be half round type (sample to be agreed)."
- Local Highways Authority**
30. "All the details shown on the submitted drawings are acceptable to the Highway Authority and therefore, the proposal should have no significant adverse effect upon the Public Highway."

Representations

31. One letter of objection has been received from the occupiers of 67 Saxon Way.
32. The points of objection are summarised below:
 - a. Overdevelopment of this garden site
 - b. No permission will be granted for any contractors or buildings connected with 1 High Street to cross the writer's land to access the storage buildings.

Planning Comments – Key Issues

33. The key issues to consider in the determination of this application are:
 - a. Impact upon the character and appearance of the Conservation Area;
 - b. Impact upon the visual quality of the street scene
 - c. Impact upon residential amenity;
 - d. Housing mix.

Impact on Conservation Area and Street Scene

34. The comments of the Council's Conservation Officer are noted. The existing dwelling on site is of no architectural merit and does not enhance the street scene. The scheme has been the subject of pre-application discussions and I believe it will preserve the character and appearance of the Conservation Area.
35. The Conservation Officer is concerned about the boundary treatment at the front of the site. I share these concerns and feel this detail should be specifically excluded from the consent if Members are minded to approve. A boundary treatment condition was imposed on the outline planning permission and has to be complied with.
36. Other conditions recommended by the Conservation Officer would be appropriate to impose.

Impact on residential amenity

37. Following a withdrawn application the scheme has been amended to scale down the row of terrace properties to the rear of the site and move them further away from the back boundary of with No. 57 Saxon Way. The fenestration detail has also been amended such that the impact of the dwellings on these plots 6-8 on the nearest dwellings, particularly Nos. 57, 61 and 63 Saxon Way is acceptable.
38. An existing 1.8m high wall will separate the access from No. 7 Stocks Terrace and the access moves away from this boundary at the end of this wall. The occupiers of this property will not therefore suffer undue noise and disturbance through the use of the access or the proposed turning area.
39. Plot 8 lies close to the boundary of No. 55 Saxon Way but to the north. This property has a double garage close to the boundary and is angled away. The impact will, in my opinion, be acceptable.

40. Plot 4 shows a bedroom window that will directly overlook the rear of No. 63 Saxon Way and its garden. This would have to be obscure glazed and hung such that no overlooking could occur. This can be controlled by condition.
41. The rear elevation of plots 6-8 show all windows above ground floor to be either high level or obscure glazed with the exception of a single window in plot 8 that is positioned such that any overlooking is blocked by the mass of the building. Conditions would need to ensure that there is no overlooking of the existing dwellings that lie to the east of the site, particularly Nos. 57, 61 and 63 Saxon Way.
42. There are no windows in the side of plot 8 that would overlook the garden to No. 55 Saxon Way and similarly none in the side of plot 1 that would overlook the side and garden of no. 7 Stocks Terrace. Conditions can ensure this situation remains in perpetuity.
43. The back-to-back distance between plot 3 and No. 55 Saxon Way is approximately 22m. The oblique angle and existing vegetation render this acceptable in my view.

Housing mix

44. The mix does not accord with the newly adopted Policy HG/2 referred to above but the proposal has been negotiated for some time now and would have accorded (but for the lack of 1 bed properties) with the previous Local Plan 2004 Policy HG10. On balance I do not consider the mix to be unacceptable particularly as it is providing two small 2-bed flats as part of the scheme.

Archaeology

45. I note that the County Senior Archaeologist is requesting a condition to require a scheme of works prior to development commencing. However, there is already a condition on the Outline Planning Permission requiring a scheme of archaeological works. To repeat it at this Reserved Matters stage is unnecessary as the condition remains in force. A reminder through an informative should suffice.

Car Parking

46. The scheme accords with the Council's maximum car parking standards.

Affordable Housing

47. Since permission for 8 market dwellings on the site remains extant there is no requirement to provide affordable housing.

Education Contribution

48. This is required by virtue of condition 19 of the outline planning permission.

Recommendation

49. Approval of reserved matters of siting, design and external appearance subject to conditions referred to above, and to other safeguarding conditions, all in accordance with the outline planning permission reference S/0247/06/0 dated 7 July 2006.

Informatives

1. This permission should be read with Outline Planning Permission ref. **S/0247/06/O**. All conditions contained within that permission should be complied with.
2. The requirement for a scheme of archaeology works contained within the Outline Planning Permission should be discussed with the Cambridgeshire County Council Senior Archaeologist prior to any development commencing.

3. Should driven pile foundations be proposed, then before development commences, a statement of the method for construction of these foundations shall be submitted to and agreed by the District Environmental Health Officer. This is necessary in order to safeguard the amenity of the occupiers of nearby dwellings from disturbance from noise and vibration during the construction period.
4. Before the existing buildings are demolished, a Demolition Notice will be required from the Council's Environmental Health Section, in order to establish the means by which the demolition will take place including the removal of any asbestos present, the removal of waste, minimisation of dust, capping of drains, and establishing hours of working operation, so as to ensure the protection of the residential environment of the area.
5. During construction there shall be no bonfires or burning of waste on the site except with the prior permission of the District Council's Environmental Health Officer in accordance with best practice and existing waste management legislation.
6. The applicant is reminded of the need for an education contribution, required by Condition 19 of the above-mentioned outline planning permission.

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
P1/3 (Sustainable design in built development)
P5/5 (Homes in Rural Areas)
P7/6 (Historic Built Environment)
 - **South Cambridgeshire Local Plan 2004:**
CS10 (Education),
 - **South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007:**
HG/2 (Housing mix)
TR/1 (Planning for more sustainable travel)
CH/5 (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
 - Highway safety
 - Visual impact on the locality
 - Impact upon setting of adjacent Conservation Area
 - Infrastructure

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

- South Cambridgeshire Local Plan 2004

- South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning files Ref. S/0247/06/O, S/2147/05/O, S/0310/07/F and S/1049/07/RM.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee1st August 2007**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/1034/07/F - COMBERTON**Extension and Raising the Roof Line at Foxes Bridge Farm, Royston Lane for Mr & Mrs S Tebbit****Recommendation: Refusal****Date for Determination: 24th July 2007****Notes:**

This Application has been reported to the Planning Committee for determination as recommended by the Local Councillor.

Members will visit this site on 30th July 2007.

Site and Proposal

1. Foxes Bridge Farm is located to the eastern side of Royston Lane, accessed by its own road to the farmhouse, and associated farm buildings. There is also a day care childrens nursery and seasonal student accommodation within converted farm buildings.
2. The application site forms the curtilage to the farmhouse. The dwelling is a two-storey detached property, currently hosting four bedrooms. Its main garden area is to the south, which leads onto open paddock land beyond. To the north of the dwelling is a small courtyard, beyond which is an office and garage, linked to the educational aspect of the site. To the east are agricultural buildings.
3. The north element of the dwelling has a small facing gable to create headroom for one of the bedrooms. The rest of the north elevation has a low ceiling height, meaning the large landing area can only be practically used as a storage area. The dwelling has been previously extended in the past (see site history).
4. The full application, registered on 29th May 2007, is for a two-storey extension to the southern elevation to create a family room and an additional bedroom to be used by a helper for the daughter of the applicant, who has been diagnosed with cerebral palsy and epilepsy. The extension would measure 3.3m by 4.9m, with a height of 6.2m to the ridge. The application also seeks to raise the roofline of the property. The west to east ridge of the roof would be raised from 5.9m to 6.7m. A new gable would also be created to the north elevation, creating no new floor space but allowing increased headroom in the family bathroom. A new front entrance would also form part of the scheme.

S/1034/07/F



Drain

site

Fox's Bridge Farm

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Scale 1/1250 Date 17/7/2007

Centre = 538511 E 255187 N

August 2007

Planning History

5. **S/1056/90/F, S/0488/92/F and S/1131/92/F** – all applications for two-storey side extension to the dwelling, with extension to north elevation. The different applications appear to represent minor changes in design, and one of the schemes was implemented on the site.
6. The site has various other previous applications, none of which relate to the farmhouse itself.

Planning Policy

7. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 ('the County Structure Plan') states development will be restricted in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.
8. **Policy P1/3** of the County Structure Plan requires a high standard of design and sustainability for all new development and which provides a sense of place which responds to the local character of the built environment. This policy is supported by **Policy DP/2** of the Emerging Local Development Framework Development Control Policies, Submission Draft 2006 (LDF).
9. **Policy P9/2a** of the County Structure Plan declares that within the Green Belt, new development will be limited to that required for agriculture and forestry, outdoor sport, cemeteries, or other uses appropriate to a rural area. This is supported by **Policy GB2** of the South Cambridgeshire Local Plan 2004 (Local Plan) that states planning permission will not be granted for inappropriate development in the Green Belt unless very special circumstances can be demonstrated. These policies are supported by **Policy GB/1** of the LDF, which states there is a presumption against inappropriate development in the Cambridge Green Belt, and **Policy GB/2** of the LDF, which states any development considered appropriate within the Green Belt must be located and designed so that it does not have an adverse effect on the rural character and openness of the Green Belt.
10. **Policy HG13** of the Local Plan allows extensions to dwellings outside of village frameworks to be permitted where the proposed extension is in scale and character with the existing dwelling, would not exceed the height of the original dwelling, would not materially change the impact of the dwelling on its surroundings, and where the extension does not lead to a 50% increase or more in volume or gross internal floor area of the original dwelling. This Policy is echoed by **Policy HG/6** of the LDF. This policy adds that in exceptional circumstances, material considerations may justify an exception to changes in height and 50% increases.

Consultation

11. **Comberton Parish Council** – recommends approval and notes the application would improve the appearance of this house in the Green Belt.

Representations

12. **Cllr Harangozo** – Requested application to go to Committee with a site visit. Also passes on an invitation for the Committee Members to look inside the dwelling to see the current limitations of the current size of the property.

Planning Comments – Key Issues

13. The key issue regarding the proposal is whether the proposal is inappropriate development within the Green Belt and if so, whether there are any very special circumstances sufficient to overcome the presumption against such development.
14. Policy GB2 of the Local Plan lists developments that are inappropriate within Green Belts. Extensions and alterations to dwellings are appropriate, provided that the criteria in policy HG13 are met and that the overall impact of the extension does not result in the dwelling having a materially greater impact on the openness of the Green Belt. As explained, policy HG13 states extensions to dwellings in the countryside will be permitted where the extension does not lead to 50% increase or more in volume or gross internal floor area of the original dwelling.
15. The dwelling has currently been extended by 120% of gross floor area (gross internal floor area and volume cannot be calculated accurately due to the poor quality of the original plans of the dwelling). The proposed extension would increase this to a 149% increase in gross floor area. Such an increase therefore is contrary to Policy HG13. This is also the case with criteria 2, which seeks extensions to not exceed the height of the original dwelling. The ridge height increases from 5.9m to 6.7m, and therefore this element is again contrary to HG13.
16. As a result, the proposal is defined as inappropriate development within the Green Belt as stated Local Plan Policy GB2. Such development is by definition harmful to the Green Belt in that it does not meet the criteria set out in these policies. Although the property has been previously extended, the principles of Green Belt policy and the need to maintain openness still apply to the site. Further development on the site would lead to a harmful erosion of the Green Belt and a further encroachment into the surrounding countryside. This therefore contradicts the purposes of the Green Belt.
17. The applicant has supplied a justification statement in order to overcome Green Belt policy, therefore attempting to provide very special circumstances for the development. A letter from Great Ormond Street Hospital for Children has been provided detailing the medical problems of cerebral palsy and epilepsy suffered by four year old Hattie. The additional bedroom would be available for a carer to stay on site. There is a need for the carer to be in the dwelling during periods where both parents are working full-time on the adjacent farm, in order to provide a quick response to any medical emergency that may affect Hattie.
18. Whilst I am very sympathetic to the individual circumstances of the applicant, it is not considered enough to outweigh the harm to the Green Belt. I therefore conclude that there are no very special circumstances in this case, and that the proposal is by definition inappropriate within the Green Belt.

Recommendation

19. Refusal

Foxes Bridge Farm lies outside the Comberton village framework, and within the Cambridge Green Belt. The original farmhouse has been extended previously by approximately 120%. The proposed extension would add a further 31 square metres of floor space, meaning the original dwelling would be extended by 149% of total floor area. The height of the dwelling would also increase, with the main west to east roof ridge being increased from 5.9m to 6.7m. As a result, the proposal is classified as

inappropriate development within the Green Belt. The proposal would result in a material increase in the impact of the dwelling upon its surroundings, resulting in a loss of openness to the Green Belt. Although the Council is sympathetic with the applicants situation, the special circumstances given do not justify this harm.

The application is therefore contrary to Policy P9/2a of the Cambridgeshire and Peterborough Structure Plan 2003, which states new development in the Green Belt will be restricted to those appropriate to a rural area, Policy GB2 of the South Cambridgeshire Local Plan 2004, which defines the proposal as inappropriate and seeks very special circumstances to be demonstrated if this is the case, and Policy GB/1 of the Emerging Local Development Framework Development Control Policies, Submission Draft 2006, which defines the proposal as inappropriate development. The scheme is also contrary to Policy HG13 of the Local Plan and Policy HG/6 of the LDF, which both state extensions to dwellings in the countryside will only be permitted where the extension does not exceed the height of the original dwelling, and the extension does not lead to a 50% increase or more in volume or gross internal floor area of the original dwelling.

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

- Emerging Local Development Framework Development Control Policies, Submission Draft 2006
- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Ref: S/1034/07/F & S/1056/90/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee1st August 2007**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0925/07/F – CASTLE CAMPS**Dwelling, Land Rear of The Bays, Haverhill Road, for Mr K O'Malley****Recommendation: Approval****Date for Determination: 10th July 2007**

This Application has been reported to the Planning Committee for determination because the recommendation of the Parish Council does not accord with the officer recommendation.

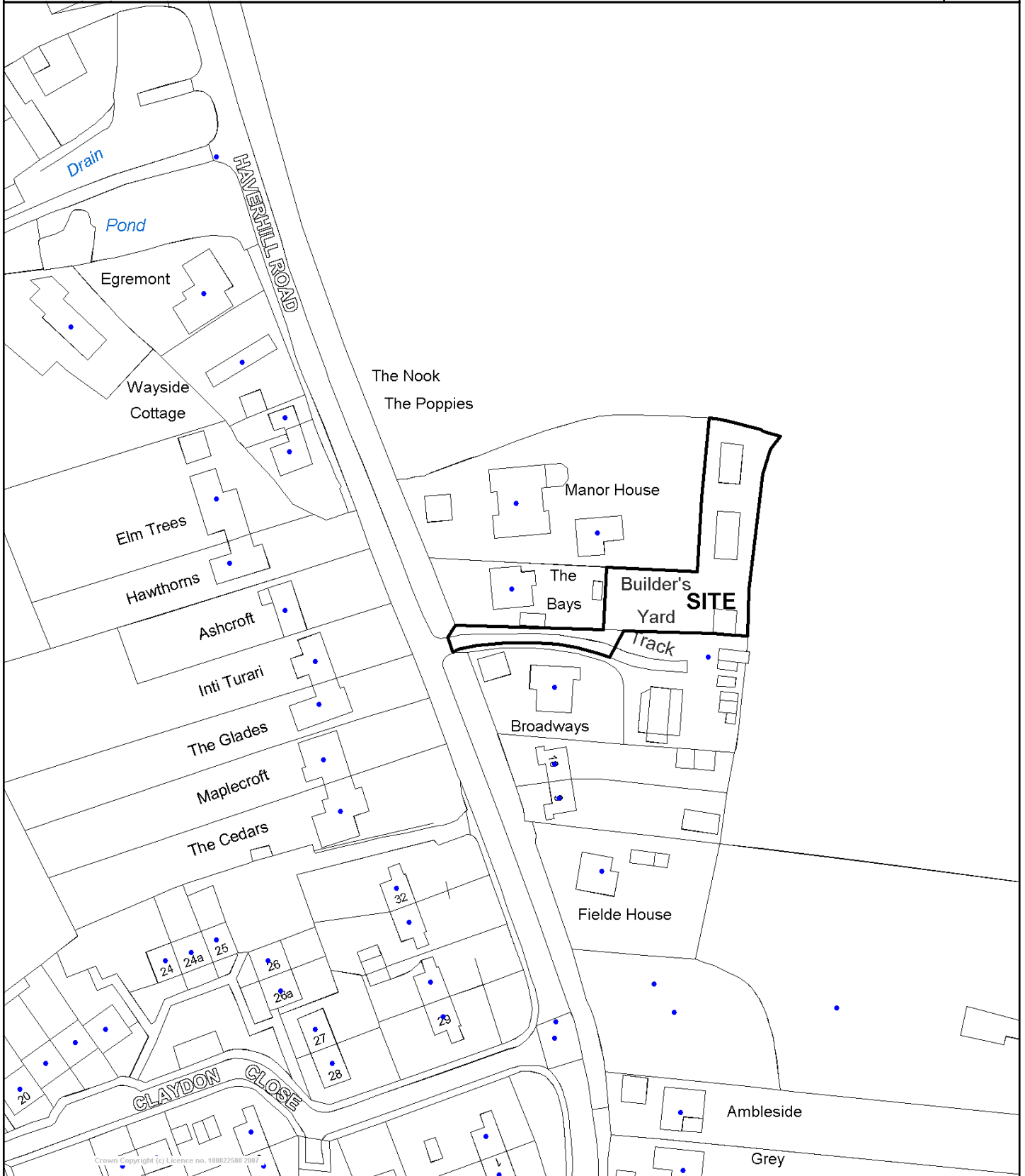
Site and Proposal

1. The application site, with an area of 0.13ha, is located on the northern fringe of the village. The site is a builders yard at present, with a number of single-storey storage buildings. To the north and east the site adjoins open agricultural land. To the west, the site adjoins the rear boundaries of dwellings at Manor House (the applicant's residence) and The Bays. Vehicular access is gained from an existing gated track onto Haverhill Road that runs between The Bays to the north and Broadways to the south, with screen brick walls on both boundaries. There are views of the site at the northern approach to the village from Haverhill Road.
2. The full application, dated 1st May 2007, proposes the demolition of existing buildings on the site and the erection of 4-bedroomed detached house with linked garage, to be sited on the southern part of the site adjacent to the driveway. The main house has been designed to have the appearance of a converted weather boarded barn. First floor windows have been sited low in the roof on the exposed eastern elevation. The ridge height of the main house is to be 7.0m. The boundary with the fields will be planted with native-species hedging. Existing trees are to be retained and additional trees planted.
3. External materials include black tarred boarding on the main house and on part of the garage, and Cambridge stock bricks on the remainder to match adjoining properties. Roofs are to be natural Welsh slate on the main house and kitchen wing, and handmade clay tiles on the garage. The density of development is 7.7 dwellings per hectare.

Planning History

4. Two previous applications to erect a dwelling of this site have been submitted. The first, **S/2316/05/F**, proposed a dwelling with a height of 8.7m and included an area of the adjoining field 90m x 30m to be incorporated into the garden. The application was refused on 27th January 2006 as being out of scale with adjoining development and prominent on this sensitive edge-of-village location. A second reason referred to the harm to the appearance of the countryside of the additional garden land. The second

S/0925/07/F - Castle Camps



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Scale 1/1250 Date 23/7/2007

Centre = 563354 E 243746 N

Planning Committee - August

application, which related to the same area as the current application i.e. with no garden extension, was withdrawn prior to determination because of concerns raised by the Parish Council and officers about the design and 8.2m ridge height of the proposed development (**S/0143/07/F**).

5. An Established Use Certificate was granted for the builder's yard use in 1977 (**S/1265/77/EU**).

Planning Policy

South Cambridgeshire Local Development Framework (LDF) Core Strategy, (2007)

6. **ST/6 (Group Villages)**
Residential development and redevelopment up to an indicative maximum scheme size of 8 dwellings will be permitted within the village frameworks of Group Villages, as defined on the Proposals Map.

LDF Development Control Policies (2007)

7. **DP/2 (Design of New Development)**
 1. All new development must be of high quality design and, as appropriate to the scale and nature of the development, should:
 - a. Preserve or enhance the character of the local area;
 - b. Conserve or enhance important environmental assets of the site;
 - c. Include variety and interest within a coherent design, which is legible and provides a sense of place whilst also responding to the local context and respecting local distinctiveness;
 - d. Achieve a legible development, which includes streets, squares and other public spaces with a defined sense of enclosure and interesting vistas, skylines, focal points and landmarks, with good interrelationship between buildings, routes and spaces both within the development and with the surrounding area;
 - e. Achieve a permeable development for all sectors of the community and all modes of transport, including links to existing footways, cycleways, bridleways, rights of way, green spaces and roads;
 - f. Be compatible with its location and appropriate in terms of scale, mass, form, siting, design, proportion, materials, texture and colour in relation to the surrounding area;
 - g. In the case of residential development, provide higher residential densities, and a mix of housing types including smaller homes;
 - h. Provide high quality public spaces;

- i. Provide an inclusive environment that is created for people, that is and feels safe, and that has a strong community focus;
- j. Include high quality landscaping compatible with the scale and character of the development and its surroundings.

8. **DP/3** (Development Criteria)

Planning permission will not be granted where the proposed development would have an unacceptable adverse impact:

- a. On residential amenity;
- b. From traffic generated;
- c. On village character;
- d. On the countryside, and landscape character;
- e. From undue environmental disturbance such as noise, lighting, vibration, odour, noxious emissions or dust;
- f. On ecological, wildlife and archaeological interests;
- g. On flooding and flood risk;
- h. On the best and most versatile agricultural land;
- i. On quality of ground or surface water;
- j. On recreation or other community facilities.

9. **DP/7** (Development Frameworks)

- 1. Outside urban and village frameworks, only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted.
- 2. Development and redevelopment of unallocated land and buildings within development frameworks will be permitted provided that:
 - a. Retention of the site in its present state does not form an essential part of the local character; and
 - b. Development would be sensitive to the character of the location, local features of landscape, ecological or historic importance, and the amenities of neighbours; and
 - c. There is the necessary infrastructure capacity to support the development; and

- d. Development would not result in the loss of local employment, or a local service or facility, protected by Policies ET/6: Loss of Rural Employment to Non-Employment Uses: SF/1: Protection of Village Services and Facilities and SF/9: Protection of Existing Recreation Areas.

10. **HG/1 (Housing Density)**

Residential developments will make best use of the site by achieving average net densities of at least 30 dwellings per hectare unless there are exceptional local circumstances that require a different treatment.

11. **ET/6 (Loss of Rural Employment to Non-Employment Uses)**

1. The conversion, change of use or re-development of existing employment sites to non-employment uses within village frameworks should be resisted unless one of the following criteria is met:
 - a. It is demonstrated that the site is inappropriate for any employment use to continue having regard to market demand. Applications will need to be accompanied by documentary evidence that the site is not suitable or capable of being made suitable for continued employment use. Evidence would be required that the property has been adequately marketed for a period of not less than twelve months on terms that reflect the lawful use and condition of the premises; or
 - b. The overall benefit to the community of the proposal outweighs any adverse effect on employment opportunities and the range of available employment land and premises; or
 - c. The existing use is generating environmental problems such as noise, pollution, or unacceptable levels of traffic and any alternative employment use would continue to generate similar environmental problems.

12. **NE/4 (Landscape Character Areas)**

Development will only be permitted where it respects and retains or enhances the local character and distinctiveness of the individual Landscape Character Area in which is it located.

Cambridgeshire and Peterborough Structure Plan 2003

13. **P1/1 (Approach to Development)** – development sites involving the use of previously developed land and buildings within existing settlements should be afforded the highest priority.
14. **P1/3 (Sustainable Design in Built Development)** requires compact forms of development through the promotion of higher densities that responds to the local character of the built environment.

Consultations

15. **Castle Camps Parish Council** – Recommendation of refusal, commenting that, “Back building should not be allowed. A previous application for this site (S/2316/05/F) was refused on several criteria. When there is so little development

land in the village, it is a pity that it is being used for such a large house when smaller, low cost housing is what is required. The design is not pleasing.”

16. **Environment Agency** – No objections. Recommendation of a condition for investigation of soil contamination

Representations

17. None received.

Planning Comments

Siting, scale and design

18. This site lies in a sensitive position of the fringe of the village, which can be viewed when approaching the settlement from the north. The height of the building has been reduced from earlier schemes, and is now no higher than dwellings that front Haverhill Road, and is lower than Manor House, for example. The roof has been kept simple in appearance on its open eastern elevation, and will be finished with good quality materials. The dwelling will be seen from across the fields to the north, but I consider that the combination of size and appearance of the building, and the opportunity to provide planting on the open boundaries, will be successful in protecting the setting of the countryside from visual harm. The proposal will conform with Policy NE/4.
19. The site lies in a backland position, but on previously developed land where there is a builders yard with an access. I consider that this siting will not harm the existing character of the area, and is in conformity with DP/2 (a) and (f).

Density

20. The developable area of the site is an awkward L-shape and is conspicuous from views to the north. In order to comply fully with Policy DP/1 four dwellings would be necessary. The development of four dwellings on this site would add considerably to noise and disturbance to occupiers of existing dwellings that have boundaries onto the site through use of the access, and would be more likely to cause visual harm to the setting of the village and the adjacent countryside. It is not clear that an acceptable layout could be achieved for this number of dwellings because of the awkward shape of the site. I consider that these factors amount to exceptional local circumstances and that the proposal conforms with Policy DP/1.

Loss of employment site

21. The use of the site as a builders yard has become inappropriate with the development of residential properties adjacent to it in recent times, because of the potential for noise disturbance. For this reason, I do not consider the loss of employment to be harmful in this case. The proposal conforms with Policy ET/6 (c).

Other matters

22. In other respects, including impact on neighbouring amenity and means of access to the highway, the proposal is considered to be satisfactory.

Recommendation

23. Approval of application dated 1st May 2007,

Conditions

1. Standard Condition A - Reason A
2. SC51 Landscaping - RC51
3. SC52 Implementation of landscaping - RC52
4. Prior to the commencement of development, an investigation of the site shall be undertaken to establish the nature and extent of any contamination and any remedial works to deal with contamination. This shall initially consist of a desktop study, which shall include details of the site history, development of a site conceptual model and a preliminary qualitative risk assessment. If any likelihood of contamination is indicated by the initial study, a further detailed site assessment shall be carried out which shall include intrusive investigations and which shall fully characterise the nature, extent and severity of contamination. Recommendations for a remediation strategy and post-remediation validation testing shall be included. Details of the site investigation and any necessary remediation strategy shall be submitted to and approved in writing by the Local Planning Authority before development commences. The approved remedial work shall be carried out before development commences. (Reason – To protect future occupiers of the hereby permitted building from possible contamination of the site)
5. SC5 (a) external materials - RC a)ii)

Informatives

As recommended by the Environment Agency.

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **South Cambridgeshire Local Development Framework (LDF) Core Strategy**, adopted January 2007
ST/6 (Group Villages)
 - **LDF Development Control Policies (2007)**
DP/2 (Design of New Development)
DP/3 (Development Criteria)
DP/7 (Development Frameworks)
HG/1 (Housing Density)
ET/6 (Loss of Rural Employment to Non-Employment Uses)
NE/4 (Landscape Character Areas)
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
P1/1 (Approach to Development)
P1/3 (Sustainable design in built development)
2. The proposal conditionally approved is not considered to be significantly detrimental to the following material considerations, which have been raised during the consultation exercise: **siting; design and appearance; density.**

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

- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- LDF Development Control Policies (2007)
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Files ref S/0925/07/F, S/2316/05/F, S/0143/07/F, S/1265/77/EU.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee1st August 2007**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/1082/07/F – CASTLE CAMPS**Alterations and Change of Use of The Forge to Ancillary Accommodation in Association with Forge Cottage at The Forge, Forge Cottage, High Street for Mr D. Croxson****Recommendation: Approval****Date for Determination: 3rd August 2007****Notes:**

This Application has been reported to the Planning Committee for determination because Castle Camps Parish Council recommends refusal of the application.

Conservation Area**Site and Proposal**

1. The Forge is a curtilage listed building that is situated adjacent the Village Green in the centre of Castle Camps, within the village framework. It is a detached, single-storey, black weatherboard and clay pantile structure that measures 54 square metres in area. It was previously used as a forge.
2. Forge Cottage is a detached, render and thatch, grade II listed dwelling that is situated to the west of The Forge. The Village Green lies to the north. The Cock Public House lies to the south.
3. The application, received on 8th June 2007 (as amended), proposes alterations and change of use of the building to ancillary accommodation in association with Forge Cottage. The only external alterations proposed are replacement windows. The internal structure and the existing brick forges will remain.

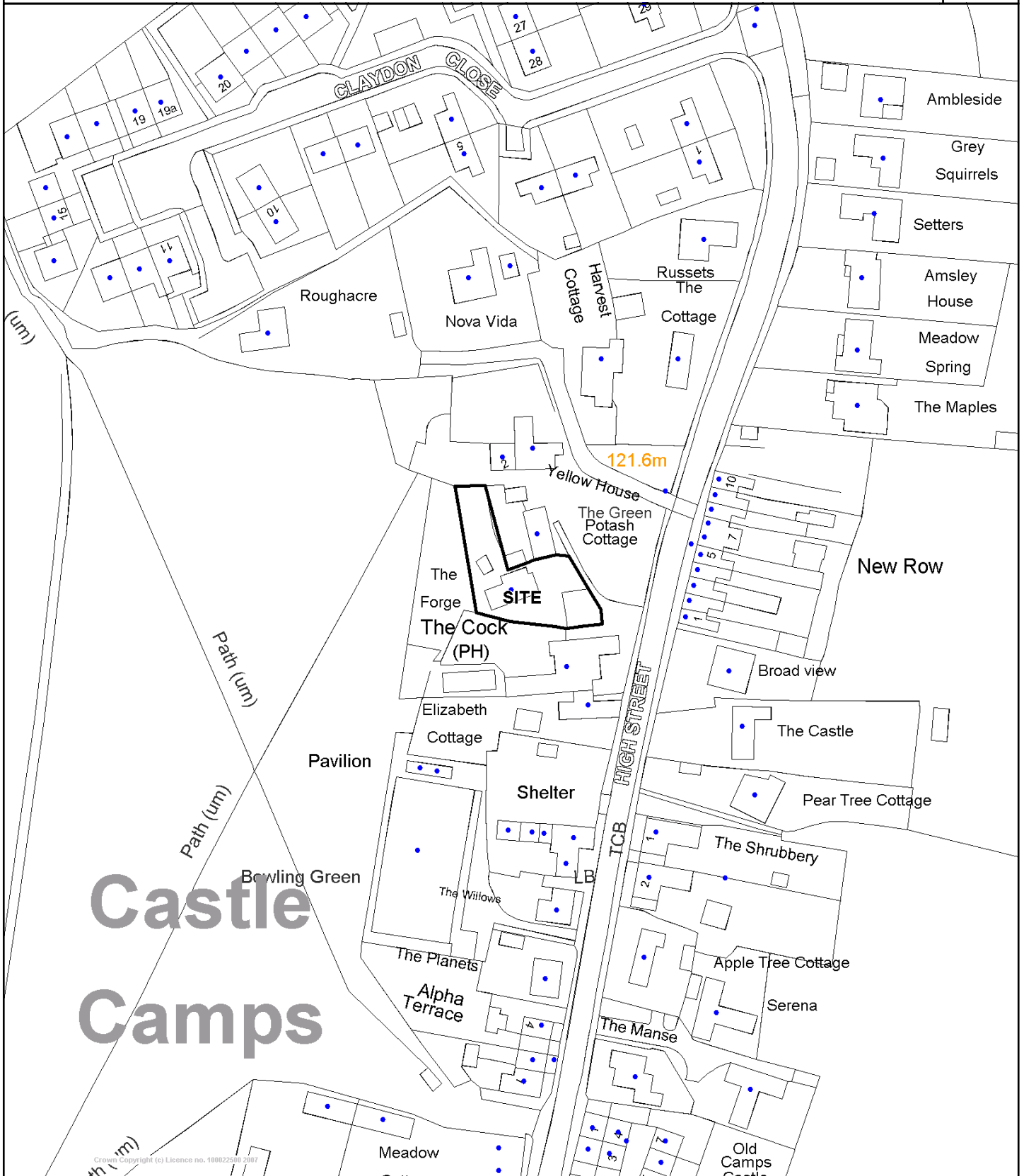
Planning History

4. Listed building consent was granted in 2002 for installation of a partition door to create a washroom, a removable timber floor and the provision of rainwater goods (reference **S/2272/02/LB**).
5. Listed building consent was granted in 2001 for replacement sole plate on part of front elevation, installation of physical damp proof course, removal of modern fireplace and opening up inglenook, and demolition of lean-to (reference **S/0654/01/LB**).

Planning Policy

6. Policy **P1/3** of the **Cambridgeshire and Peterborough Structure Plan 2003** and Policy **DP/2** of the **South Cambridgeshire Local Development Framework Draft**

S/1082/07/F - Castle Camps



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Development Control Policies 2007 seek to ensure that all new developments incorporate high standards of design that respond to the local character of the built environment.

7. Policy **P7/6** of the **Cambridgeshire and Peterborough Structure Plan 2003** seeks to protect and enhance the quality and distinctiveness of the historic built environment.
8. Policy **EN20** of the **South Cambridgeshire Local Plan 2004** and Policy **CH/3** of the **South Cambridgeshire Local Development Framework Draft Development Control Policies 2007** seek to resist developments that would dominate or detract from the listed building in scale, form, massing or appearance, or would result in the loss of building fabric of architectural or historic interest. Applications for planning permission will be determined in accordance with national policy (currently in PPG15.)
9. Policy **EN28** of the **South Cambridgeshire Local Plan 2004** and Policy **CH/4** of the **South Cambridgeshire Local Development Framework Draft Development Control Policies 2007** seek to resist developments that would damage the setting or attractiveness of a listed building.
10. Policy **EN30** of the **South Cambridgeshire Local Plan 2004** and Policy **CH/5** of the **South Cambridgeshire Local Development Framework Draft Development Control Policies 2007** require all new developments in Conservation Areas to either preserve or enhance their special character and appearance, particularly through scale, massing and materials.
11. Policy **DP/3** of the **South Cambridgeshire Local Development Framework Draft Development Control Policies 2007** states that planning permission will not be granted where the proposed development would have an unacceptable adverse impact on, amongst other criteria, residential amenity, traffic generated and village character.

Consultations

12. **Castle Camps Parish Council** recommends refusal of the application.

It was a majority decision. The comments against the proposal are: -

- This applicant has had a 25% grant to restore this building to business use, not residential use;
- A registered green runs along the wall of the public house and The Forge. At present, there is no authority to park or obtain access in front of the property.
- The Parish Council has a 50% grant from the landscaping department to restore the area in front of The Forge, to conserve and protect the metal ring once used by the wheelwright and to install oak bollards to prevent parking and access to the green between The Forge and the High Street. It would be a waste of public money if this work was done and then the property is turned into a residence;
- If any work commences, then no vehicle or skip may be parked in front of The Forge without prior permission from the Parish Council;
- This is a listed building in a conservation area with historic connections to village life and must be retained as a feature.

A comment for the proposal is: -

- No objections providing external and internal features of The Forge are maintained.
13. The **Conservation Manager** has no objections (as amended) providing the existing internal brickwork is not dry-lined, the internal roof construction remains unaltered apart from what has formally been granted listed building consent, the hearths are retained, and the external doors remain simple and industrial in appearance.
14. The **Corporate Manager (Health and Environmental Services)** Comments are awaited and will be reported verbally at the meeting.

Representations

15. The occupier of 'The Cottage' comments that The Green and The Forge are an important part of the conservation area and the building and the village deserve a use in keeping. It is the wrong position for a change of use to residential.
16. The occupiers of 'Potash Cottage' object to the application and are concerned that the proposed change of use would affect their amenities and the area of the village in which the site is located. Their main concerns are outlined below:-
- They state that The Forge reflects an ancient rural village industry and is a heritage feature that retains the setting of a key aspect of the history of village life. A change of use to residential would detract from this important history. Any internal and external alterations will materially impact upon the building and the changes may erode the fundamental workshop nature of the building;
 - Any change of use would increase parking pressure within the village, which would lead to on-street parking that would be detrimental to highway safety;
 - Light pollution in an otherwise unlit area;
 - The provision of extra services such as main sewerage;
 - Increased evening and weekend noise;
 - Incremental planning creep towards full residential use;
 - Previous grant was towards commercial use; and,
 - Building has not been advertised as a workshop.

Planning Comments – Key Issues

17. The main issues to be considered in relation to this application are the impact of the internal and external changes upon the character and appearance of The Forge, the curtilage listed building; the setting of Forge Cottage, the main listed building; and the character and appearance of the Conservation Area/ street scene; and the impact of the proposed use upon the amenities of neighbours and highway safety.
18. The historical use of the building was as a forge until 1993, when the use was discontinued and the building was left to deteriorate. As a result of the physical condition of the building, the period of non-use, the lack of any intervening uses and

the owner's intentions, the previous use of the building as a forge was classified as abandoned. The building currently has a 'nil' use and any new use therefore requires planning permission.

19. The proposed internal and external alterations (as amended) are not considered to detract from the character and appearance of the building, result in a loss of historic fabric, damage the setting of the adjacent listed building, or harm the character and appearance of the Conservation Area/ street scene. The existing heaths, internal brickwork and roof construction will be retained. The external appearance of the building would remain as existing, except for the replacement windows, which would be a condition of any consent granted.
20. Whilst I acknowledge that Forge Cottage currently has no parking provision, the proposed ancillary use of The Forge would not require any additional parking spaces. The proposal would not therefore increase on-street parking that would cause a hazard to the free flow of traffic along the High Street and be detrimental to highway safety. The use of the area on The Green in front of The Forge for parking is a civil matter between the applicant and the landowners given that it is outside the site area, and not a planning consideration that can be taken into account during the determination of this application.
21. The use of the building as ancillary accommodation in connection with Forge Cottage is not considered to result in serious harm to the amenities of neighbours through noise and disturbance. The nearest residential properties is Potash Cottage, which is approximately 20 metres away. Any noise nuisance at anti-social hours could be controlled by Environmental Health legislation.
22. The use of the building as ancillary accommodation in connection with Forge Cottage is not considered to result in light pollution that would be harmful to the surrounding area. The building is situated adjacent a public house and a number of residential properties face onto The Green.
23. The building has a 'nil' use and would not have to be advertised for commercial purposes on the open market, as it would not result in a loss of local employment. The use of the building as a workshop would be likely to cause traffic and parking problems.
24. The issue raised by the neighbour in respect of the mains sewerage drainage is a building regulations issue.
25. The planning application does not include alterations to footpaths that are situated on The Green. Any landscaping proposals by the Parish Council would not be affected by this application.
26. Planning permission would be required to change the use of The Forge from ancillary residential accommodation to a separate dwelling. If this use is granted planning permission, it does not imply that consent for a separate dwelling would be acceptable.

Recommendation

27. Approval subject to conditions (as amended)
 1. Standard Condition A- 3 Years (Reason A)
 2. No development shall commence until precise details of the proposed replacement windows have been submitted to and approved in writing by the

Local Planning Authority; the development shall be carried out in accordance with the approved details.

(Reason - To ensure the development does not detract from the character and appearance of the listed building and preserves the character and appearance of the Conservation Area.)

3. The Forge shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling house known as Forge Cottage.
(Reason - To ensure the development does not detract from the character and appearance of the listed building and preserves the character and appearance of the Conservation Area, to safeguard the amenities of neighbours and in the interests of highway safety.)

Informatives

Reasons for Approval

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

Cambridgeshire and Peterborough Structure Plan 2003

P7/6 (Historic Built Environment)

P1/3 (Sustainable Design in Built Development)

South Cambridgeshire Local Plan 2004

EN20 (Unsympathetic Extensions to Listed Buildings)

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

Policy EN30 (Development in and Adjacent to Conservation Areas)

South Cambridgeshire Local Development Framework Draft Development Control Policies 2007

CH/3 (Listed Buildings)

CH/4 (Development Within the Curtilage or Setting of a Listed Building)

CH/5 (Conservation Areas)

Policy DP/2 (Design of New Development)

Policy DP/3 (Development Criteria)

2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Listed building
 - Conservation Area/ street scene
 - Neighbour amenity
 - Highway safety

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
- South Cambridgeshire Local Development Framework Draft Development Control Policies 2007
- Planning File References S/1082/07/F, S/2272/02/LB and S/0654/01/LB

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee1st August 2007**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/1048/07/F – COTTENHAM

Variation of Condition 6 of Planning Application S/1184/74/F for the Extension of Hours of Operation of Machinery. Retrospective Details of Plant and Machinery Installed in Accordance with Condition 3 of Planning Application S/1184/74/F. Retrospective Permission for External Equipment Comprising of Extract Fans, Flues and Air Condensing Units
Unit J, Broad Lane Industrial Estate, Broad Lane, for The Whitfield Group

Recommendation: Approve**Date for Determination: 18th July 2007****Notes:**

This Application has been reported to the Planning Committee for determination because of the Parish Councils recommendation of refusal being contrary to the recommendation of officers.

Members will visit this site on Monday 30th July 2007

Site and Proposal

1. Unit J is an industrial unit currently occupied by the firm Chemex. The unit is situated within the Broad Lane Industrial Estate within the village framework of Cottenham. The industrial estate contains many other units of a variety of uses and is accessed via Broad Lane. There are several residential areas which surround the industrial estate, with the static mobile home site, Cottenham Park to the north east of Unit J and the cul-de-sac Courtyard Way to the south east, both of which contain the nearest residential dwellings to the application site. Chemex is a Cambridge based company involved in analysing chemicals and compounds within either water borne samples or soil samples. In doing so the firm requires both the use of fume cupboards and cooling equipment.
2. The proposals are retrospective as the applicants have installed plant and equipment without the prior approval of the Local Planning Authority and have been using this equipment outside of their permitted hours of operation. The plant and machinery installed includes all external works, which have been carried out to the unit, which includes 1 air condensing unit and 6 extract flues to the southeast elevation and the acoustic enclosure located upon the rear elevation. An enforcement notice and abatement notice have been served upon the applicants and due to this the applicant is seeking to address the breaches of condition and noise nuisance through a retrospective planning application. These enforcement notices have been put on hold until this application is determined.
3. The unit is restricted by condition 6 of planning application S/1184/74/F, which states, no machinery shall be used between the hours of 6pm and 8am on weekdays and

S/1048/07/F - COTTENHAM



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shall not be used on Sundays and bank holidays. The applicants have stated that the machinery would require in part to be running 24 hours, 7 days a week, albeit not all at once. Within the additional information submitted the applicant has stated that in order to run tests they would need 1 flue, 2 air conditioning units, 1 refrigeration condenser and 1 exhaust unit to be in operation over night. The remainder of the equipment will then only be required during normal working hours, which are 07.00 hours to 20.00 hours. However, there is no condition in place to restrict the hours of use to this unit, simply the hours of operation of all machinery. The applicant has amended the application to include plans showing the housing to the external extract fans as well as supporting information detailing the equipment and machinery that is required to run within working hours and at night.

Planning History

4. **Planning Application S/1184/74/F** - was approved for the change of use of Unit J from Warehousing to a Light Industrial Use. Within this consent were several attached conditions. Condition 3 of this consent required that power driven machinery shall not be used on site without the prior consent of the Local Planning Authority, Condition 6 of this application required that machinery shall not be used between the hours of 6pm and 8am on weekdays, and shall not be used on Sundays and Bank Holidays. These conditions were attached to this consent to safeguard the interests other users of land in the vicinity.
5. **Planning Application S/1347/97/F** for the variation of Condition 6 of planning application S/1184/74/F to extend the hours of operation for machinery to 07.00 hours to 22.00 hours was refused on the grounds that the proposed extension of hours would result in increased vehicle movements and operations resulting in increased noise, disturbance and loss of amenity to those adjoining residents when background noise levels are generally low.
6. **Planning Application S/2348/07/F** - for the retrospective permission of external extractor fan attenuators and acoustic enclosures was withdrawn. This application sought to resolve the outstanding noise nuisance and outstanding external works to Unit J in an attempt to address the enforcement and abatement notice which was served upon the applicants. This application did not contain the sufficient information to resolve the outstanding issues on the site and would have been refused. However, it was the decision of officers to negotiate the issues at hand and request a detailed application outlying all outstanding issues at the site whilst postponing enforcement action until such an application could be determined. This decision was made on the premise that approximately 80% of the attenuation required to satisfy the Local Plan Environmental Standards had already been carried out albeit retrospectively.

Planning Policy

7. **Planning Policy Guidance 24 (PPG24)** Planning and Noise, outlines the considerations to be taken into account in determining applications for activities which will generate noise.
8. **Policy P5/6** of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") Seeks the development or expansion of existing firms will generally be given preference over development by firms wishing to move into the area, provided the scale of growth does not conflict with other policies of the Structure or Local Plan.

9. **Policy ES6** of the South Cambridgeshire Local Plan 2004 ("The Local Plan") states that the Council will attempt to use appropriate planning conditions, to minimise the impact of noise and pollution on noise-sensitive development arising from any new industrial, commercial or recreational activities.
10. **Policy EM7** of the South Cambridgeshire Local Plan 2004 ("The Local Plan") states that the development or expansion of existing firms will generally be given preference over development by firms wishing to move into the area, provided the scale of growth does not conflict with other policies of the Structure or Local Plan.
11. **Local Development Framework** - 2007 Policy ET/5 encourages the expansion of existing firms save where it consolidates a non-confirming use or causes problems with traffic, noise, pollution or other damage to the environment. Policies NE/15 and NE/16 deal with noise pollution and emissions.

Consultation

12. **Cottenham Parish Council** - *strongly recommends Refusal for this Application on the following grounds:*

Unit J is located adjacent to residential dwellings. Condition 6 of the original Planning Permission S/1184/74/F states that "Machinery shall not be used between the hours of 6pm and 8am on week days, and shall not be used on Sundays and Bank Holidays", Reason for this Condition "To safeguard the interests of other users of land in the vicinity". A Planning Application S/1345/97/F sought to vary the hours of operation for Unit J this was refused for the following reasons "Broad Lane Industrial Estate is located close to residential properties, particularly to the north east there are a number of mobile homes – The proposal is unacceptable in that the proposed extension of hours will result in increased vehicular movements and operations resulting in increased noise, disturbance and loss of amenity to those adjoining residents when background noise levels are generally low". Indeed two further applications were made in 1997, Unit A – S/1347/97/F and Unit F – S/1346/97/F and both refused for the same reasons. Within the supporting documents there does not appear to be any clear justification as to why Chemex need to work extra hours. Indeed it has been brought to the attention of the Parish Council that Chemex already are working outside of permitted hours. If SCDC were minded to grant permission for extended working hours then a precedent would be set whereby all units located at this site may apply for extended working hours.

13. Condition 3 of the original Planning Permission S/1187/74 states that "Power driven machinery shall not be used on the site without the prior consent of the Local Planning Authority" again this was "To safeguard the interests of other users of land in the vicinity" and to ensure that the adjacent residential dwellings were unaffected by any activities undertaken on this site. As noted this is a Retrospective Application with said machinery being put in place in the summer of 2005, Cottenham Parish Council recommends Refusal as the installation of Plant and Machinery has had an extremely detrimental effect on those residents living adjacent due to the noise levels experienced during out of permitted hours operation.
14. This application leads directly to the Retrospective Application for permission for External Equipment Comprising of Extract Fans, Flues and Air Condensing Units. As already stated these were installed in 2005 without gaining prior planning permission and the applicant has shown scant regard to the problems that have arisen for adjacent residents. Within the application are the findings of an independent consultant re noise levels for these units. There appears to be inconsistencies as the

indication is that the noise emanating from this site is acceptable, figures do indicate that some units are within the required acceptable noise level but other units are not. Of interest is the figure of 40d3(A) found when all units are running at once. As these units appear to be currently running 24 hours a day 7 days a week this would mean that the current noise level is unacceptable and has led to a loss of amenity for the adjacent residents. Whilst attempts have been made to try to minimise the noise nuisance for adjacent residents this has been far from successful.

15. Concerns are also raised re Health and Safety as a fire exit is now blocked by a extractor fan.
16. Cottenham Parish Council further comment that were SCDC minded to approve this application they would do so with a condition applied that all external Plant and Machinery must be relocated within the building.
17. **Chief Environmental Health Officer** - has recently carried out nighttime surveys at the complainant's property in Courtyard Way in respect of the nighttime noise of the plant and equipment at Unit J. These surveys took place with the cooperation of the acoustic consultants retained by the applicants. The complainant did not feel able to permit measurements to be taken from within his dwelling and therefore the readings were based on outdoor readings instead. The acoustic consultants were working to ensure that with plant operating under normal night time conditions the corresponding noise at the nearest dwelling due to this plant is acceptable within the defined limits described below.
 - The World Health Organisation states that a level of 30db(A) is suitable to protect vulnerable groups against sleep disturbance. BS8223:1999 states that a level of 30db(A) within bedrooms represents "good" conditions and a level of 35db(A) represents "reasonable" conditions.
18. The acoustic consultant has advised the applicants that subsequent to the recent works of sound attenuation to the extract fans and fume cupboards, the survey indicates that the level of noise inside the complainant's house produced during the night by plant at Unit J would easily comply with the above guidance and represents better than "good" conditions. In my professional subjective opinion the noise nuisance has therefore been abated. However, in order to ensure that an acceptable noise level is achieved at the nearest dwelling(s), with Unit J operating under their normal night time condition it will be appropriate to recommend that a condition be imposed on any consent granted in respect of the applicants and Unit J that limits the level of noise at the nearest dwelling(s) to 35db(A). This would then prohibit all of the fume cupboard extract fans operating simultaneously at night. Although theoretically possible, as I understand that it would not be required in practice.
19. **The Building Control Department** states that a satisfactory escape routes must be available from the rear fire exit door.

Representations

20. 6 letters of objection have been received from local residents at Nos. 13, 15 and 11 Courtyard and Nos. 4, 3 and 2 Monet Way, these representations have been summarised below:
 - a. Inaccuracies within the application forms and the description of the development;
 - b. The development is retrospective and this application does not define this;

- c. Insufficient information relating to the proposed hours of operation;
 - d. Previous applications for this site and others within the area have had similar applications refused;
 - e. It has taken since October 2005 to receive an application to even attempt to resolve these issues;
 - f. The noise levels despite being reduced are still unacceptable;
 - g. An extension of hours of operation would set a precedent for other industrial units;
 - h. The external equipment is visually intrusive and has made Unit J an eyesore;
 - i. Inaccuracies within the elevation plans;
 - j. The external equipment has restricted the fire exit to the rear of the site;
 - k. Inaccuracies within the site ownership and site plan;
 - l. The supporting information is questioned with respect to the required operation of the site;
 - m. The noise report does not give an indication of the ambient noise levels when the machinery is switched off;
 - n. Conditions 3 & 6 of S/1184/74/F were put on place for a reason and should not be allowed to be varied or removed;
 - o. The submitted statements are not true as the site has been continuously running out of hours and it is by no means occasional;
 - p. The acoustic consultant cannot be considered as impartial;
 - q. There is noise disturbance from change of shifts at night;
 - r. Residents are used to silence;
 - s. The external equipment could be housed within the building;
 - t. This site is inappropriate for the use of such a business;
21. In addition to the above objections and concerns a petition of local residents was submitted in opposition to this planning application with a total of 36 signatures.
22. The Cottenham Village Design Group has made the following statement "The Design Group encourages the retention of small-scale commercial activities and the development of businesses offering employment opportunities in Cottenham. However, it is also important that businesses respect their residential neighbours. We therefore hope that a successful compromise can be reached whereby the noise from external equipment can be attenuated to the satisfaction of local residents." *It is important to retain and develop Cottenham's character as a working village offering a variety of employment.* (Cottenham Village Design Statement p.7).

Planning Comments – Key Issues

Background

23. Despite there being previous applications to vary the hours of operation of machinery for Unit J and other neighbouring industrial units this application must be determined on its own merits and any such decision cannot be deemed to set a precedent for the area. This application has seen much work done by both the applicant and the Council's Environmental Health officers in order to achieve a good standard of attenuation. The fact that this application is retrospective or that an enforcement and abatement notice have been served is irrelevant as this current application has supplied satisfactory evidence to show adequate sound attenuation, thus abating the noise nuisance and the harm caused from the variation in hours of operation of the said machinery.
24. The applicant is currently in breach of two planning conditions from planning application S/1184/74/F, firstly they are working beyond the hours of 6pm and 8am weekdays and it would appear from the representations received that they have also been in operations upon weekends and bank holidays. Secondly the applicant has brought onto the site several pieces of plant and machinery along with all the external machinery used in conjunction with this, which was also fitted without planning consent. Enforcement action has been suspended until this application can be determined as it would be unreasonable for the Council to pursue such action when the matter could be resolved through the means of a planning application. It is my opinion that since the noise nuisance has been abated that there is no harm caused through the breach of condition and therefore nothing to enforce. However, in accordance with Local Plan Policy ES6 and LDF Policy NE/15 the site can be suitably conditioned to not exceed the maximum sound level (35db(A)) as well as require details and consent for any further plant or machinery that is to be installed within Unit J. This will then allow for the site to be suitably managed in the future avoiding a similar situation from occurring. In addition this would be a suitable time to modernise and improve on the conditions that were attached to the unit as part of the 1974 application.

Noise & Disturbance

25. The applicants have in conjunction with the Council's Environmental Health Department been working in the interim to fully attenuate all external machinery and equipment, which had contributed to the noise nuisance experienced by the local residents. This work has been done retrospectively, with the plant and machinery in use despite the applicants being in breach of condition. Notwithstanding this issue the harm caused from the breach in condition was the resultant noise and disturbance to the local residents from the plant and machinery in place. Therefore due to the machinery now being attenuated the noise levels now conform to the requirements of the Council's environment standards in conjunction with guidance from PPG24 and the World Health Organisation.
26. Whilst the noise and disturbance from Unit J has been significantly reduced, it is recognised that there has been an impact upon the existing background noise levels surrounding the site. However, noise does not necessarily equate to a statutory nuisance. At present the noise levels recorded from the site meet the standards as set out by the World Health Organisation. As stated within the comments from the Council's Environmental Health Officer, now that a satisfactory noise level can be achieved for the applicants to use Unit J to continue their work a Condition shall be

put in place to ensure that the noise level does not rise above the recognised satisfactory standard of 35db(A). The fact that this is a standard for inside a bedroom and can be achieved outside of the nearest property proves that the noise emitted from Unit J to run its machinery overnight would seem a satisfactory compromise between a standard of amenity for the near by residents and the continued use of the industrial unit to meet the applicants needs.

Other Matters

27. It is clear from the additional information submitted that there is an adequate means of escape by re-hanging the door for employees of Unit J to leave the building to the north and follow the open space around the other units. The external plant and machinery albeit implemented in a piecemeal fashion is industrial in appearance and is not clearly visible from outside of the industrial estate and therefore does not have a detrimental visual impact upon its surroundings. The boundary with Courtyard Way and Monet Way consists of a small verge sloping up away from Unit J to a high level graded fence with some minimal landscaping such as a series of conifers and various other hedging. The tops of the units at the rear of the site are visible above this screening in part but this area is currently a hard standing area for car parking with a garage block against the boundary with Unit J.
28. The flues to the side elevation do obstruct a footway down the side of the unit. However the side elevation fronts a parking area and the machinery would not hamper access to this area. The landowner of the Industrial Estate, Kindale Ltd, is aware of the development and has raised no objections. I am satisfied that the plans and supporting information received as amended have now rectified all previous inaccuracies within this application. The site has no restriction on hours of employment and as the machinery is now attenuated to a satisfactory degree I see no reason why Condition 1 (detailed below) cannot successfully control the noise levels from this site. Any other resultant noise from deliveries or shift patterns cannot be controlled as part of this application but could be investigated by the Council's Environmental Health Department and dealt with accordingly if it constitutes an statutory noise nuisance.

Recommendation

29. Approve as amended by plans and supporting information received 9th July 2007;

Conditions

1. No machinery shall be used between the hours of 8pm and 7am on weekdays and shall not be used on Sundays and bank holidays with the exception of the following equipment:
 - a. 1 Flue Extract unit;
 - b. 2 Air Conditioning Condensers;
 - c. 1 Refrigeration Condenser;
 - d. 1 Exhaust Unit;(Reason – To ensure that the use of plant and equipment would not be detrimental to the amenities of local residents within the vicinity of the site in accordance Policy NE/15 of the Local Development Framework 2007.)

2. Details of the location and type of any further power driven plant or equipment including equipment for heating, ventilation and for the control or extraction of any odour, dust or fumes from the building but excluding office equipment and vehicles and the location of the outlet from the building of such plant or equipment shall be submitted 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. (Reason – To ensure that plant and equipment would not be detrimental to the amenities of local residents within the vicinity of the site in accordance Policy NE/15 of the Local Development Framework 2007.)
3. The noise level at the nearest dwelling due to plant at the site shall not exceed a level of 35dB(A) between the hours of [8]pm to [7]am. This shall be expressed as a 'free field' LAeq at a distance of 3 metres from the nearest residential facade, for an appropriate time period (to suit measurement and plant operation conditions). Depending upon measurement conditions, the measurements shall either be taken directly at the noise sensitive location or at a more acoustically suitable location and the corresponding level calculated at the noise sensitive location. Noise from the plant shall be free of any distinct continuous note (whine, hiss, screech or hum) or distinct impulse noise (bangs, clatters or thumps) at the noise sensitive location. (Reason - – To ensure that plant and equipment would not be detrimental to the amenities of local residents within the vicinity of the site)

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: Policy P5/6**
 - **Local Development Framework 2007: Policies ET/5, NE15 and NE16**
2. The Impact of Noise Nuisance upon local residents.

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/2348/07/F, S/1347/97/F, S/1184/74/F & S/1048/07/F**
- Planning Policy Guidance Note 24 - Planning and Noise

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

1st August 2007

AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/1077/06/F - ICKLETON

Erection of 7 retail units and café (retrospective) and erection of 4 additional retail units; Ickleton River Barns, 111 Frogge Street, for Mr and Mrs T London.

Recommendation: Refusal

Date for Determination: 21st July 2006

This Application has been reported to the Planning Committee for determination at the request of Councillor J F Williams.

Members will visit this site on Monday 30th July 2007.

Departure Application

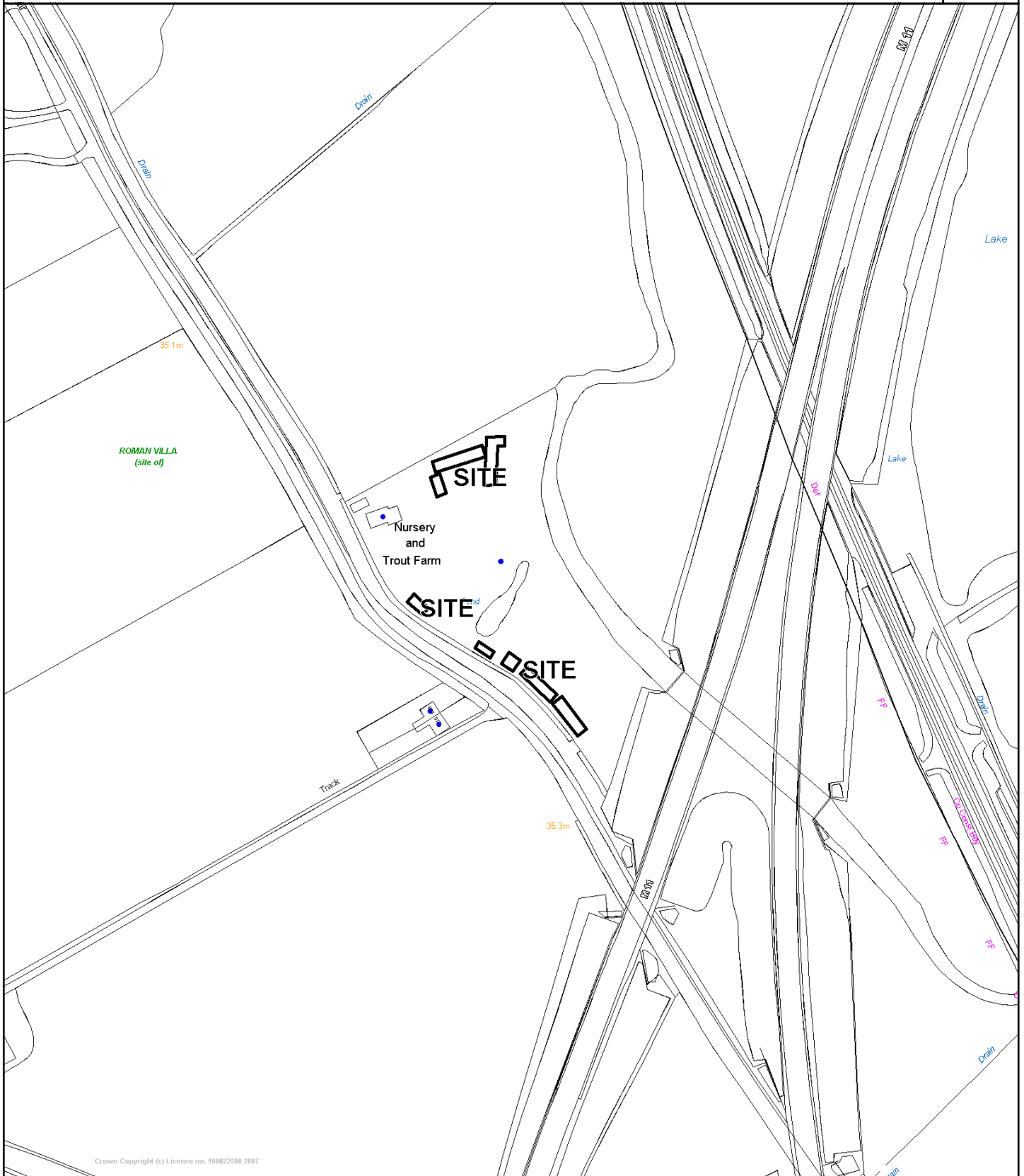
Site and Proposal

1. The application relates to a retail park that has been established in the countryside to the south of the village adjacent to the M11/A11 flyover. The site is bounded to the east by the River Cam, and to the west by the C284 Frogge Street. The northern boundary is marked by the applicants' dwelling. The frontage of the site is screened with trees and hedgerow. There are a number of single-storey retail units on the site, mostly clad in stained timber, including some former railway carriages. The site includes a pond, a play area and an area for car parking. The site, excluding the house and its garden, has an area of 0.91ha. This includes 228sq m of buildings. Prior to its existing use, the site was in use as a garden nursery and a trout farm.
2. Access to the site, from Frogge Street, is located at the southern end of the site, where visibility to the north is restricted by a bend in the carriageway. This access also serves a separate gas bottle storage compound south of the site. The dwelling is served by a separate access to the north of the site.
3. The full application, dated 17th May 2006, seeks retrospective planning permission for seven retail units (numbered 1, 2, 4, 9, 17, 18 and 19 on the layout plan) and a café. The applicant also seeks planning permission to erect further four retail units (numbered P1-P4 on the layout plan). The combined floor area of existing and proposed units, if implemented, would be 320sq m.
4. Part (approximately 50%) of the site lies in Flood Zone 3 (high risk), where there is a 1 in 100 year or greater risk of flooding. The application is supported by a flood risk assessment.

Planning History

5. A Certificate of Lawfulness for use of 12 units in 8 existing buildings (numbered 3, 5, 6, 7, 8, 10, 11, 12, 13, 14, 20 and 23 on the layout plan) for retail purposes within

S/1077/06/F - Ickleton



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Centre = 549811 E 243147 N

Planning Committee - August

Class A1 of the Use Classes Order 1987 was granted on 15th November 2005 (**S/1267/05/LDC**).

6. Planning permission for the gas storage compound was granted in 1998 (**S/1774/97/F**). There appears to have been no planning permissions relating to the former garden nursery or trout farming uses. Indeed planning permission was probably not required.

Planning Policy

7. Relevant policies in the consideration of this application are contained in the South Cambridgeshire Local Development Framework (LDF) Core Strategy (2007) ("Core Strategy DPD"), South Cambridgeshire Development Control Policies Development Plan Document (2007) ("DCP"), and the Cambridgeshire and Peterborough Structure Plan (2003) ("County Structure Plan").
8. County Structure Plan Policy **P1/2** (Environmental Restrictions on Development) and DCP policy **DP/7** (Development Frameworks) state that, outside urban and village frameworks, only development for agriculture, horticulture, forestry, outdoor recreation and other uses which have an essential need to be located in the countryside will be permitted.
9. County Structure Plan Policy **P2/6** (Rural Economy) states that sensitive small-scale development in rural areas will be facilitated where it contributes, inter alia, to supporting new and existing businesses; to farm or rural diversification where appropriate to the rural area; to the re-use of existing buildings; towards helping to maintain or renew the vitality of rural areas.
10. Policies that encourage sustainable development that minimise the need to travel and reduce car dependency include DCP Policies **DP/1** (Sustainable Development), **TR/1** (Planning for More Sustainable Travel), Core Strategy DPD strategic objective **ST/b**, and County Structure Plan Policy **P1/1** (Approach to Development).
11. Policies that require new development to be appropriate to its location in scale and form include DCP Policy **DP/2** (Design of New Development) and Structure Plan Policy **P1/3** (Sustainable Design in Built Development).
12. Development should provide safe means of access, as indicated in DCP Policy **DP/3** (Development Criteria) and County Structure Plan Policy **P8/1** (Sustainable Transport – Links between Land Use and Transport).
13. Development should not have an unacceptable adverse impact on the countryside and landscape character, as indicated in DCP Policy **DP/3** (Development Criteria), **NE/4** (Landscape Character Areas) and County Structure Plan Policy **P7/4** (Landscape).
14. Development that would have an adverse impact on flood risk will not be considered to be acceptable - DCP Policy **DP/3** (Development Criteria) and **NE/11** (Flood Risk).
15. Objective **SF/c** (Services and Facilities) of the DCP aims to limit retail development in the countryside to goods produced in the immediate locality of any individual enterprise. The Core Strategy DPD sets out a hierarchy of retail provision for the District:

ST/9 (Retail Hierarchy)

1. A retail hierarchy of preferred centres will be taken into account in considering proposals for retail development.
 2. The hierarchy of centres in South Cambridgeshire is as follows:
 - a. Northstowe town centre;
 - b. Cambridge East district centre;
 - b. Rural Centres village centres;
 - d. Other village's village centres (Minor Rural Centres, Group Villages and Infill Villages).
 3. Any proposals for new retail provision in these centres should be in scale with their position in the hierarchy.
16. DCP Policy **SF/2** (Applications for New Retail Development) states that:
1. Other than retail developments in villages under Policy SF/4 or in Action Area Plans, planning permission for retail development will not be granted unless the applicant has successfully demonstrated that:
 - a. A sequential approach has been adopted to site selection and the availability of suitable alternative sites;
 - b. In the case of proposals in defined centres, the development would be of a scale in accordance with that centre's position in the hierarchy, or, in the case of proposals outside defined centres, the impact of a development would not have an adverse effect on the vitality and viability of other town centres, district centres and local centres identified in development plans, and on the rural economy, including village shops;
 - c. It would be conveniently accessible by a wide range of modes of transport other than the car, including good local public transport services from a wide catchment area, and effective measures would be taken to enhance such accessibility, including that for pedestrians and cyclists.
 2. In addition, in the case of proposals to develop sites in edge-of-centre or out-of-centre locations (or to extend existing stores in such locations) developers will be required to demonstrate a positive need for the additional floor area before any of the above tests are applied.
17. Policy **SF/5** (Retailing in the Countryside) of the DCP is of particular relevance to the current proposal. This states that:
1. Planning permission for the sale of goods in the countryside will not be granted except for:
 - a. Sales from farms and nurseries of produce and / or craft goods, where the majority of goods are produced on the farm or in the locality; or
 - b. Exceptionally, the sale of convenience goods, ancillary to other uses, where proposals, either individually or cumulatively, do not have a significant adverse impact on the viability of surrounding village shops, or the vitality of rural centres or other village centres.

- 2) Where permission is granted, conditions may be imposed on the types of goods that may be sold.
18. The supporting text for this Policy, at Paragraph 6.5 states that “Sporadic development for retail uses in the countryside could result in unsustainable patterns of development, and could harm the viability and viability of village centres”.

Consultations

19. **Ickleton Parish Council** - The Parish Council recommends refusal. Notwithstanding the measures indicated in the flood risk assessment, and the comments of the Environment Agency, the Parish Council remains concerned about flood risk. The Parish Council doubts the delineation of the extent of the ‘potential 1 in 100 year flood zone’ marked in the submitted flood risk assessment. Residents in the village recall flooding over nearly all the site on a number of occasions in recent years. There is a concern that some of the units are only a matter of centimetres above the flood level. For instance, one corner of Unit 20 appears to be at +33.907m, which is 10.7 centimetres above the deemed flood zone.
20. Other concerns put forward are:
 - a) effluent disposal;
 - b) some of the units are very close to the river;
 - c) the site was not identified for retail purposes in the LDF;
 - d) will there be adequate parking facilities?
 - e) will there be limitations on the opening hours;
 - f) was the usage of the site clearly defined?
21. **Uttlesford District Council** – Objection to the proposals. The Council has concerns regarding the principle of a retail use in the countryside for which there is no justification, and the proposed intensification of such a use. The site is not in a sustainable location, and is likely to give rise to car borne traffic movements despite being close to Great Chesterford railway station. The Council comments that, whilst the site is well screened by the motorway embankment, the access is poor, and it is sited in an area where the road is subject to the national speed limit. The uses would encourage vehicular traffic from visitors and delivery vehicles to visit the site from Uttlesford by travelling through Great Chesterford at a point where the two aspects of the railway crossing (over and under) have a poor relationship with each other and where additional traffic movements would have an adverse impact on highway safety.
22. **Corporate Manager (Health and Environmental Services)** – Considers there to be no significant impacts from the environmental health standpoint.
23. **Environment Agency** – On the basis of the submitted flood risk assessment, the proposal is considered to be acceptable, subject to conditions that prevent development on that part of the site within the floodplain, defined by a contour of 33.88mODN, and for details of foul drainage to be submitted.
24. **Local Highway Authority** – recommendation of refusal. Frogge Street is subject only to the national speed limit of 60mph. From a site inspection, the LHA’s representative

could not conclude that vehicles were travelling universally below this speed. Consequently, vehicle speed past the site is high. Two injury accidents have occurred in the immediate vicinity of the existing access within the past three years, although neither accident appears to be in connection with the access.

25. The LHA considers an appropriate visibility to be 4.5m x 215.0m. The available visibility, identified by the applicant, as being 4.5m x 125.0m to the west and 4.5m x 148.0m to the east, is considerably less than recommended. For this reason the LHA recommends that additional retail units over and above those allowed, should not be permitted, owing to inadequate access, with inadequate visibility and manoeuvring.
26. The access should comprise a minimum width of 6.0m to cater for the traffic likely to be generated by the commercial use of the buildings, including delivery vehicles. Junction radii of 10.5m would be appropriate. Regrading of the access to be level for a minimum distance of 10.0m from the channel line of Frogge Street would be necessary. The crossing of the highway verge would need to be to the construction specification of Cambridgeshire County Council. The LHA's representative considers these improvements to be readily achievable.
27. Discussions have taken place between the LHA and the applicant, in which the applicant has requested that the LHA introduce a lower speed limit on Frogge Street. The applicant states that since the retail units have been erected, for a year or so without complaints or accidents, and the access drive has been in use for about 25 years. The LHA has responded by stating that any possible changes to the speed limit on this road would not be linked to this planning application, and in any case the necessary review would be likely to take some considerable time.
28. **Cambridgeshire Fire and Rescue Service** – No objection subject to the imposition of a condition to require details of the provision of fire hydrants to be submitted.

Representations

29. **The Ickleton Society** – The Ickleton Society is a village society, with open subscription membership. It states that it has a commitment to good planning, protection of the environment and the village community. The Society objects to the proposal, as the site is not suitable for retail use. The Society shares the concerns of the Ickleton Parish Council, which are:
 - a. the site being on a flood plain and a flood risk assessment not being available. additional buildings and hard surfaces on the site and any measures that might be taken to protect the site from flooding could put properties in the village downstream from the site at greater risk of flooding.
 - b. effluent disposal;
 - c. close proximity of some of the units to the river;
 - d. site not identified for retail purposes on the Local Development Framework Plan;
 - e. adequacy of parking facilities;
 - f. limitations on opening hours;
 - g. the usage of the site.

Planning Comments

Scale and Location

30. The consideration of this proposal must take as a starting point the issue of a lawful Development Certificate for a significant amount of retail development on the site. The issue of this certificate was based on the length of time of the use and not on an assessment of planning merits. The current proposal represents an increase in floor area from 228sq m to 320sq m, or 40%. This is a significant intensification of the existing use including the erection of new buildings, which should be considered in the context of development plan policies. The application is part retrospective, but this should not influence the assessment of the planning merits of the case.
31. There is no support in the development plan for sporadic retail development in the countryside. This is most clearly indicated by DPD Policy SF/5 (Retailing in the Countryside). The site is not a working farm or nursery, nor is the proposal limited to the sale of locally-produced goods or convenience goods. The proposal does not comply with Policy SF/5. The retail hierarchy set out in Policy ST/9 does not acknowledge countryside locations for retail development. The site is not located in a sustainable location. It is likely to attract car-borne visitors for the most part, contrary to sustainability Policies in the development plan DCP Policies DP/1 (Sustainable Development), TR/1 (Planning for More Sustainable Travel), Core Strategy DPD strategic objective ST/b, and County Structure Plan Policy P1/1(Approach to Development).

Visual impact

32. The erection of seven new 'barns' on the site has added to the visual continuity of development along the south western boundary fronting Frogge Street (Units 1, 2, 4, 9 and café) and on the north western part of the site (Units 17, 18 and 19). The proposed additional four barns would consolidate this further, to the progressive loss of the character of the countryside and views out of the site. The uniformity of design and external materials would offset this harm to some extent, but not sufficiently, in my opinion. For these reasons, I consider that the proposal fails to comply with DCP policy DP/2 (Design of New Development) and Structure Plan Policy P1/3 (Sustainable Design in Built Development).

Highway safety

33. The concerns of the Local Highway Authority indicate that the further development of the site would lead to highway dangers, contrary to DCP Policy DP/3 (Development Criteria) and County Structure Plan Policy P8/1 (Sustainable Transport – Links between Land Use and Transport).

Flooding

34. Although the site lies in the flood plain adjacent to the River Cam, the Environment Agency has advised that sufficient mitigation is possible. For this reason, I do not consider that a refusal of the grounds of an adverse impact on flood risk is warranted.

Enforcement

35. In the event that planning permission is refused, I recommend that enforcement action be instigated against breaches of planning control on the site.

Recommendation

A. Refusal for the following reasons:

1. The proposal represents an intensification of sporadic retail development for which no evidence of an essential need to be in this countryside location has been put forward, nor evidence that the use is to be restricted to the sale of locally-produced or on-site produce. The proposal does not comply with Policies in the development plan that are intended to restrict such development in the countryside, notably Objective SF/c (Services and Facilities), and Policies DP/7 (Development Frameworks) and SF/5 (Retailing in the Countryside) of the South Cambridgeshire Development Control Policies Development Plan Document (2007), and Policy P1/2 (Environmental Restrictions on Development) of the Cambridgeshire and Peterborough Structure Plan (2003).
2. The site does not lie in a sustainable location where convenient access by public transport, walking and cycling can be achieved. The proposed development is likely to attract car-borne visitors for the most part, contrary to sustainability Policies in the development plan, notably South Cambridgeshire Development Control Policies Development Plan Document (2007) Policies DP/1 (Sustainable Development) and TR/1 (Planning for More Sustainable Travel), strategic objective ST/b of the South Cambridgeshire Local Development Framework Core Strategy (2007), and Policy P1/1(Approach to Development) of the Cambridgeshire and Peterborough Structure Plan (2003).
3. The proposed development, part implemented, has resulted in the loss of existing and former gaps between established retail units, where views out of the site towards the countryside existed. The development would represent an undesirable visual consolidation of buildings on the site and would have an unacceptable adverse impact on the countryside and landscape character of the area, contrary to Policies DP/3 (Development Criteria) and NE/4 (Landscape Character Areas) of the South Cambridgeshire Development Control Policies Development Plan Document (2007), and Policy P7/4 (Landscape) of the Cambridgeshire and Peterborough Structure Plan (2003).
4. The proposed development, if implemented, would result in significant highway dangers because:
 - a. The existing access is inadequate and below the standard required, by reason of inadequate visibility; and
 - b. The manoeuvring of vehicles likely to be generated by the proposed development would have an adverse effect on the safety and free flow of traffic on the adjoining public highway.

The proposal does not comply with Policies in the development plan which aim to safeguard highway safety in new development, notably Policy DP/3 (Development Criteria) of the South Cambridgeshire Development Control Policies Development Plan Document (2007) and Policy P8/1 (Sustainable Transport – Links between Land Use and Transport) of the Cambridgeshire and Peterborough Structure Plan (2003).

- B.** That enforcement action be instigated against the unauthorised building operations with a compliance period of 3 months.

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

- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- South Cambridgeshire Development Control Policies Development Plan Document (2007)
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Files refs: S/1077/06/F, S/1267/05/LDC & S/1774/97/F.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee1st August 2007**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/1094/07/F - FOWLMERE**Conversion of Walled Garden Courts to Provide Additional Residential Accommodation for Disabled Use, Mill Farm, Fowlmere Road, Melbourn for T and K Poulson****Recommendation: Approval****Date for Determination: 2nd August 2007****Notes:**

This Application has been reported to the Planning Committee for determination because the officer recommendation of approval conflicts with the recommendation of refusal from Fowlmere Parish Council.

Site and Proposal

1. Mill Farm is a modern dwelling which replaced two small bungalows on the site.
2. This full application, received on 7 June 2007, proposes the installation of a flat roof structure with roof lights within the height of two existing walled garden courtyards to create additional residential accommodation for the applicants' elderly mother and a resident carer along with a study and exercise area for the main dwelling. Two windows will be installed within the framed openings in the courtyard walls which will only be viewed from the private garden area of the dwelling.
3. The proposal provides an additional 140m² of habitable floor area.
4. To the west of the site is a residential dwelling and to the east is agricultural land and buildings. To the south the site is bounded by the River Shep.
5. The application is accompanied by a Design Statement.

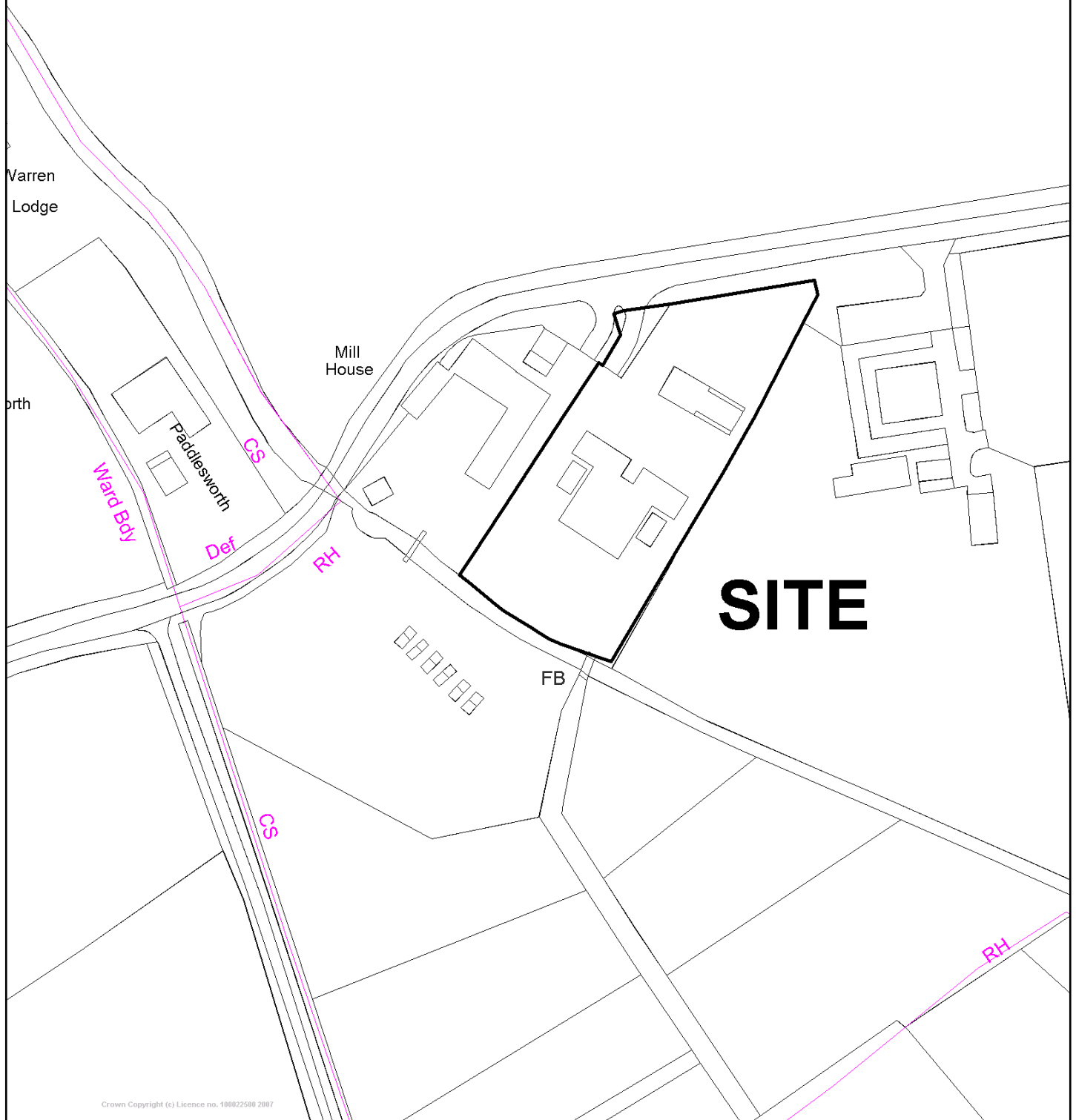
Planning History

6. Planning permission was granted for the new dwelling as a replacement for a pair of bungalows formerly located at the south west end of the site (**Ref: S/1970/04/F**) following a site visit by Members.

Planning Policy

7. **Policy HG/6** of the South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007 sets out the criteria for assessing applications for extensions to dwellings in the countryside.

S/1094/07/F



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Scale 1/1250 Date 17/7/2007

Centre = 540254 E 245981 N

Planning Committee August 2007

Consultation

8. **Fowlmere Parish Council** recommends refusal. "The property is outside the village envelope and therefore has planning restrictions. The Parish Council believe that this proposal is overdevelopment as the replacement structures are far larger than the existing area. The PC is unanimous in its objection of this proposed 6-room new development which is totally unacceptable and out of proportion for the proposed use. The PC had already objected to previous applications on the grounds of overdevelopment.
9. The **Environment Agency** requests a condition in respect of foul water drainage and asks that informatives be attached to any decision notice.
10. The **Local Highway Authority** requests that the applicant shows vehicular and pedestrian visibility splays and details of the boundary between the two properties as it has concerns relating to inter vehicle visibility if the boundary is in excess of 800mm for the first 3m or so from the boundary of the Fowlmere Road.

Representations

11. None received.

Planning Comments – Key Issues

12. The key issue to be considered with this application is whether the proposed works are in accordance with the provisions of Policy HG/6.
13. The proposed additional habitable floor area that will be created as a result of the proposed works is 140m², although there is no increase in the overall external footprint of the dwelling. This represents a 60% increase in the existing habitable floor area. Whilst this is in excess of the 50% set out in Policy HG/6 it does not result in the loss of a small or medium sized dwelling in the countryside and therefore needs to be assessed against other criteria of the policy.
14. There will be no increase in the external built form of the existing dwelling as a result of the proposed works, which involve the roofing over of existing internal walled garden courtyards to provide the additional accommodation which will primarily be for the use of the applicants elderly mother and a resident carer. The only external changes to the appearance of the dwelling will be the insertion of two windows into the south west facing elevations of the existing courtyard. These openings will be visible from the garden of the property but will not materially change the impact of the dwelling on its surroundings.
15. Whilst the proposed additional accommodation creates an annexe to the main dwelling its relationship to the existing dwelling means that it is unlikely to be considered suitable for use as a separate dwelling, although a condition can be applied to any consent to ensure that its occupation remains ancillary to that of the main dwelling.
16. The comments made by the Local Highway Authority are not relevant to this particular application but I will take them up with the applicant to ensure that there is no breach of the original planning consent.
17. It is my view that, given the proposed works represent filling in of existing walled areas and do not involve any extension to the existing built form of the property, the

proposal is acceptable and accords with Policy HG/6 of the Local Development Framework.

Recommendation

18. That the application be approved

Conditions

1. Standard Conditions A 3 Years - Reason - A;
2. The accommodation, hereby permitted, shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Mill Farm, Fowlmere Road, Melbourn.
(Reason – The Local Planning Authority would not permit the creation of a separate residential unit in the countryside contrary to the aims of Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003.)
3. Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage, shall be submitted to and agreed in writing by the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans.
(Reason – To prevent the increased risk of pollution to the water environment.)

Informatives

Informatives of the Environment Agency

Reasons for Approval

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

South Cambridgeshire Local Development Framework (LDF) Development Control Policies adopted January 2007
Policy HG/6

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

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

- South Cambridgeshire Local Development Framework – Development Control Policies – Adopted July 2007
- Planning Application File Refs: S/1094/07/F and S/1970/04/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee1st August 2007**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/1835/06/RM – GAMLINGAY**Dwelling – Land to the rear of 32 Mill Street (off School Close)****for Mr and Mrs A Hibbert****Recommendation: Approval****Date for Determination: 20th November 2006****Notes:**

This Application has been reported to the Planning Committee for determination because Gamlingay Parish Council has recommended that the amended plans be refused.

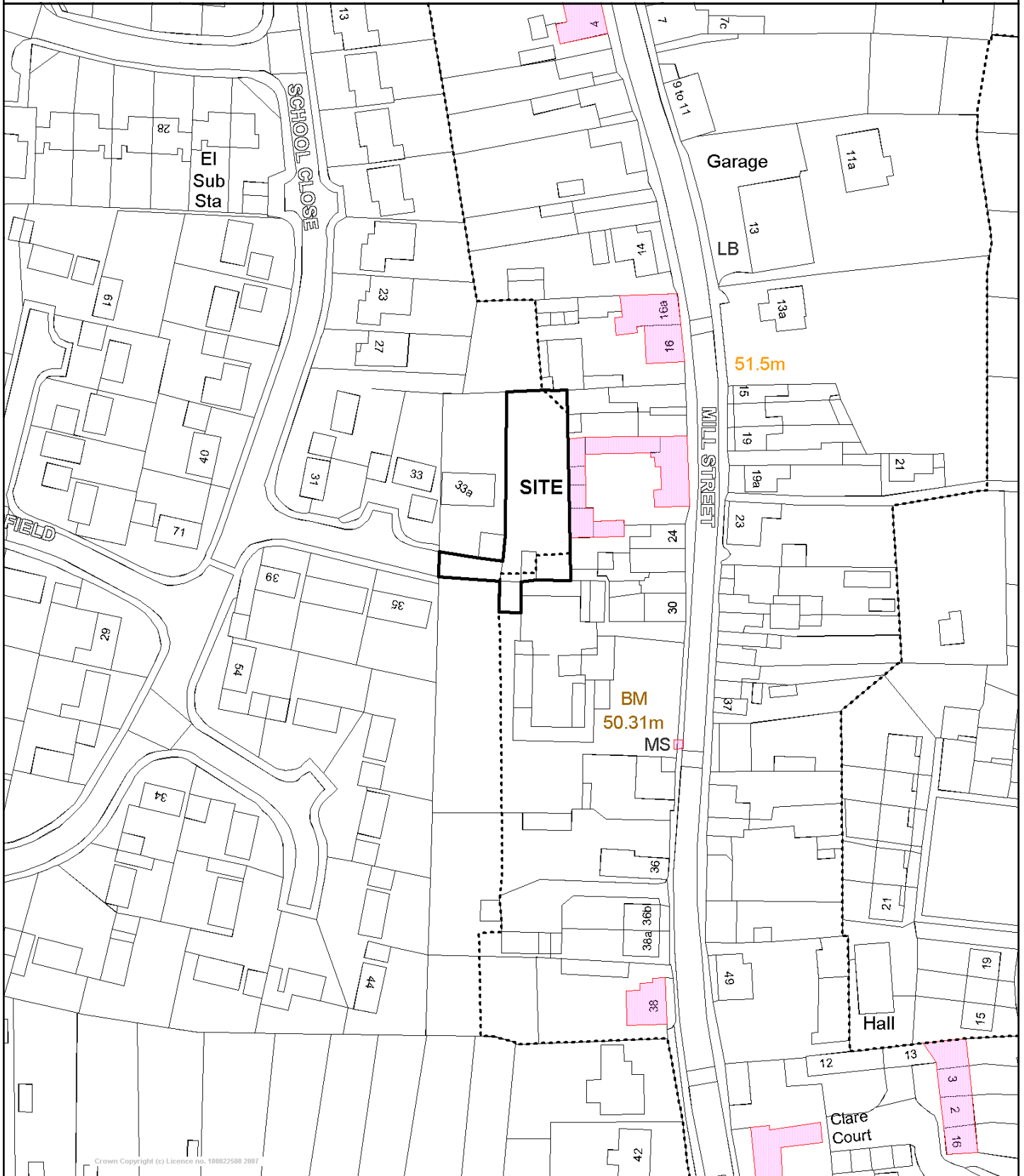
Adjacent Conservation Area**Site and Proposal**

1. Members originally visited the site on the 5th February of this year and the application was discussed on the 7th of the same month. At the time of the original submission the design and location of the proposed dwelling was based around the retention of a protected walnut tree in the centre of the site. By siting the dwelling forward of the neighbouring property in School Close issues of neighbour amenity had been raised by residents of the neighbouring properties in Mill Street.
2. As a result of the Committee Meeting the decision was taken to investigate the possibility of felling the protected walnut tree so that the proposed dwelling could be redesigned and sited further back within the site. The reserved matters application has since been amended in order to site the dwelling approximately 5 metres further to the north. Moreover a pitched roof detached garage is also proposed to the south of the new dwelling. Adjacent to the eastern boundary of the site the proposed brick garage has a height of 2.8m to the eaves and 6m to the ridge and a width of 7.6m.
3. In terms of the dwelling itself a pair of first floor dormer windows have been added to the rear elevation, which now has an eaves height that has been reduced to 4m. The asymmetrical forward projecting gable has been reduced in depth (7.5) but has been increased in height (7.5m) and an additional bathroom window has been inserted in the first floor of the east elevation. The overall height of the dwelling has remained unchanged.

Planning Policy – (additional considerations since the date of the last Committee Meeting)

South Cambridgeshire Local Plan 2004 Local Development Framework to be Adopted July 2007)

S/1835/06/F



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4. DP/2 'Design of New Development' **states that all new development must be of high quality design and should preserve or enhance the character of the local area.**
5. CH4 'Development within the Curtilage or Setting of a Listed Building' **states that permission will not be granted for development which would adversely affect the curtilage or wider setting of a Listed Building.**
6. **CH5 'Conservation Areas'** requires applications for development within Conservation Areas to be determined in accordance with legislative provisions national planning policy and Supplementary Planning Guidance.

Consultation

7. **Gamlingay Parish Council** – Recommends that the application be refused following concerns over the roof height of the new proposed garage adjacent to 24/26 Mill Street, which will overshadow these properties. The Parish Council recommends refusal due to the massing/height of the garage roof, and lesser concerns over the proximity of footings to barns adjacent.
8. **Conservation Manager** – Notes that the design of the dwelling remains broadly the same but with the garage being separated off. The new location results in a very poor relationship between the east wall of the new dwelling and the west wall of the range of curtilage listed outbuildings with no space being provided to adequately maintain these outbuildings. The revised scheme is contrary to Policy EN28 and PPG15 as it is harmful to the setting of these curtilage listed structures.
9. **Trees and Landscapes Officer** – Has no objection, though has requested that details of a replacement walnut tree be submitted for the replacement of the TPO'd walnut tree.

Representations

10. Two letters of objection have been received from the owner/occupiers of 24 and 26 Mill Street and an E-mail of objection has been received from the owner/occupier of 23 Mill Street, their objections relate to the following:
 - (a) The loss of the TPO'd tree (loss of visual amenity). A suitable house should be built not fell the tree.
 - (b) Impact upon neighbour amenity from the garage (numbers 24 and 26 Mill Street) and its tall pitched roof.
 - (c) Increase in the size of the dwelling

Planning Comments – Key Issues

11. With the loss of the TPO'd walnut tree the location of the dwellinghouse has altered, as has the design of the property with the garage element now being provided by way of a detached building. Therefore, as with the earlier scheme the main issues for Members to consider are the suitability of design and scale of the proposed dwellinghouse with regard to the visual impact upon the adjacent Conservation Area, the impact upon neighbour amenity and the loss of the TPO'd walnut tree.

Impact upon the Conservation Area

12. Although the Conservation Manager has objected to this scheme if the forward projecting gable were to be taken away from the curtilage listed outbuilding at the rear of 22 Mill Street then the objection would no longer stand. In discussions with the applicants and the Conservation manager a figure of 1m has been suggested as a suitable distance between the new building and the curtilage listed barn. Amended plans are awaited to show this greater space between the two buildings. If Members are minded to approve the application it is requested that the application only be approved following the aforementioned amendment being received.
13. By setting the dwelling further back within the site the bulk of the dwellinghouse will be in part screened by the tall outbuilding at the rear of 22 Mill Street. Therefore views of the property will be limited from the public highway by virtue of the density of built form that fronts Mill Street. As mentioned in my previous report the Gamlingay Conservation Area is considered to be more urban in character than some of the Conservation Areas in the smaller villages of South Cambridgeshire. Therefore the principle of the siting of the physical bulk of the proposed dwelling to the rear of the curtilage listed outbuildings has never been considered unacceptable, and I do not consider that this amended design has any more of an impact upon the Conservation Area than the previous design.

Impact upon Neighbour Amenity

14. Whereas previously a large proportion of the dwelling was located to the rear of numbers 24 and 26 Mill Street the amended design takes the dwelling further away from these two properties. In place of the forward projecting gable the proposed single storey garage will be to the rear of the boundary fence of number 24 Mill Street. Although the garage will be 6m in height the ridge will be away from boundary of the site as a result of the proposed ridged roof. Given the distance of the apex from the neighbours' boundary fence approximately 3 metres and its height I do not consider that the development will have an unacceptable impact upon neighbour amenity.

The loss of the TPO'd walnut tree

15. The reason for the walnut tree originally being protected by way of a tree preservation order was to enhance the visual amenity of the area. It is considered that this visual amenity could be just as suitably provided by a newly planted semi-mature tree at a distance from the new house that would allow its unhindered growth. If Members are minded to approve this application a condition will be used to require that a semi-mature tree be planted as part of the scheme of landscaping for the site.

Recommendations

16. Approval of reserved matters of siting, design and means of access (As amended by drawing number P331/8 Rev E, P331/12 Rev E and P331/17 Rev E in accordance with outline planning permission S/0141/01/O dated 23rd February 2004.)
 1. Sc5a – Notwithstanding the details enclosed on the plans, hereby approved, no development shall commence until details of materials for external walls and roofs and foundations have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details. (Rc5aii);
 2. Sc51 – Landscaping (Rc51);

3. Sc52 – Implementation of landscaping (Rc52);
4. Sc60 – Details of boundary treatment (Rc60);
5. Sc5f – Details of materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas (Reason – To minimise disturbance to adjoining residents);
6. Sc22 – No further windows at first floor level in the east elevation and roofslopes of the development (Rc22);
7. The first floor windows in the east elevation of the dwelling shall be fitted with and permanently maintained with obscure glazing. (Rc In order to protect the amenity of the occupiers of adjoining properties.)
8. Restriction of hours of use of power operated machinery; during the period of construction
9. The roof light in the east elevation of the west facing wing shall be 'conservation style' rooflights and shall be no lower than 1.7 metres above finished floor levels. (Rc In order to protect the amenity of the occupiers of adjoining properties.)
10. No development shall commence until details of a scheme of habitat enhancement and nest box provision has been submitted to and approved in writing by the Local Planning Authority, the approved scheme shall then be implemented prior to the occupation of the dwelling. (Rc - To enhance the biodiversity of the site and mitigate the loss of natural habitats as a result of its development.)
11. Notwithstanding the provisions of Regulations 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order), the following classes of development more particularly described in the Order are expressly prohibited in respect of the property unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf:-
 - i) PART 1, (Development within the curtilage of a dwellinghouse, classes A, B, C and E).
 (Reason - To preserve the character and appearance of the adjoining Conservation Area.)

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P1/3** (Sustainable design in built development) and **P7/6** (Historic Built Environment);
 -
 - **Local Development Framework: Core Strategy and Development Control Policies 2007 ST5** (Minor Rural Centres); **DP/1** (Sustainable Development); **DP/2** (Design of New Development); **CH4** (Development within the Curtilage or Setting of a Listed Building) and **CH5** (Conservation Areas)

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

- Residential amenity including noise disturbance and overlooking issues
- Visual impact on the locality
- Impact upon setting of adjacent Conservation Area
- Loss of protected walnut tree

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

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Development Framework 2007
- Planning File Ref: S/1835/06/RM and S/0141/01/O

Contact Officer: Edward Durrant – Planning Assistant
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee1st August 2007**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/1264/07/F – LITTLE GRANSDEN**Change of Use of Barn to Holiday Accommodation at Land off Church Street
Little Gransden for Mr and Mrs P Nisbit****Recommendation: Delegated Approval****Date for Determination: 24th August 2007****Notes:**

This Application has been reported to the Planning Committee for determination because the Parish Council opinion is likely to be contrary to that of the Local Planning Authority.

Members will visit this site on Monday 30th July 2007

Site and Proposal

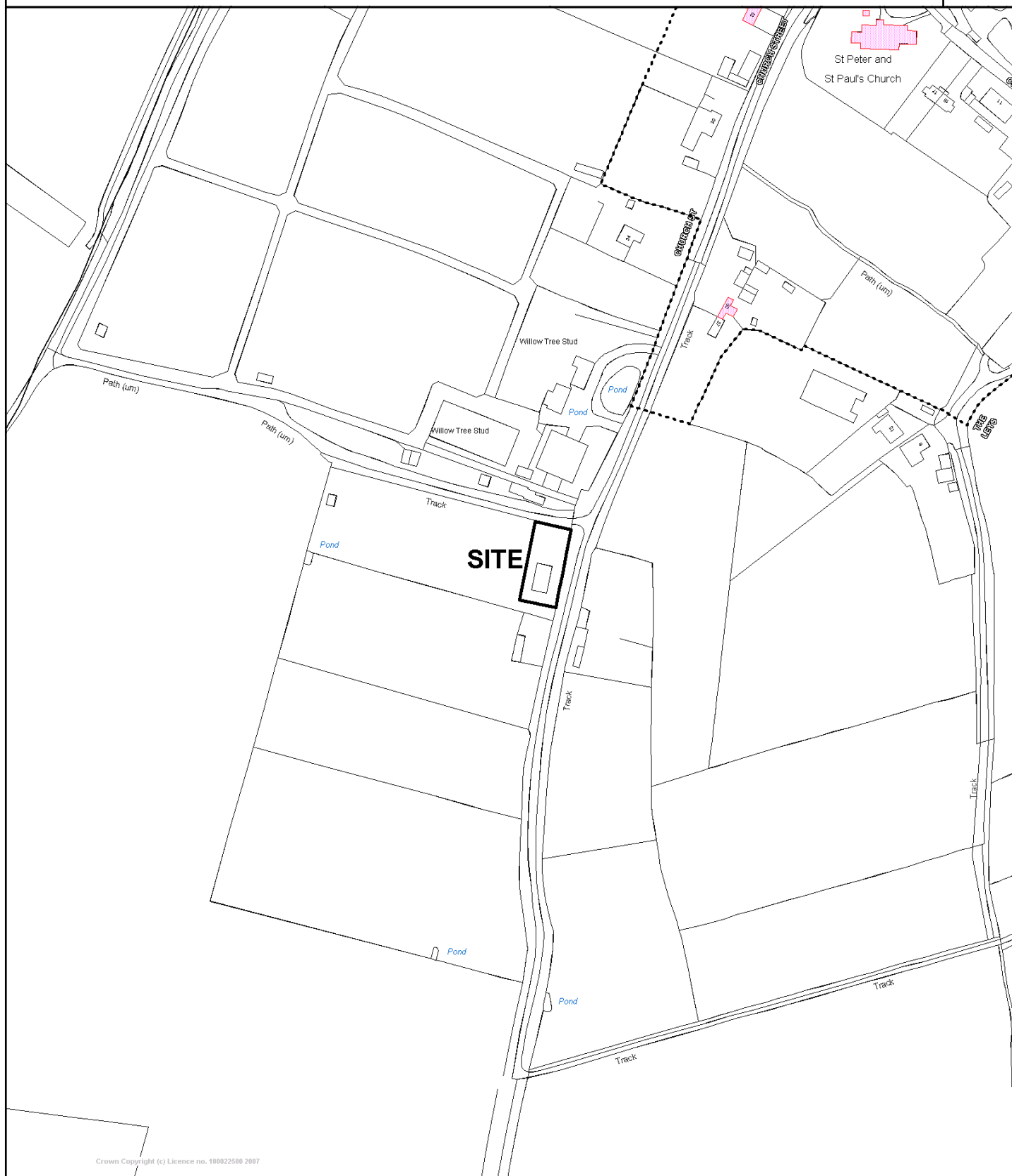
1. Land off Church Street is located outside of the village framework for Little Gransden and outside of the Conservation Area. There are no surrounding Listed Buildings. The site comprises 0.063 hectares with adjoining land in the same ownership amounting to 5 hectares. A public right of way runs along the northern boundary of the application site. The surrounding west and south boundaries of the area edged blue are screened heavily with trees, the eastern boundary is also screened sparsely by trees and the existing building is visible through them. The northern boundary is very open with only a hedge boundary separating it from the neighbouring bridleway. Views of the building are very apparent from this public right of way.
2. The existing building comprises a brick built single storey building with a floor area of 72.6 m². There is only one large opening on the north elevation. The existing roof material consists of corrugated metal sheeting over a timber frame.
3. This full application, received on 29th June 2007, proposes the conversion of the above mentioned building for the use of holiday accommodation and 2 bed unit. The roof materials proposed are pan tiles and 3 new openings are proposed, two installed in the west elevation and one in the south elevation. The scheme proposes a 1.2 metre post and rail fence to the curtilage of the building, reinforced with native hedging. A gravel turning and parking area is proposed to the north of the building. The access is to remain as existing.

A Design and Access Statement accompanies the application.

Planning History

4. An earlier application was withdrawn in light of a recommendation for refusal. (S/0754/07/F). Following discussion the scheme has been revised and resubmitted to

S/1264/07/F



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address the issues raised with regard to the adverse impact the change of use would have on the surrounding countryside.

Planning Policy

Cambridgeshire and Peterborough Structure Plan 2003

5. **Policy P1/2 'Environmental Restrictions on Development'** states that developments in the countryside will be restricted unless demonstrated to be essential in a particular rural location.
6. **Policy 4/1 'Tourism, Recreation and Leisure Strategy'** requires that new or improved tourism, recreation and leisure developments protect or improve the local environment, landscape and residential amenity.
7. **South Cambridgeshire Local Plan 2004**
8. **Policy SE5 'List of Infill Villages'** sets out the requirements for new dwelling in infill village frameworks considering issues of impact upon character and amenities of the locality.
9. **Policy RT1 'Recreation and Tourism Development'** sets out the requirements for the development of recreation and tourism facilities within the District.
10. **Policy RT10 'Development for Holiday Accommodation'** sets out the requirements for the conversion of existing buildings in the Countryside for Holiday accommodation.
11. **South Cambridgeshire Local Plan 2004 Local Development Framework (Adopted July 2007)**
12. **DP/2 'Design of New Development'** states that all new development must be of high quality design and preserve or enhance the character of the local area.
13. **DP/7 'Development Framework'** states in part that outside urban areas only development for agriculture, horticulture, forestry and outdoor recreation and other uses in the countryside will be permitted
14. **ET/10' Tourist Facilities and Visitor Accommodation'** states: "Outside development frameworks, development to provide overnight visitor accommodation, holiday accommodation, public houses and restaurants will only be permitted by change of use/ conversion, or through appropriate replacement of buildings not requiring large extension, or by appropriately modest extensions to existing facilities."

Consultation

15. **Lt Gransden Parish Council** – Not received at time of writing report – report verbally
16. **The Local Highway Authority** – has asked the applicant to show 2.0m x 2.0m visibility splays on the drawing included in the curtilage of the development site and that this area should be kept clear of all planting, fencing, walls and the like exceeding 600mm high. Also the applicant should show the dimensions of the proposed parking area and manoeuvring space (11m minimum including the length of the parking space) to demonstrate that vehicles can enter and leave in forward gear.

17. **Ecology Officer** – comments will be verbally reported

Representations

18. None received at time of writing report.

Planning Comments – Key Issues

19. The key issues relevant to this application are the impact of the development on the surrounding countryside and the character of the area and whether the building is worthy of conversion without significant material changes.

Impact on the character of the surrounding countryside

20. The proposal aims to have only three additional openings on the building, including barn like shutters for when the building is not in use, retaining the rural character of the building as much as possible. The existing front opening is to be retained and the glass recessed, taking away any potential glare and again shutters to cover the windows when not in use. No openings are proposed in the roof, the restriction of these can be addressed via condition. No extensions are proposed to the buildings.
21. The earlier consent showed the area outlined in red to extend around the entire site, this has been altered to include primarily the building itself and the immediate surrounding curtilage. This reduces the impact of the site on the surrounding countryside, particularly the views looking southeast from the neighbouring bridleway that runs along the northern boundary of the site. To retain the rural character native landscaping along the boundaries creating a distinct but rural separation should be required. The area outlined in blue can be protected from encroachment via condition also if required.
22. The site is located some distance outside the village framework boundary for Little Gransden. However Church Street has a series of sporadic residential buildings further down the lane. The closest buildings to the site are those at Willow Tree Stud. The application site, although separated by the bridleway reads as a rural building and the proposal does not significantly alter this. There are more buildings located further south of the site, these are predominately stables and far smaller in scale.
23. It is my opinion that in light of the minimal external changes to the building, the reduced application site and the proposed boundary planting the impact on the surrounding countryside is minimal. The applicant has addressed all areas where concern regarding the impact on the countryside has been previously raised and I am of the opinion the scheme is in accordance with the requirements of the abovementioned policies, particularly ET/10 of the Local Development Framework 2007.

The Conversion of the Existing Building

24. Upon visiting the site the existing building visually looks of sound condition. However a structural survey was not submitted with the earlier application and therefore lacked vital information. This application has been submitted with a structural survey confirming that the building is worthy of conversion without significant rebuild.

Recommendation

25. Subject to the nature of awaited consultation comments from the Ecology Officer and Lt Gransden Parish Council

Approve

Conditions

1. SCA – Time Limited Condition - (RCA
2. No development shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:
 - a) The materials to be used for the roof
 - b) Precise details of the joinery proposed for the windows and doors
 - c) Boundary treatment
 - d) A scheme for the provision of bat and bird boxesThe development shall be carried out in accordance with the approve details.
(Reason – To ensure that the development is not incongruous)
3. SC51 Landscaping - RC51
4. SC52 Implementation of landscaping - RC52
5. No building works shall take place between 15th March and 15th August in any year
(Reason – to protect breeding birds)
6. Before development commences, 2.0m x 2.0m visibility splays shall be provided within the application curtilage and this area shall be kept clear of all planting, fencing and the like exceeding 600mm high.
(Reason – In the interest of Highway Safety)
7. The accommodation, hereby permitted, shall not be occupied other than for holiday accommodation and shall not be occupied as permanent accommodation or as a main residence.
(Reason – To ensure the use of the building does not become permanently residential to protect the future of the countryside in its own right)

Informative

Reasons for Approval

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

South Cambridgeshire Local Development Framework (LDF)
DP/2 ‘Design of New Development’.
DP/7 ‘ Development Framework’
ET/10’ Tourist Facilities and Visitor Accommodation’

Cambridgeshire and Peterborough Structure Plan 2003:
P1/2 (Environmental Restrictions on Development)
Policy 4/1 (Tourism, Recreation and Leisure Strategy)

South Cambridgeshire Local Plan 2004:
Policy SE5 'List of Infill Villages'
Policy RT1 'Recreation and Tourism Development'
Policy RT10 'Development for Holiday Accommodation'

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

- South Cambridgeshire Local Development Framework 2007
- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Files Ref: S/1264/07/F and S/0754/07/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

1st August 2007

AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0635/07/F – HARSTON

Extension and Conversion to form Dwelling - No 1 Hurrell's Row, for Mr & Mrs May-Gillings

Recommendation: Approval

Date for Determination: 18th June 2007

Notes:

This Application has been reported to the Planning Committee for determination because the recommendation is contrary to the response of the Parish Council.

Members will visit this site on Monday 30th July 2007.

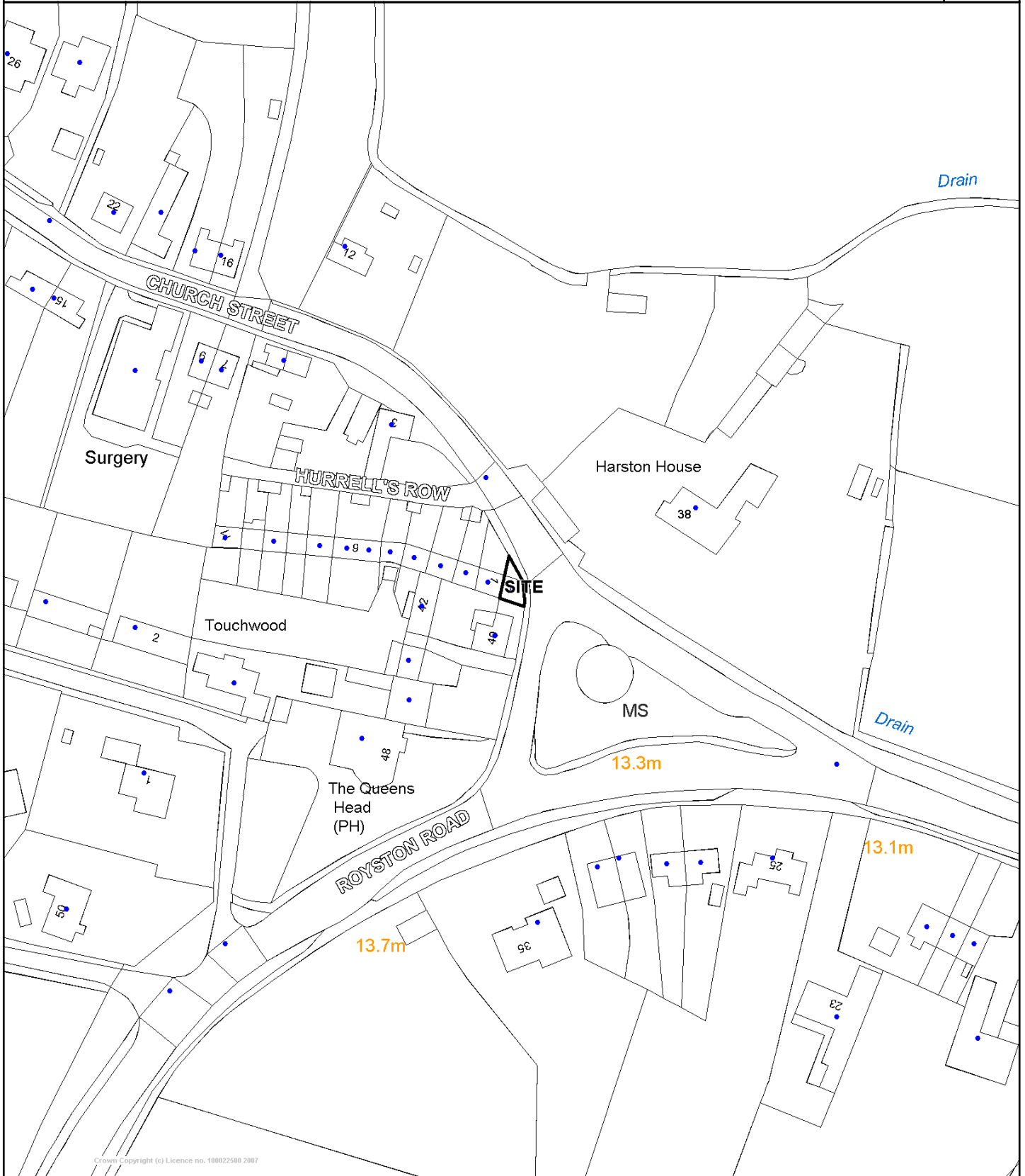
Background

1. Members may recall that the application was deferred for a site visit at 4th July 2007 meeting.
2. Attached as Appendix 1 is the report to Planning Committee of 4th July 2007.

Update including representations from the Parish Council and the occupier of No 1A Hurrell's Row

3. An email has been received from the Harston Parish Council to comment the second sets of amended plans date stamped 19th June 2007. The Parish Council considers that the proposal should be refused for the following reasons:
 - a. 'The proposed development is out of character with the existing street scene of Church Street, Royston Road and Hurrell's Row, in historic Harston;
 - b. The proposed development for residential occupation has no garden space, no parking space, nor any private outdoor space whatsoever; a tiny outdoor paved triangle only, and fronting directly onto the street. The low fence (it could not be more than 3.5ft high due to visual obstruction) will not give nay privacy to an occupant of the proposed development;
 - c. The total proposed floor area is more than double the original floor area;
 - d. The proposed extension to the northwest projects unacceptably beyond the existing building line of the other existing, historic Hurrell's Row cottages;
 - e. The proposed development, projecting beyond Hurrell's Row building line, would block light from the gardens of 1A and 2 Hurrell's Row;
 - f. The proposed 2 storey development on the Royston Road elevation is out of character with the other properties on Church Street and Royston Road, which are set back from the road (and have back gardens). The proposed 2 storey

S/0635/07/F - Harston



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development will project prominently, unattractively and unacceptably, and the building line to the every edge of the narrow footpath along this buys section of Royston Road would be unacceptably prominent;

- g. There is no guarantee of nighttime car (or van) parking space on the road, and no space whatsoever on the development site for car or van parking;
 - h. The proposed location for the dustbins is directly beneath the two ventilation/air bricks for 1A Hurrell's Row. The ingress of dustbin odours, especially with rubbish decomposing between the fortnightly rubbish collections, would be an unacceptable nuisance No 1A. Flies attracted to the dustbins would also be an unacceptable nuisance; and
 - i. The development is essentially a tiny gardenless flat, projecting beyond the building line of Hurrell's Row houses; with virtually no outdoor space, and visually unacceptably prominently on a very busy and prominent corner of historic Harston.'
4. Objection has been received from the occupier of Nos.1A Hurrell's Row regarding the second amendment date stamped 19th June 2007. While the previous comments still apply, the revised roof design is worse in that it would have to be attached to No 1A's end wall which is made of clunch/claybat; and the proposed extension would affect sunlight to the garden and the house. The occupier of this neighbouring property invites Committee Members to view from the garden area.

Recommendation

5. Approval, as amended by drawings number PR10B and PR11C date stamped 19th June 2007:

Conditions

1. Standard Condition - Time Limited Permission A (Reason - A).
2. Sc5a Details of external materials (Rc 5a ii).
3. No windows, doors or openings of any kind shall be inserted at first floor level in the west side elevation of the dwelling, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf. (Reason – To safeguard the privacy of occupiers of the adjoining property to the west, No 1A Hurrell's Row).

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **South Cambridgeshire Local Development Framework (LDF) Core Strategy**, adopted January 2007:
ST/6 (Group Villages)
 - **South Cambridgeshire Local Development Framework (LDF) Development Control Policies**, Development Plan Document (to be adopted July 2007):

Policy SF/1 (Protection of Village Services and Facilities)
Policy DP/2 (Design of New Development)
Policy DP/3 (Development Criteria)
Policy DP/7 (Development Frameworks)

- **Cambridgeshire and Peterborough Structure Plan 2003:**
P3/4 (Rural Services and Facilities)
- **South Cambridgeshire Local Plan 2004:**
SH6 (Loss of Shops)
EM8 (Loss of Employment Sites in the Villages)
SE8 (Village Frameworks)
HG10 (Housing Mix and Design)
TP1 (Planning More Sustainable Travel)

2. The proposal is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Loss of shop in the village;
 - Impact on character of area;
 - Residential amenity;
 - Parking provision/ Highway safety.

General

The applicants' attention is drawn to the comments from the Council's Building Inspector that the proposed alternating tread stairs are not suitable under Building Regulations. Spiral or traditional staircases should be considered.

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

- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, Development Plan Document Submission Draft, January 2006
- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Ref: S/0635/07/F, S/2427/LDC, C/0553/71/D
- Planning Committee Report of 4th July 2007, agenda item 22

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee1st August 2007**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0764/07/F - BARRINGTON**Extensions, Alterations and Change of Use from Office to Residential and Function Facility at Barrington Hall, Haslingfield Road for Mr Sutcliffe and Miss Fernandes****Recommendation: Approve subject to Conditions****Date for Determination: 19th June 2007**

This Application has been reported to the Planning Committee for determination because the Parish Council objects, contrary to the officer recommendation and due to the receipt of further information following consideration of the proposal at July 2007 Planning Committee meeting.

Update:

1. Members will recall deferring the application at the July 2007 Planning Committee Meeting. The July report is attached as appendix 1, electronically.
2. The application meeting was deferred so that officers could identify appropriate conditions relating to noise (including from fireworks) and frequency of events and determine, in discussion with the Environmental Health Officers, the operating conditions, which should be properly controlled under the licensing legislation as apposed to on any planning permission.

Further consultation

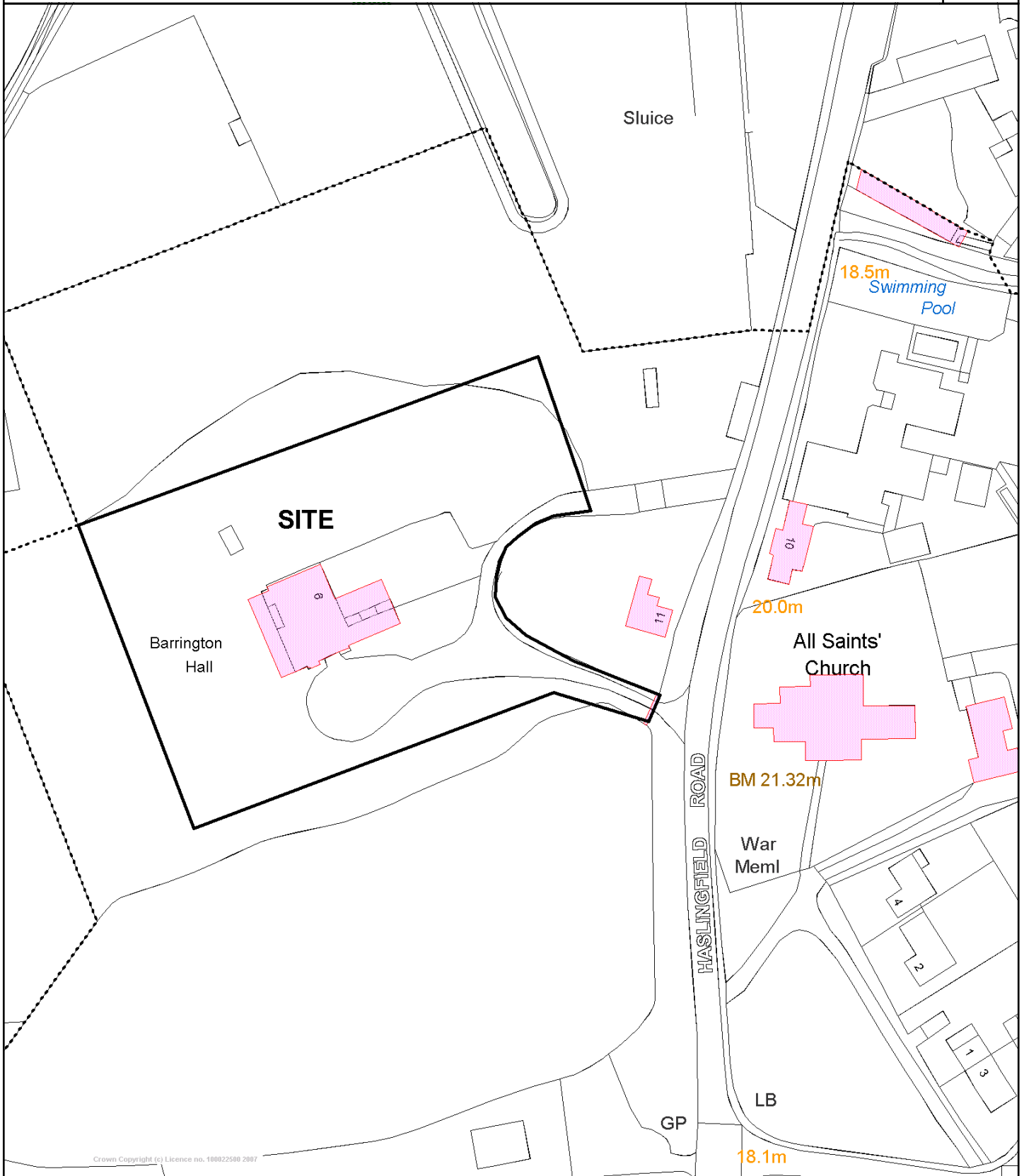
3. Comments from the **Environmental Health Officer** were received, the comments read as follows:

“I have no adverse comments to add in respect of the application at this time. However, any conditions to control noise will be added from an Environmental Health Standpoint on receipt of an application under the Licensing Act 2003.

I conclude there are no significant impacts from an Environmental Health Standpoint.”

4. I conclude from these comments and additional conversations with the Environmental Health Officer that conditions are not enforceable by Environmental Health unless they are in breach of the agreed licensing that at present have not been applied for. It is understood however that should a noise complaint be made Environmental Health are able to act insofar as legislation allows with reference to noise pollution.
5. “The **Environmental Health Officer** further states: “the most stringent manner in which to control noise may be through licensing conditions which may include sound limiters, which limit the volume at which amplified music can be played. If breached, these act by cutting the music out. Prior to any events, the limiter should be set out a level considered appropriate by the Local Authority.

S/0764/07/F



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6. With respect to required decibel levels, these are more in common with Planning Policy Guidance 24 which is associated with monitoring noise from existing sources at locations proposed for building noise sensitive developments, and BS4142 which investigates noise in mixed industrial and residential areas. For instance, noise levels from an extraction system and the level experienced close to the nearest façade of the dwelling.
7. Therefore, as stated, the primary legislation in this instance would be the Environmental Protection Act 1990, having specific regard to sections 79 and 80. Therefore considerations is given as to whether any noise, if complained of, indeed constitutes a statutory nuisance and subsequently warrants further action, which is down to the investigating officers discretion. A key factor here, is also whether the noise is deemed “unreasonable” on which there is case law available, as well as that which is available stating that specific decibel levels are not required to prove the existence of a statutory nuisance”.
8. Discussions with Licensing have confirmed that it is able to control regulated entertainment (including dancing, live music and recorded music) and the sale of alcohol through a licensing application. An application for this has yet to be submitted.
9. However, the Local Planning Authority control certain issues that have been raised. Providing the condition can be regarded as coming within each of the six tests (necessary, relevant to planning, relevant to permitted development, enforceable, precise and reasonable in all other aspects, all listed within the Circular 11/95) the Council can reasonably condition the number of events held per year, the total restriction on the playing of music of any form after 11.30pm and the maximum number of firework displays per year. The conditions will have to be precise.

Further representations

10. A letter of objection has been received from the occupiers of No.23 Bendyshe Way who raise serious concern with regard to the noise that will be emitted from such proposed uses, alcohol and noise related to drunken behaviour, an increase in traffic movement, the difficulty in removing a licence once granted and not enough proposed employment to benefit the village.
11. Another letter has been received from the agent representing the applicant who has stressed further how the applicants have had ongoing discussions with Barrington Parish Council, the most recent dated 27th June 2007 where the event number was further reduced in light of the requests made by the Parish Council. The scheme has been significantly modified to address the issues that have been raised and the agent believes there is not much more that has to be changed to reach the aspirations of both parties.

Traffic

12. With reference to the other concerns raised I am would like to reiterate the applicants workings on the predicted vehicle movements. The agent showed a decrease in the vehicular movements for the proposed uses, clearly indicating a reduction from the recent office use at this site, outlining 12000 journeys per annum for the office use and 8000 per annum for the proposed uses.
13. It was reported verbally at the July Committee meeting that the applicant has agreed to reduce the event usage further still to 24 weekend functions per year, in line with

that of the Parish Councils requirements. This will reduce traffic movement further still, the agent now implying a figure of 7000 per annum. Not only has this reduced the traffic to and from this site but also the proposed uses are less coincidental with peak traffic flow. It was also suggested that the applicant re-arranged the proposed conference use outside of school start and leaving times. This would again have a lesser impact on the surrounding vehicular movements. The parking arrangements for this application are sufficient for its required use.

14. The agent has, since July Committee, written to the Local Highways Authority for further comments on the figures provided to ensure these are not seen as just estimates but carefully considered conclusions following consistent methodology in relation to both the existing and proposed traffic situations. The LHA response will be reported verbally.

Fireworks

15. The applicant is aware of the concern of the Parish Council regarding firework displays and the discussions raised in the July meeting. The agent has since written to the Cambridgeshire Fire and Rescue Service to ask for further advice on Firework displays and the relevant publications on handling them. The applicant has also responded to these concerns by suggesting a frequency of a maximum of 7 displays per year between the times of 9.30pm and 10.00pm in the northwest corner of the site. It is my opinion that this does not seem unreasonable and could be conditioned accordingly. However in the interests of moving forward the agent has confirmed the applicants would conform to a lower limit than the 7 previously suggested, although Members should note that the Parish Council requested no firework displays because of proximity of thatched roofs, danger to crops and potential noise disruption to the village. I am of the opinion that the 7 suggested is not unreasonable.

Conclusion

16. In light of the further consultations carried out I am confident that the control of the proposed uses can be achieved adequately. The applicant will need to obtain a licence for the proposed wedding and entertainment use and once in place any breach of the conditions imposed can be enforced by the Environmental Health Department.

Recommendation

Approval - as amended by drawings 811/125A, 811/122B and 811/73B franked 11th June 2007.

Conditions are to be read in conjunction with the Listed Building application S/0765/07/LB, approved 13th July 2007.

1. Live and recorded music shall not be played between the hours of 23.30 hours and 09:00 hours at any event associated with the use, hereby permitted, unless previously agreed in writing by the Local Planning Authority.
(Reason – To safeguard the amenity of the occupiers of the neighbouring properties in the area).
2. The function facility use of the site, hereby permitted, shall not exceed 24 events per year and the conference use hereby permitted, shall not exceed 70 events per year
(Reason – To ensure the intensity remains consistent and to safeguard the amenity of the neighbouring properties in the area).

3. The use, hereby permitted, shall not commence until full details of the location of the proposed marquees have been submitted to and approved in writing by the Local Planning Authority; No marquee shall be placed on the land other than in accordance with the approved details.
(Reason – To ensure the marquees are located in the best location to help reduce potential noise pollution to protect the occupiers of the neighbouring properties in the area).
4. No functions shall be held on Sundays or Public Bank Holiday Mondays.
(Reason - To safeguard the amenity of the occupiers of neighbouring properties).
5. Fireworks displays shall not take place on the site other than between 21.30 hours and 22.00 hours and shall not exceed 7 events in any one year; the siting of these displays shall be restricted to a site-specific area, the details of which shall be submitted to and agreed in writing by the Local Planning Authority.
(Reason – To safeguard the amenity of the occupiers of the neighbouring properties in the area).
6. The use, hereby permitted, shall not commence until the vehicular access have been widened to a width of 5 metres for a distance back into the site from the existing gate piers of 18 metres. (Reason - In the interests of highway safety).

Informatives

Reasons for Approval

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

• **Cambridgeshire and Peterborough Structure Plan 2003:**
P1/2 (Environmental Restrictions on Development)
P7/6 (Historic Built Environment)
P4/1 (Tourism, Recreation and Leisure Strategy)

• **South Cambridgeshire LDF Development Control Policies 2007.**
HG/6 (Extensions to Dwellings in the Countryside)
CH/5 (Conservation Areas)
CH/4 (Development within the Curtilage or Setting of a Listed Building)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity including noise disturbance
 - Highway safety

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

- South Cambridgeshire Local Plan 2004/LDF Development Control Policies 2007
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Files Ref: S/1993/06/F, S/0764/07/F and S/0765/07/LB

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

| | | |
|-------------------|---|-----------------------------|
| REPORT TO: | Planning Committee | 1 st August 2007 |
| AUTHOR/S: | Executive Director / Corporate Manager - Planning and Sustainable Communities | |

S/1130/07/F - IMPINGTON

**House and garage (Renewal of time limited permission S/0817/02/F)
At land adj. Pheasants Grove, Milton Road for Mr T Heeps**

Recommendation: Approval

Date for Determination: 1st August 2007

Notes: This application has been reported to the Planning Committee for determination because the recommendation of refusal from the Parish Council is contrary to that of the Officer's recommendation.

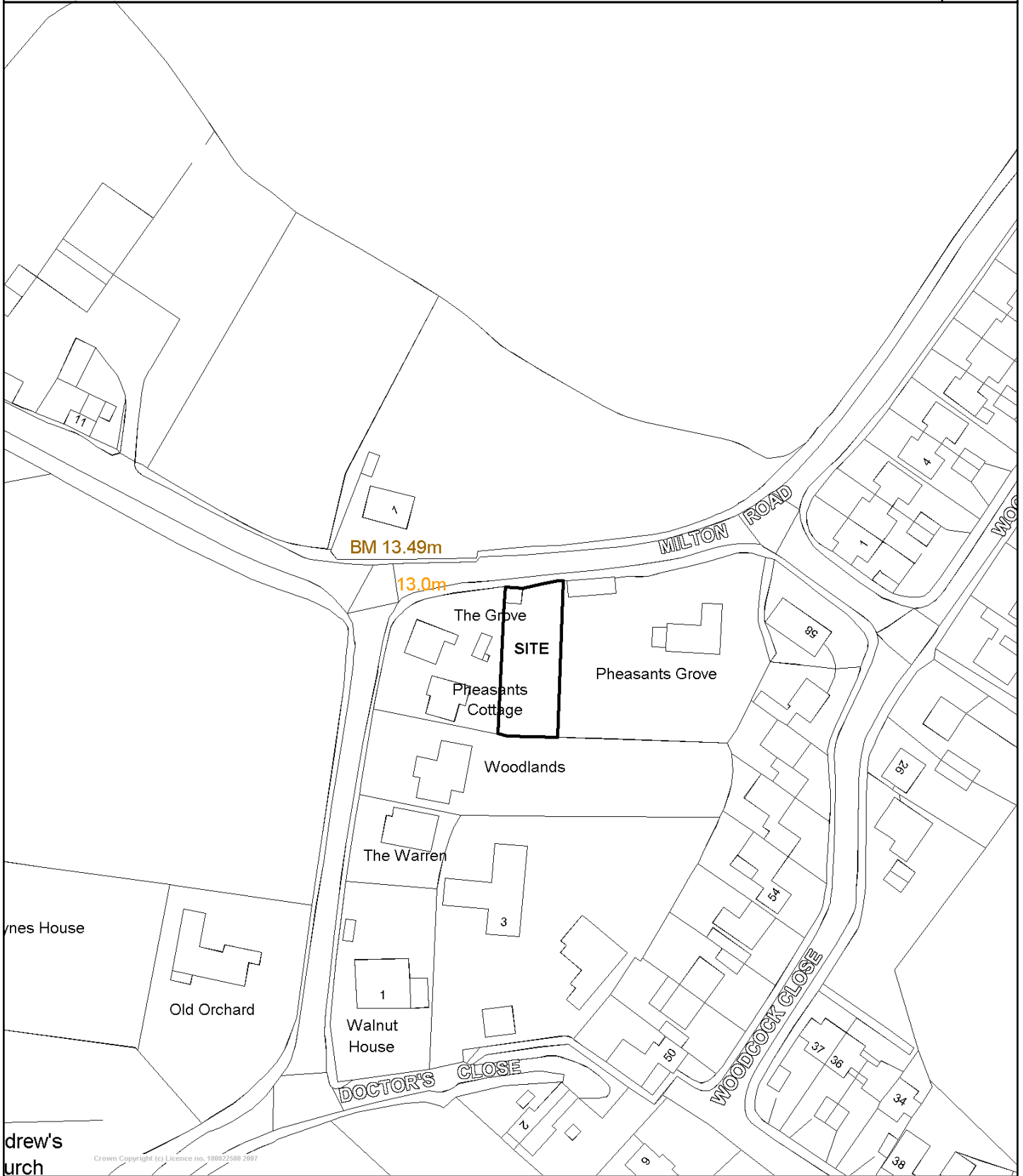
Conservation Area**Site and Proposal**

1. The site consists of a plot with an area of approximately 0.075 of a hectare adjacent to Pheasants Grove, which is a detached two-storey dwelling located off the Milton Road. The site and surrounding area is well treed with the site's frontage being screened from the roadside by a tree belt. The plot is within the village framework of Impington and the boundary of the Conservation Area runs along the eastern boundary of the site.
2. The proposal seeks full planning permission for the erection of a house and garage at the land adjacent to Pheasants Grove, which has been granted planning permission previously under application ref. **S/0817/02F**, the time period for implementation of which having expired 9th July 2007. The proposal is for a two-storey detached dwelling with attached garage. The density of development proposed is 13.3 dwellings per hectare (dph).

Planning History

3. Planning permission was first granted for this site in outline form under planning application ref. **S/0841/85/O**. This permission was renewed twice under refs. **S/1374/90/O** and **S/1471/93/O**.
4. A full planning application for the site was first received in 1995 under application ref. **S/1878/93/F**. This was refused by members at the Planning Committee held on the 2nd March 1994 on grounds relating to the design and impact on a tree within the site. A subsequent planning appeal was dismissed by the Inspector on these same grounds.
5. A revised planning application was received under application ref. **S/1733/96/F** and was approved by members of the Planning Committee on 8th January 1997. This application has been renewed twice previously under application refs. **S/1786/96/O**

S/1130/07/F - IMPINGTON



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and **S/0817/02/F** on both occasions having been considered by members of the Planning Committee.

Planning Policy

6. **Policy ST/4 (Rural Centres)** of the South Cambridgeshire LDF Core Strategy 2007 seeks development and redevelopment without any limit on individual scheme size will be permitted within the village frameworks of Rural Centres, as defined on the Proposals Map, provided that adequate services, facilities and infrastructure are available or can be made available as a result of the development.
7. **Policy SE2 (Rural Growth Settlements)** of the South Cambridgeshire Local Plan 2004 (Local Plan) seeks that development and redevelopment will be permitted on unallocated land within village frameworks of RGS provided that the retention of the site in its present form is not essential to the character of the village, the development would be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours and that the village has the necessary infrastructure capacity. Development should provide an appropriate mix of dwellings in terms of size, type and affordability and should achieve a minimum density of 30dph.
8. **Policy EN5 (The Landscaping of New Development)** of the Local Plan requires the retention of trees, hedges and woodland within new development wherever possible and landscaping schemes to accompany applications for development where it is appropriate to the character of the development.
9. **Policy EN30 (Development in Conservation Areas)** requires that applications for planning permission in Conservation Areas be accompanied by sufficient details to allow their impact to be assessed. Proposals are expected to preserve or enhance the special character and appearance of the Conservation Area. Materials and details should sit comfortably into their context.
10. **Policy P1/2 (Environmental Restrictions on Development)** of the Cambridgeshire and Peterborough Structure Plan 2003 seeks the protection of sites of archaeological, historical or architectural value.
11. **Policy P1/3 (Sustainable Design in Built Development)** of the Structure Plan seeks a high standard of design and sustainability, provides a sense of place , makes efficient use of energy and resource and takes account of community requirements for all new development.
12. **Policy P7/6 (Historic Built Environment)** of the Structure Plan requires local authorities to protect and enhance the distinctiveness of the historic built environment.

Consultation

13. **Impington Parish Council** - have recommended that this application be refused on the grounds that the traffic situation is worsening, with a growing number of non-injury accidents and the Parish Council's concerns about the proposed access still remain.
14. **Conservation and Design** - has no objection to this proposal based on it being a renewal of the previous approved scheme.
15. **Trees and Landscaping** – Advises that tree protection to the Ash tree should be to BS5837 (change chestnut pale fencing to Heras fencing), driveway construction to be

'no dig' within the tree protection zone, drawings and details are required of tree protection areas, and details of 'no dig' construction.

16. **The Highway Authority** - have stated that the proposed access provides 2m by 2m pedestrian visibility splays and the gates are set back from the highway boundary, thus significantly reducing the potential for obstruction of the adopted public highway. Therefore, no significant adverse effect upon the public highway should result from this proposal, should it gain the benefit of Planning Permission.

Representations

17. None received

Planning Comments – Key Issues

18. This application is for a renewal of permission from planning application S/0817/02/F and it is apparent that there are no material changes in circumstances from this approval within or around the site. Despite the concerns of the Parish Council the local highway authority is satisfied that the proposal would not result in the detriment of highway safety.
19. The site could serve up to 2.5 dwellings if developed at 30 dph, however, due to the limitations and constraints of the access and the surrounding amenity of the neighbouring properties, one dwelling is considered to be appropriate within this location.

Recommendation

20. Approve

Conditions

1. Standard Condition A – Reason- A (Time limit).
2. SC5a (materials), e (finished floor levels of the building(s) in relation to ground levels), f (materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas), h (underground works for the provision of services), – (RC5-ai, e, f, h).
2. SC51 – RC51 (Landscaping).
4. SC52 – RC52 (Implementation of Landscaping).
5. Tree protection measures (wording to be agreed with the Trees and Landscape Officer)
6. SC60 – RC60 (Boundary treatments).
6. The permanent space to be reserved on the site for turning and parking shall be provided before the use commences and thereafter maintained. (Reason – In the interests of highway safety).
8. If gates are to be provided to the vehicular access they should be set back 5.0m from the edge of the carriageway. (Reason – In the interests of highway safety).

9. The details of all windows and doors including cills and reveals and all other joinery shall be submitted to and approved in writing by the Local Planning Authority; The development shall be carried out in accordance with the approve details. (Reason – To ensure that the development enhances the character of the conservation area).
10. All windows and doors are to be constructed and timber and painted. (Reason – To ensure that the development enhances the character of the conservation area).

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **South Cambridgeshire Local Development Framework (LDF) Core Strategy 2007:**
ST/4 (Rural Centres)
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
P1/2 (Environmental Restrictions on Development)
P1/3 (Sustainable design in built development)
P7/6 (Historic Built Environment)
 - **South Cambridgeshire Local Plan 2004:**
SE2 (Development in Rural Growth Settlements)
EN5 (The Landscaping of New Development)
EN30 (Development in Conservation Areas)

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Ref: S/0841/85/O, S/1374/90/O, S/1474/93/O, S/0114/93/F, S/1733/96/F, S/0817/02/F and S/1130/07/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 Committee1st August 2007**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0793/07/F - LONGSTANTON**Construction of 300m access road and 238m foul water sewer for Phase 3B at Home Farm - for David Wilson Homes****Recommendation: Delegated Approval****Date for Determination: 15th August 2007****Notes:**

This Application has been reported to the Planning Committee for determination because the Parish Council objects, contrary to the Officer recommendation.

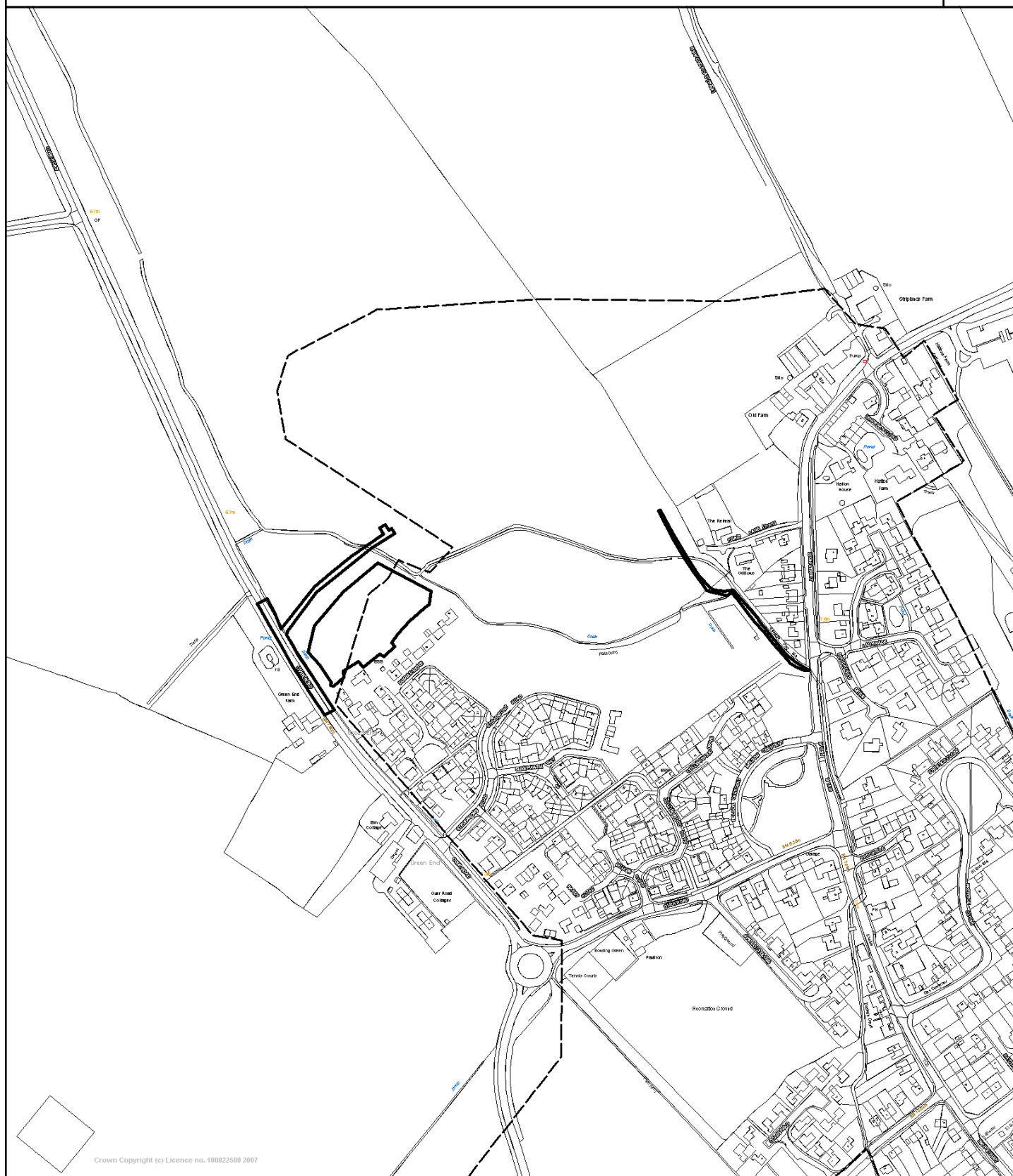
Site and Proposal

1. The site comprises two strips of land, for the access and the foul water sewer. The vehicular access is to be off Over Road and will run along the north western boundary of the Phase 2 development and will serve the future Phase 3B which lies to the west of the permitted Phase 3A development. It proposes a 6m. wide carriageway, 2m.wide footways on either side and a realigned junction with Over Road. It will be some 260m. long.
2. The 240m. long foul water sewer will run between Phases 3A and 3B and to the rear of properties on High Street. It will link Phase 3B and the pumping station.
3. The Full planning application, received on 24th April 2007 has been amended twice to both alter the levels and the alignment of the access road.

Planning History

4. 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.
5. An application to vary conditions 2 and 3 of **S/0682/95/O**, which relate to the timescales for the submission of details and the commencement of development, was submitted under reference **S/1268/02/F**. This application has been treated as withdrawn.
6. **S/1762/03/RM** - 91 dwellings and ancillary works (Phase 1) - approved 22.12.03.

S/0793/07



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7. 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.
8. **S/0246/04/RM** - Application for 196 dwellings (Phase 2) - Appeal allowed August 2005.
9. **S/0625/04/RM** - Reserved Matters application for the construction of on-site roads and sewers (Phase 2) – Approved April 2005.
10. **S/1846/04/F** - Application for balancing pond and scheme of ditch widening to serve development approved by virtue of outline planning permission **S/0682/95/O** – Approved June 2006.
11. An application to vary Condition 16 of the Outline Planning Consent S/0682/95/0 to allow the construction of 630 dwellings has been dismissed at appeal.
12. **S/2069/04/RM** – Application for 153 dwellings (Phase 2) was approved in May 2005.
13. **S/1875/06/RM** and **S/1877/06/RM** – Duplicate applications for 18 dwellings within Phase 2 were approved in December 2006 (net increase of 7 dwellings).
14. **S/1086/06/F** – Application to extend the period for submission of reserved matters for Phase 2 for an additional 2 years was approved in August 2006.
15. **S/1876/06/RM** - Application for 20 dwellings within Phase 2 was approved in December 2006 (net increase of 6 dwellings.)
16. Approximately 10 revised designs have recently been approved for individual plots to include conservatories.

Planning Policy

17. The site forms part of the 21 hectare area of land allocated for some 500 dwellings on land north of Over Road in the South Cambridgeshire Local Plan 2004 Policy HG5
18. The principles of development are encapsulated in Policy Longstanton 1 of the Local Plan 2004. The supporting text at Paragraph 67.17 states:

"The District Council has granted outline planning permission for residential, employment and recreation uses, which includes the provision of a development related bypass. The bypass between Hatton Road, Over Road and Station Road would provide access to Over or Willingham and onto Fenland without passing through the village. The District Council considers that the provision of the bypass is crucial for the village and therefore allocated a larger area for a housing estate than would otherwise be appropriate. In this instance there is no requirement for affordable housing as set out in Policy HG7 because of the need to ensure the provision of the bypass and other community facilities such as a village green, shop and surgery".
19. Longstanton is defined as a Group Village in South Cambridgeshire Local Development Framework Core Strategy Development Plan Document 2007 (**Policy ST/6**).
20. 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:

- (a) “Responds to the local character of the built environment;
 - (b) Is integrated with adjoining landscapes;
 - (c) Creates distinctive skylines, focal points, and landmarks;
 - (d) Includes variety and surprise within a unified design;
 - (e) Includes streets, squares and other public spaces with a defined sense of enclosure;
 - (f) Includes attractive green spaces and corridors for recreation and biodiversity;
 - (g) Conserves important environmental assets of the site;
 - (h) Pays attention to the detail of forms, massing, textures, colours and landscaping.”
21. Development principles are contained within the Local Development Framework Development Control Policies Development Plan 2007. These Policies address sustainability, design, development criteria, infrastructure, cumulative development, construction methods and development frameworks.
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 Statement (PPS) 25**, “Development and Flood Risk” (2006) requires that climate change allowances be incorporated into flood risk.

Consultation

24. **Longstanton Parish Council** - recommends refusal. It states:
“Foul drainage is connected to an existing foul drainage system unable to cope with an additional load.”
25. **Environment Agency** - does not object. It states that it did not object to the Outline planning application based on the best information available at the time. Since then Planning Policy Statement 25 (Development and Flood Risk), published Dec 2006 requires that climate change allowances be incorporated into flood risk probability modelling. As such it is recommended that floor levels of any building/structure be set 300mm above the 6.90m modelled level for the reach of the watercourse to the north of the site above Ordnance Datum Newlyn.
26. Any culverting or works affecting the flow of an ordinary watercourse (including temporary works) requires the prior written consent of the Environment Agency under section 23 of the Land Drainage Act 1991. As both the new access road and the foul sewer are proposed to cross watercourses, consents from the Agency may be needed.
27. **Local Highway Authority states** - “The proposed alignment of the new access road is acceptable to the Highway Authority.
28. Any Planning Permission does not constitute the Highway Authority approval of the construction specification, levels etc. as shown, these will be subject to the separate process of agreeing a Section 38 Agreement under the Highways Act 1980.”

29. **Council's Drainage Manager** - Formal comments are awaited. However, no objection in principle.
30. The comments of Anglian Water are awaited and will be reported verbally.

Representations

31. None received.

Planning Comments - Key Issues

32. The key issues for consideration are:
- (a) The impact on residential amenity.
 - (b) The visual impact of the scheme on the wider locality.
 - (c) Highway safety.
 - (d) Flood risk.

General

33. The application is proposing infrastructure works that are necessary to serve the approved Home Farm development. The comments of both the Highway Authority and the Environment Agency are noted. Subject to the awaited comments of Anglian Water and the Councils Land Drainage Manager, I consider the proposals to be acceptable in principle.

Residential Amenity

34. I do not consider the works will impact on residential amenity other than in respect of possible temporary disturbances during construction. However, I consider that the need for both the access and the sewer far outweighs this. A condition limiting the use of power operated machinery during the construction period should help to minimise the disturbance.

Visual Impact

35. The works are necessary and I do not consider that in the context of the Home Farm development they will appear harmful to the surroundings. Approved Structural Landscaping required by the Outline Planning Permission ref. S/0682/95/O will provide an appropriate setting and screening of the roadway on the north west side.

Highway Safety

36. I note the support of the Local Highway Authority. In my opinion the new junction will serve to slow traffic along this part of Over Road and will not result in any highway safety concerns. The route and location of the access road accords with the Master Plan accompanying the outline planning application.

Flood Risk

37. I note the Environment Agency is not objecting to the proposal. or to the alignments levels of the proposed access road.

Foul Water

38. I note the comments of the Parish Council, however, I cannot see how a refusal of this application will help the situation. The houses that already have planning permission need to be connected to the sewer system even though Anglian Water needs to increase the capacity of the whole system. Confirmation has been received from Anglian Water that it “will provide adequate treatment works and network capacity to enable all dwellings on the [Home Farm] site to be connected to the public foul sewer as and when they are ready for occupation.” Specific comments upon this application are awaited.

Landscaping

39. The approved structural landscaping details contained within plan ref. 665-01-09 Rev. Q show structural landscaping on land immediately north west of the proposed access road. The land to the south east is part of the housing development so no further planting is therefore required.

Recommendation

40. The need for further consultations has come to light during the course of consideration of the application. I therefore recommend delegated powers of approval subject to no new material planning issues being raised as a result of these consultations and subject to a use of power operated machinery noise restriction condition and other safeguarding conditions.

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

- Planning Application File Ref S/0793/07/F
- Outline Planning Permission Decision Notice Ref. S/0682/95/O
- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- Local Development Framework Development Control Policies Development Plan Document 2007.
- Development Brief for Home Farm, Longstanton 1998

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee1st August 2007**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0548/07/RM - LONGSTANTON
Erection of 25 Dwellings, Phase 2, Home Farm
For David Wilson Homes

Recommendation: Approval

Date for Determination: 20th June 2007 (Major Application)

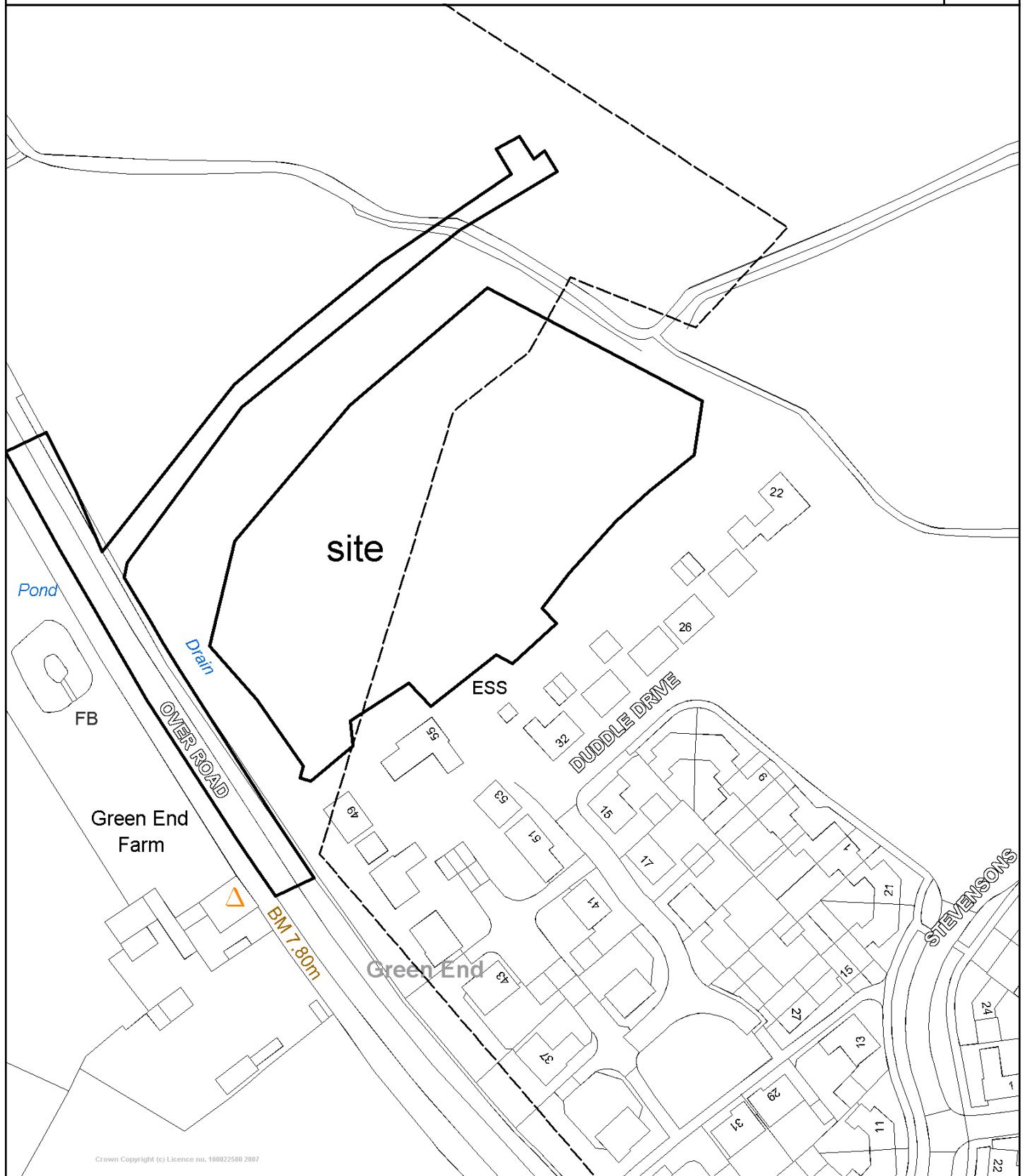
Notes:

This Application has been reported to the Planning Committee for determination because the Parish Council objects, contrary to the Officer recommendation and due to the receipt of further relevant information following consideration of the proposal at the July 2007 Committee meeting.

Update:

1. Members will recall resolving to refuse this application at the July 2007 Planning Committee Meeting. The July report is attached as electronic appendix 1.
2. The decision has not been issued since the developers have advised me that discussions had already taken place with the Environment Agency over finished floor levels and the EA's requirement to set the levels at no lower than 7.20m above Ordnance Datum Newlyn (ODN) had already been agreed.
3. The developers accepted that this information had not been included with the application submission and the EA's original comments, included within the July report, were based on the information sent to it as a result of the consultation process. This information was not available to Committee at the July meeting.
4. In view of this new information I considered it necessary to ask Members to reconsider the proposal.
5. The developers have now produced a plan showing the revised ground and floor levels (7.20m) which has been sent to the Parish Council as additional information.
6. The site lies at a generally lower level to the adjacent already developed areas to the south east. To achieve the 7.20m minimum will require the raising in height of the ground level. However, the new plan also shows that the newly constructed dwellings to the south east are of a similar height above ODN (inferred from annotated spot measurements) and I do not therefore consider the new dwellings will be out of character with the remainder of the site or appear incongruous in the street scene.
7. In my opinion the above addresses Members principle concern. However there were other reasons given for refusal of the application and concerns that I would also like to address.

S/0548/07



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Car Parking

8. Each dwelling has a single parking space in a garage and one in front of the garage with the exception of plots 9 and 18 which each have two parking spaces and parking for two cars in garages. In addition the vast majority of garages are set well back allowing for additional space on driveways for short-term parking by service vehicles, salesmen and some visitors. In total the scheme provides 54 dedicated parking spaces for 25 dwellings with space for short-term parking.
9. The Council's car and cycle parking standards are contained within Policy TR/2 of the Local Development Framework Development Control Policies January 2007. This states:
 1. **Car parking should be provided in accordance with the maximum standards set out in Appendix 1, to reduce over-reliance on the car and to promote more sustainable forms of transport.**
 2. **In some locations, such as those with good accessibility to facilities and services, and served by High Quality Public Transport, the Council will seek to reduce the amount of car parking provided. Where opportunities arise, for example, on mixed-use sites, shared use parking and car pooling will be encouraged to minimise provision.**
 3. **Cycle parking should be provided in accordance with the minimum standards set out in Appendix 2 to ensure the provision of adequate secure parking.**
10. The maximum car parking standards for dwellings is contained within Appendix 1 of the Local Development Framework Development Control Policies 2007. This states the following:

"Average of 1.5 spaces per dwelling across the district (up to a maximum of 2 per 3 or more bedrooms in poorly accessible areas.)"

NOTE:

Garages are counted as parking spaces.

In addition to the above, provision for short-term parking generated by service vehicles, salesmen and some visitors will need to be incorporated into residential developments."
11. Appendix 2, referred to in the policy, states that provision for bicycle storage for dwellings can be within garages.
12. From the above it is clear to me that the submitted scheme contains sufficient parking in accordance with the Council's policy. I would strongly recommend that Members agree that the scheme is fully in compliance with Council policy and do not come to the view that the scheme is deficient in parking provision. To do this would amount to an objection to the Council's own policy.
13. I am confident that an Appeal Planning Inspector would not uphold a reason of refusal based on inadequate parking provision.

Foul sewage disposal

14. At the July meeting objection was raised to the proposal based on the inadequacy of Anglian Water's infrastructure to accommodate the number of dwellings proposed.
15. This application is for reserved matters only and is to consider the detail of some of the 500 dwellings already granted planning permission.
16. When the 500 dwellings were granted planning permission conditions were imposed to make provision for foul water disposal. Those condition have recently been discharged following assurances from Anglian Water that adequate treatment works and network capacity to enable all dwellings on the site to be connected to the public foul sewer as and when they are ready for occupation shall be provided. Attached as appendix 2 is the letter dated 15 January 2007 from Anglian Water confirming this.
17. In my opinion a reason for refusal based upon the current state of the sewage network capacity would not be valid. To refuse to grant consent for these Reserved Matters when the proper time for such consideration is at the Outline stage, and such consideration took place and conditions imposed, and those conditions are now discharged would be wrong and would not be upheld by an Appeal Planning Inspector. The Council would be at risk of costs being awarded against it by "unreasonably refuse to grant permission for reserved matters to pursue issues settled at outline stage (DOE Circular 8/93, "Awards of costs incurred in planning and other proceedings".
18. The developers need to work closely with Anglian Water and I understand they are in regular communication.

Timing of the bypass

19. Again, this was an issue of concern raised at the July meeting, although Members were advised at the meeting not to refuse the application for these concerns.
20. As I understand it, the concern is that if the developers are allowed to build more than 250 dwellings in advance of the completion of the bypass, they will want to sell them in breach of the condition on the Outline planning permission and to enforce the condition would not be possible as it would mean displacing people from their homes.
21. Attached as appendix 3 is a letter from the Deputy Managing Director of David Wilson Homes which sets out their position in this regard and explains the timing of the bypass.
22. An informative, as recommended in the July report, to remind the developer of their responsibility with regard to limiting occupation would seem appropriate. In addition I intend to closely monitor the occupation rates and seek from the developers of the whole site a timetable of build and occupation to be considered alongside the timescale for the bypass. If necessary the Council can consider an injunction to prevent occupation should there be evidence that such a breach of the restrictive condition and obligation in the S106 Legal Agreement is likely to occur.

Consultation

23. **Longstanton Parish Council** comments in relation to the amended plan considered by Members at the July committee (amendment involved the moving away of plots 1, 2 and 3 from the rear garden boundary of No. 30 Duddle Drive):

"Concerns that some houses may be at risk from flood. It is not clear if more homes are planned for this area. Plot 1, on the proposed development area has the side of its house backing directly onto the back garden of a house that was built in an earlier phase. The typical arrangements is for plots to back onto each other garden to garden providing greater separation between dwellings. This seems to be the exception. The result is that the existing home will have its amenity severely disrupted by the awkward position of Plot 1."

Representations

24. One further verbal representation has been received from the occupiers of No. 26 Duddle Drive. They are concerned about the potential for disturbance during construction and the use of Duddle Drive for construction vehicles.
25. The developers have confirmed that they will be using Duddle Drive but also the new road into Phase 3B if this is granted planning permission (see item on this agenda). They state that:
 - a. **"My understanding is that we will certainly need to use the existing access from the KingsOak development to service Phase 2. It may be that we are able to use the access road to Phase 3 once it has been constructed, but we will want to run both projects together.**
 - b. **I am not sure where No. 26 is but the occupiers should not expect any significant increase in construction traffic than experienced with the KingsOak development."**
26. The use of roads by construction traffic was not limited in the extant consent which includes 18 dwellings on the application site. I do not consider it would be reasonable to attempt to restrict the use of roads for the additional development of 7 dwellings. The occupiers of No. 26 Duddle Drive will have to experience more construction traffic in any event which is regrettable but unfortunately cannot be avoided when new developments are partially constructed and occupied. The situation is of course temporary.

Recommendation

27. Approval as amended by plan ref. DWSM2 SL.1 Rev D (repositioning of plots 1, 2 and 3) subject to conditions to require the submission of a revised layout plan showing dimensions of carriageways and 1.8m footways, the minimum finished floor levels of dwellings to be set at 7.20m above ODN and other safeguarding conditions.

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

- Reserved Matters Application File Ref S/2069/04/RM
- Outline Planning Permission Decision Notice Ref. S/0682/95/O
- South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007.

Contact Officer: Nigel Blazeby – Area Planning Officer
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee
1st August 2007
AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

B145 – MELBOURN
Alterations to shop frontage – 73 High Street, Melbourn
for Mr Solanki

Recommendation: No further action

Date for Determination: None

Notes:

This case has been reported to the Planning Committee for determination because Melbourn Parish Council requests that enforcement action be taken.

Conservation Area**Site and Development**

1. Number 73 High Street is a two-storey property fronting the public highway. It comprises a retail unit on the ground floor with residential accommodation above. Previously the retail unit housed the village Post Office but has since fallen into a state of apparent disrepair and is presently unoccupied. Although within the Melbourn Conservation Area the property is not near to any listed buildings, though it is prominent within the street scene by virtue of its physical relationship with High Street.
2. Earlier this year works were carried out to the retail unit in order to provide an additional entrance to the right hand side of the front façade and the property was marketed for a while with a local estate agent as two separate units. As yet neither unit has been occupied and the estate agent's boards have been removed, though the new timber door is still in situ. The owner of the property has been contacted with a view to a retrospective application being submitted in an attempt to regularise the unauthorised alterations to the shop front.

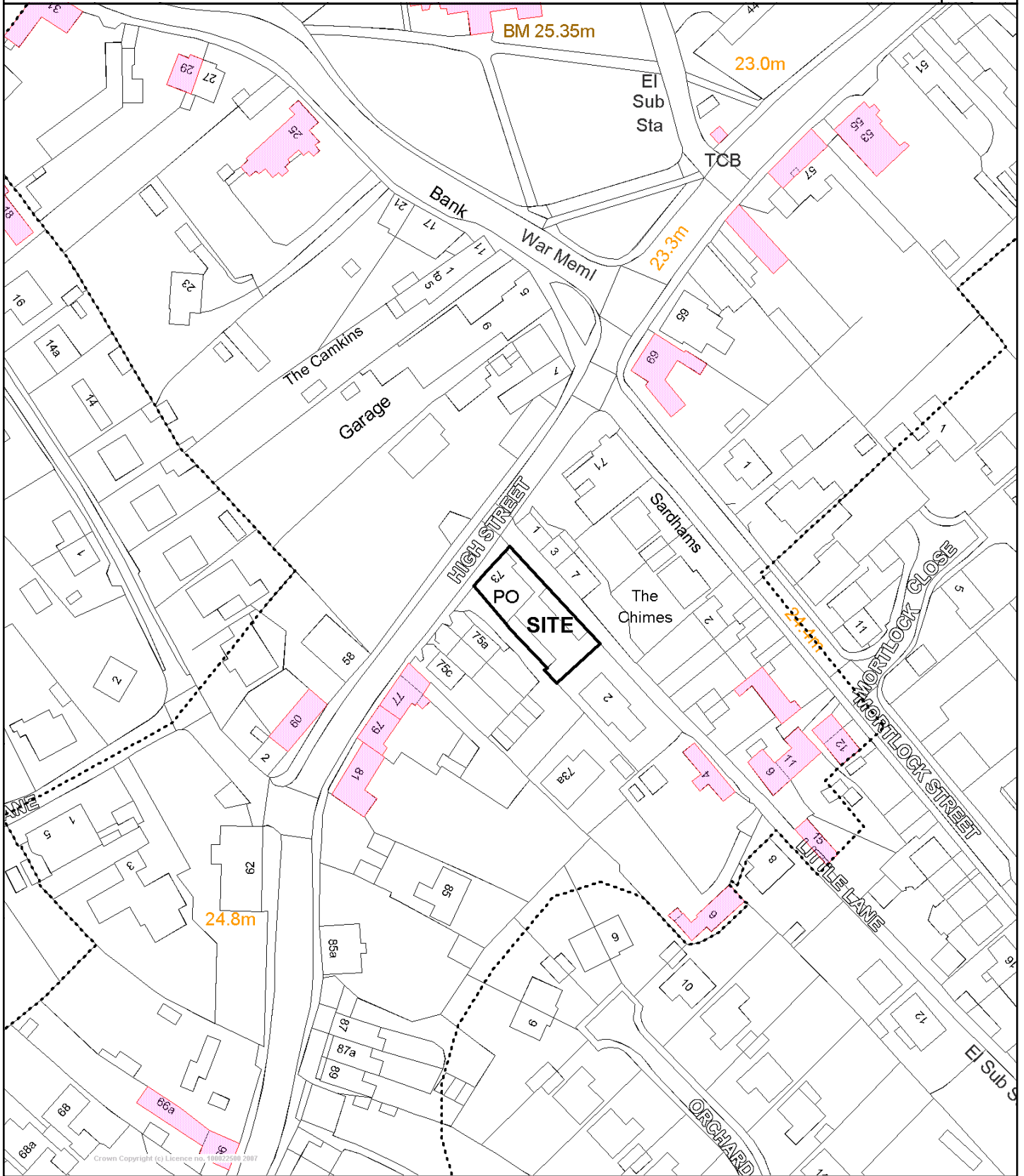
Planning History

3. There have been applications for number 73 High Street that have been approved for extensions, a new boundary wall and a satellite dish. The most recent application to affect the property's frontage was for the installation of new windows and doors to replace existing ones. This was approved in 2003 (**S/2193/03/F**).

Planning Policy**Cambridgeshire and Peterborough Structure Plan 2003**

4. **Policy P7/6 'Historic Built Environment'** states Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.

B/1/45/070



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Scale 1/1250 Date 17/7/2007

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Planning Committee August 2007

Local Development Framework (Adopted July 2007)

5. **DP/2 'Design of New Development'** states that all new development must be of high quality design and should preserve or enhance the character of the local area.
6. **CH5 'Conservation Areas'** sets out the requirements for development within Conservation Areas. Applications should be determined in accordance with national planning policy and Supplementary Planning Guidance.

Consultation

7. **Melbourn Parish Council** – Has written to the District Council to express its shame and disgust at what appears to be happening with the planning issues surrounding 73 High Street. The Parish Council informs the District Council that it wishes this matter to be pursued with diligence and that if this is not done then the Council (Parish) will, as necessary, institute formal complaints procedures, taking legal advice to pursue this if required. Further, it is prepared, albeit reluctantly, to take the matter to the media. The Parish Council can see no reason why one person can over a long period of time ride roughshod over procedures that others are constrained to comply with.
8. **Conservation Manager** – Has no objection to the new door in the front façade, as it is not considered to have a significant visual impact upon the character and appearance of the Conservation Area. The main concern that the Conservation Manager has is about any form of signage that will be proposed once the units are occupied.

Planning Comments – Key Issues

9. Although not a material planning consideration the owner of 73 High Street has previously been involved in planning issues with the District Council over his property at 49 High Street. However such issues have no bearing on the works to number 73, though they do in part explain the comments of the Parish Council and the stance that it has taken.
10. In considering whether it is expedient to take legal proceedings against any breach of planning control a specific harm has to first be identified. In this particular case although the existing unit has been separated into two smaller units there is no evidence that any additional retail space has been created or that the existing level of retail provision has decreased as a result of the works. Therefore I do not consider that there has been any material change in the use of the site, especially given the fact that neither unit has been occupied.
11. Although the front façade of the shop is presently in a state of disrepair the only works that constitute development and require planning permission would be the insertion of the new timber door in the right hand side of the front elevation. After consulting the Conservation Manager the insertion of the said door is not considered to have a detrimental impact upon the character or appearance of the Conservation Area, especially as the building is of little historic or architectural merit.
12. In order to address the breach of planning control letters have been sent to the owner of the site and his agent requesting that a retrospective application be submitted in an attempt to regularise the unauthorised development. Although it was stated that, in requesting the submission of a retrospective application, the Local Planning Authority

would in no way fetter its discretion in its determination it is accepted that planning officers would be unlikely to object to such an application. At the time of writing this report no application had been submitted and no response had been received to the letters that had been sent. Given previous dealings with the site owner no response is expected.

13. Therefore, although express planning permission has not been granted for the insertion of the new shop door it is not considered expedient to take enforcement action.
14. Planning Policy Guidance (PPG) 18, "Enforcing Planning Control", states that: "In assessing the need for enforcement action, LPAs should bear in mind that it is not an offence to carry out development without first obtaining any planning permission required for it. New Section 73A of the 1990 Act specifically provides that a grant of planning permission may relate to development carried out before the date of the application. Accordingly, where the LPA's assessment indicates it is likely that unconditional planning permission would be granted for development which has already taken place, the correct approach is to suggest to the person responsible for the development that he should at once submit a retrospective planning application.

While it is clearly unsatisfactory for anyone to carry out development without first obtaining the required planning permission, an enforcement notice should not normally be issued solely to "regularise" development which is acceptable on its planning merits, but for which permission has not been sought."

Recommendation

15. No further action be taken.

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

- South Cambridgeshire Local Development Framework (adopted July 2007)
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Ref: S/2193/03/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

1st August 2007

AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

**S/1163/07/F & S/1164/07/LB - HASLINGFIELD
Installation of Automated Entrance Gates (Part Retrospective Application)**

**LB - Replacement Entrance Gates - (Regularisation of Unauthorised Works),
Alterations to Eastern Gate Pier to form Integral Post Box and Recessed Control Panel
for Automated Gates, Haslingfield Manor, 5 High Street
For S Gardner and Ms A Goodman**

Recommendation: Approval

Date for Determination: 13th August 2007

Notes:

These Applications have been reported to the Planning Committee for determination because Haslingfield Parish Council has recommended refusal of both applications.

Conservation Area and Grade II* Listed Building and Grade II Listed Boundary Wall

Site and Proposal

1. Haslingfield Manor is a Grade II listed residential property, located in a prominent position within the Conservation Area. The gates are located opposite the Village Green and the dwelling is set back from the High Street by a long driveway. There is another set of gates located further down the driveway, which was recently granted approval. These gates are of a similar design as the proposed but without the addition of the post box and control panel on the pier.
2. At the front and to the west side of the dwelling, Haslingfield Manor, is the Parish Council owned land Well House Meadow. The Methodist Church and its surrounding land is located to the south of Haslingfield Manor.
3. The retrospective applications received 13th August seek to retain the 2m. high mild steel gates and alterations to the eastern gate pier to form a post box and to house a control panel for the gates.

Planning History

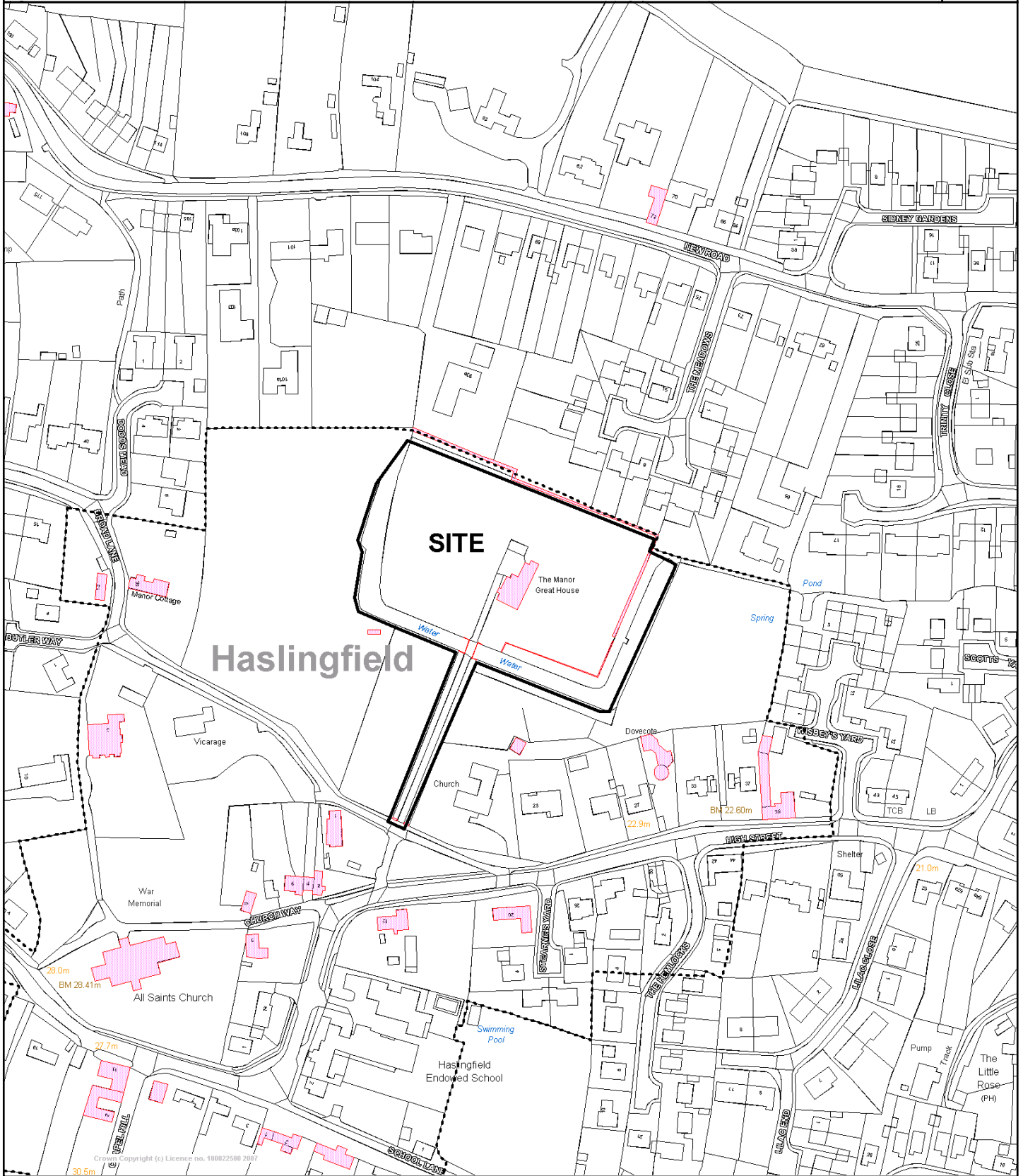
4. **S/1766/06/LB and S/1767/06/F** - Installation of Automated Entrance Gates (Retrospective Application) – Refused 6 November 2006 and Dismissed at Appeal 19 March 2007. .

Planning Policy

Cambridgeshire and Peterborough Structure Plan 2003

5. **Policy P7/6 'Historic Built Environment'** states Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.

S/1163/07/F



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Planning Committee August 2007

South Cambridgeshire Local Plan 2004

6. **Policy HG12 ‘Extensions and Alterations to Dwellings with Frameworks’** sets out requirements for development of dwellings within frameworks having regard to impact upon neighbour amenity and the street scene.
7. **Policy EN28 ‘Development within the Curtilage or Setting of a Listed Building’** sets out the requirements for development within the curtilage or setting of listed buildings.
8. **Policy EN30 ‘Development in Conservation Areas’** of the Local Plan **2004** sets out the requirements for development within Conservation Areas.

Local Development Framework (Adopted July 2007)

9. **Policy DP/2 ‘Design of New Development’** sets out **requirements** for high quality design within new development.
10. **POLICY CH/3 LISTED BUILDINGS:**
Applications for planning permission and listed building consent (including applications for alterations, extensions, change of use or demolition of listed buildings) will be determined in accordance with legislative provisions and national policy (currently in PPG15). In assessing such applications the District Council will adopt a presumption in favour of the retention and preservation of local materials and details on listed buildings in the district.
11. **Policy CH/4 ‘Development within the Curtilage or Setting of a Listed Building’** sets out the requirements for development within the curtilage or setting of listed buildings.
12. **Policy CH/5 ‘Conservation Areas’** of the Local Development Framework 2007 sets out requirements for development within Conservation Areas.

Planning Consultation

13. **Haslingfield Parish Council** – Recommends that application be refused. “We object to this development insofar as it is inappropriate and unnecessary in the context of the village. We would also like to re-iterate that the gates block an established right of access.”
14. **Letter dated 30 June 2007 from Parish Council to the applicant** – “The Parish Council believes that this constitutes a legal right of access and it has a duty on behalf of the Villagers to protect this right. The installation of the locked gates has meant that users of prams and large and motorised wheelchairs are unable to access the meadow and use the picnic bench, which was installed two years ago specifically for disabled people in mind.”
15. **Local Highways Authority** – “No significant adverse effect upon the Public Highway should result from this proposal, should it gain benefit of planning permission.”

Listed Building Application Consultation

16. **Haslingfield Parish Council** – Recommends refusal, ‘this proposal is unattractive and inappropriate in the curtilage of a listed building. The application document contains a number of inaccuracies.’
17. The alleged inaccuracies have not been identified, but are not thought to relate to the drawings or application form.

Representations

The Methodist Church, Haslingfield:

18. "Regrets the installation of the locked gates. The Methodist Church believes it has a legal right of unencumbered access to its land via the drive, and from its land to the meadow on the far side of the drive. The Church will continue to exercise this latter right from time to time, thus giving legitimate access to the drive behind the gates to whomsoever is on Methodist land at the time.
19. The Church community is aware of widespread dismay in the village at the installation of the gates. They seem to be utterly unnecessary, there are more gates further down the drive. Adults and children have been free to pass and re-pass on foot through the gates as an additional access to the meadow and to Methodist church land for as long as village people can remember.
20. The Methodist Church is conscious that the sight of locked gates on the green is contrary to the open and trusting atmosphere that is so precious to the Haslingfield community.

Planning Comments – Key Issues

21. The original planning and listed building applications were refused due to the number and location of accretions on the gates and gateposts, which would compromise the design, and appearance of the gates and the boundary wall. There were particular concerns about the post box, the automation equipment and call box. They were considered to be unduly prominent and detract from the historic boundary feature. It was felt that these could be accommodated elsewhere to reduce the gates impact.
22. The applications were dismissed at appeal on 19 March 2007. The inspector ruled, *"While I consider that the gates themselves have a nondescript appearance this aspect does not detract from the setting of the wall or the Manor, or the appearance of the Conservation Area. On the other hand, I take the view that the post box incorporated within the gates is a bulky, utilitarian fixture, which is out of keeping with the otherwise filigree design. Not only does the post box obscure views of the Manor, it also appears as an incongruous obtrusive modern feature within the expanse of the old boundary wall and the pleasing surrounding village green. I also consider the entry phone control panel to be obtrusive modern fixture on the old wall, although the other aspects of the automotive equipment are reasonably discreet."*
23. Therefore, the Inspector did not object to the gates themselves. However, the extra accretions to the gates i.e. the post box on the gates, the control panel on the pier needs to be accommodated elsewhere to reduce the harm and to preserve or enhance the character and setting of the listed wall and the setting of the listed Manor. The proposal is not considered to be harmful to the street scene or neighbour amenity.
24. Locked gates are not a planning or listed building issue. This is a civil issue, which needs to be resolved directly by the parties concerned.

Listed Building and Conservation Comments – Key Issues

25. The current application was submitted to address issues raised by the Inspector at the appeal. In addition to the issues raised above, the inspector commented:

" Government policy on historic buildings, as published in Planning Policy Guidance 15, advises that only undamaging and usually unobtrusive positions for fixtures such

as these should be agreed. I have concluded that this is not the case with the post box and control panel, and in this regard I find that their installation harms rather than preserves the character and setting of the listed wall and the setting of the listed Manor, and serves to harm rather than to preserve or enhance the character and appearance of the conservation area."

26. The Conservation and Design team is of the opinion that the latest application addresses these issues and that the application should be supported. The proposal conceals the post box as an integral element of the eastern pier. The only visible element would be the letterbox mouth. Beneath this the control panel would be recessed into the brickwork so that the only external feature would be a black metal flap which would conceal the touch pad behind. The Inspector also considered the gates to be acceptable in their impact on the setting of the Haslingfield Conservation Area.

Recommendation

27. Approval subject to following conditions:

Planning Conditions

1. Standard Condition A – Time limited permission (Reason A);

28. Listed Building Conditions

1. **The works to which this consent relates shall be started not later than the expiration of three years beginning with the date of this decision notice.**
(Reason - To ensure that consideration of any future application for works will not be prejudiced by listed building consents, which have not been acted upon.)
2. **The proposed works shall be carried out strictly in accordance with the approved plans and specification of works noted thereon, except where modified by the conditions of this consent.**
(Reason - To ensure compliance with the approved plans.)
3. **The works shall be carried out so that no damage is caused to the fabric and features of this listed building; any damage so caused shall be rectified to the approval of the Local Planning Authority.**
(Reason - To protect the fabric and features of this listed building.)
4. **All new and matching materials shall be approved on site by the Local Planning Authority.**
(Reason - To ensure the use of matching materials.)
5. **Before work commences on site, precise details of the following items shall be submitted for the prior, written approval of the Local Planning Authority:**
Details and sections at half full size scale of the letter box within the brickwork to be submitted for the prior written approval of the LPA; The development shall be carried out in accordance with the approved details.
(Reason - To ensure detailing appropriate to this listed building.)
6. **All mortars, plasters and render shall be lime rich to specifications submitted to and agreed in writing by the Local Planning Authority.**
(Reason - To ensure the use of the appropriate mix of traditional lime plasters and mortars.)

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)
 - **South Cambridgeshire Local Development Framework**, adopted July 2007
DP/2 (Design of New Development)
CH/4 (Development within the Curtilage or Setting of a Listed Building)
CH/5 (Conservation Areas)
2. The development is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise:
 - Impact upon the setting of the Listed Building
 - Impact upon setting of adjacent Conservation Area
3. The proposed works would not adversely affect the special character or appearance of the building.
4. The proposed works would not result in any significant loss or harm to the historic fabric.
5. The proposed works would not have an adverse impact on the setting and appearance of the historic building.

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

- South Cambridgeshire Local Development Framework (adopted January 2007)
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Files Ref: S/1766/06/F, S/1767/06/LB, S/1163/07/F and S/1164/07/LB
- Appeal Decision, 19 March 2007, APP/W0530/E/06/2030096 and APP/W0530/A/06/2030122

Contact Officers:

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Stacey Weiser-Jones – Historic Building Officer
Telephone (01954) 713178

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

| | | |
|-------------------|---|---------------|
| REPORT TO: | Planning Committee | I August 2007 |
| AUTHOR/S: | Executive Director / Corporate Manager (Planning and Sustainable Communities) | |

Tree Preservation Order – Histon**Recommendation: To confirm the Tree Preservation Order****Purpose**

1. To review Tree Preservation Order no.02/07/SC, made under delegated powers on 12th April 2007 at 49 Station Road, Histon.

Background

2. Section 198 of the Town and Country Planning Act 1990 enables local planning authorities, where it is expedient in the interests of amenity, to make provision for the preservation of trees or woodlands in their areas, to make Tree Preservation Orders with respect to such trees, groups of trees or woodland, as may be specified in the Order.
3. Any such Order may prohibit the unauthorised cutting down, topping, lopping, uprooting, wilful damage, or wilful obstruction of trees and may require replanting of any part of woodland area filled in the course of permitted forestry operations.
4. Once made, Tree Preservation Orders remain in force for a provisional period of six months, but can be confirmed at any time.

Considerations

5. Tree Preservation Order 02/07/SC was made on 12th April 2007.
6. The Council made the Order because it felt that a planning application on the site; ref S/1007/06/F, would result in the significant Beech tree being placed under post development pressure.
7. The statutory period for the registering of objections to the Order ended on 14th May 2007. Objections were received from
 - 47A Station Road in relation to not being able to undertake works to the tree due to overhang into property
 - Januarys in relation to the expedience with which the Order was served due to the tree being within the Conservation Area.

Options

8. Under the legislation, the Council can confirm a Tree Preservation Order, confirm it subject to modification, or decide not to confirm it.

Implications

| | | |
|----|---------------------|---------------|
| 9. | Financial | None relevant |
| | Legal | |
| | Staffing | |
| | Risk Management | |
| | Equal Opportunities | |

Consultations

- 10.. A copy of this report has been sent to the local Memberss, Councillors Chatfield, Davies and Mason. A site visit took place on 9th July 2007

Effect on Annual Priorities and Corporate Objectives

| | | |
|-----|-----------------------------------|--|
| 11. | Affordable Homes | None relevant |
| | Customer Service | None relevant |
| | Northstowe and other growth areas | None relevant |
| | Quality, Accessible Services | None relevant |
| | Village Life | The tree is a significant visual specimen contributing to the mature tree stock of Histon, enhancing the village |
| | Sustainability | None relevant |
| | Partnership | None relevant |

Conclusions/Summary

12. TPO number 02/07/SC remains provisionally in force until 18th September 2007. By confirming it now, the Council will ensure that the Tree Preservation Order remains in force beyond that date. The Committee Chairman and Vice-Chairman and a local Member attended the site visit, and agreed with the Trees and Landscape Officer that the Order should be confirmed. The Histon Tree Warden and a Parish Council representative were also present as observers.

Recommendations

13. It is recommended that Tree Preservation Order 02/07/SC in Histon be confirmed without modification.

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

- Inspector's appeal decision 17th May 2007
- File ref C/11/17/51/15

Contact Officer: Roz Richardson – Trees & Landscape Officer
Telephone: (01954) 713405

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee
AUTHOR/S: Development Control Quality Manager

1st August 2007

Delegation Procedures

Purpose

1. To review the officer delegation procedures to determine planning and other applications.

Effect on Corporate Objectives

| | | |
|----|------------------------------|--|
| 2. | Quality, Accessible Services | An efficient delegation scheme improves performance and customer service |
| | Village Life | All decisions are made in accordance with the Development Plan aimed at improving village life |
| | Sustainability | Planning Policies aim to achieve a high degree of sustainability for all new developments |
| | Partnership | Planning decisions are reached, having regard to comments made by Parish Councils and other consultees |

Background

3. Committee deferred consideration of this report on 4th July to enable all Members of Council to comment and for further thought to be given to comments made by Members at the meeting on 4th July.
4. In May 2006 Committee agreed changes to the delegation procedure. A copy of the Committee agenda report is attached as an electronic appendix, together with the agreed procedures.
 - 4.1 This was recognised in the Department for Communities and Local Government (DCLG) Report (26th June 2006) which assessed this Authority's planning performance, particularly in regard to the determination of major applications. The report highlighted the need to work with Members to develop an improved scheme of delegation to officers. It noted that "delegation has recently been reviewed and a wider scheme has been agreed which is likely to further increase the delegation rate."
 - 4.2 In addition Hephher Dixon, who was formally instructed by the Planning Advisory Service (PAS) in November 2006 to carry out a review of the Council's procedures as they relate to performance on major planning applications, recommended a review of the scheme of delegation.

Considerations

5. My report to Committee in May 2006 noted that the percentage of decisions delegated to officers in each quarter for 2005 was 90%, 90%, 89% and 88% respectively. In 2006 the figures were 87%, 90%, 90% and 90%. Since May 2006, therefore, the early results suggest that the level of delegated decisions remains at 90%.

- 5.1 “Delivering Delegation” (2004), a guide jointly produced by the former office of the Deputy Prime Minister (ODPM) and Local Government Association (LGA) recommended a level of delegation above 90%. Such appears to be consistently achieved by East Cambridgeshire, Huntingdonshire and Peterborough Councils.
- 5.2 At the 12 Committee Meetings (July 06-June 07) an average of 19 applications per meeting were considered. At the preceding 12 Committee meetings (July 05-June 06) the average per meeting was 28.

Options

6. The Council's delegation scheme is based upon the “by-exception” model, one of two broad models noted in “Delivering Delegation”. It is considered that there is scope to adapt the scheme to enable Committee to further concentrate on major or controversial applications.
- 6.1 I have noted concerns expressed by Members at the 4th July meeting. As a consequence no change is recommended to the existing arrangements in regard to:
- (a) Councillors written requests for referrals of applications to Committee;
 - (b) Affordable housing applications on exception sites outside a village framework; and
 - (c) The powers of Principal Officers for Northstowe, Cambourne and the Cambridge City Edge, which can perhaps be considered as part of the delegation arrangements to be considered by the new Joint Committees.
- 6.2 Consequently the suggested amended changes are attached as an appendix. They propose:
- (a) Area Planning Officer and Chairman's Delegation Meeting (ChDM) powers be extended to considering and determining “Minor” and “Other” applications (see definitions at the end of the report.)
 - (b) ChDM would also consider an officer recommendation of approval on a “Major” application if only owners or occupiers of property object on material planning reasons but no other statutory consultee.
 - (c) Departure Applications, which do not attract objections on material planning grounds and which do not need to be referred to the Secretary of State, would not be considered by Committee.
 - (d) Senior Planning Officers be authorised to consider and determine “other” applications.
- (For the Government definition of ‘Major’, ‘Minor’ and ‘Other’ applications please see the note at the end of this report.)
- 6.3 I do not consider that these amended proposals dilute the value of refining the delegation scheme to make the Committee more efficient. Nor would the changes devalue in any way the role of the Councillors in liaising between Parish Councils and Case Officers and in having their comments heard at Planning Committee.

Financial Implications

7. Streamlining the delegation system will maximise the potential to achieve and sustain the Government's performance indicator targets for determining major (60% in 13 weeks), minor (65% in 8 weeks) and other applications (80% in 8 weeks). Sustaining those figures will be important in maximising the Planning Delivery Grant. Also, in the longer term, Government has said that it is committed towards revising the fees for planning applications and implied

that those authorities that don't meet the targets will not be able to set realistic fees that cover the cost of determining applications.

Legal Implications

8. The legal basis for delegation is Section 101 of the Local Government Act 1972, as amended. Section 100(G)(2) requires that a list of powers exercisable by offices should be maintained and open to public inspection. Elected Members determine the basis on which a delegated agreement operates, the level of Member involvement and the circumstances in which an officer's delegated power to make a decision may not be exercised.

Staffing Implications

9. Although all decisions involve the preparation of a report to support the recommendation, there is likely to be some savings in staff time if the number of applications, which are reported to Committee, can be reduced.
- 9.1 In addition, sustaining performance indicator targets will ensure that the Council can maintain its staffing levels and IT improvements, which are partly funded by the Planning Delivery Grant.

Risk Management Implications

10. If the Performance Indicator targets are not achieved, the Council will lose resource and make it difficult to meet all our targets. Increasing pressure on officers could lead to a leakage of experienced staff when it is increasingly difficult to recruit suitable professionals with relevant skills and experience. Further, in the recent concentration on major applications, the Council runs the risk of performance slipping for the majority of other applications and turning around informal enquiries, and hence not meeting our population's reasonable needs and expectations.

Consultations

11. Planning Services Portfolio Holder (Councillor Wright) and the Chairman and Vice-Chairman of this Committee (Councillors Mrs Corney and Nightingale) have been briefed. They support the amended proposals as a mechanism for increasing efficiency, reducing the workload of Committee and increasing the role of ChDM, whilst at the same time emphasising the important role of each Member keeping in touch with their Parish Councils and Planning Case Officers. Committee will have more time to debate Major and controversial applications, particularly taking into account public speaking.
- 11.1 The Council's Principal Solicitor cannot see any reason not to delegate decisions to Senior Officer level.

Summary and Conclusions

12. "Delivering Delegation" recommends that schemes be regularly reviewed and that an effective scheme of delegation will ensure economical use of time and allow focus on the more complex or contentious applications.
- 12.1 Although the Council achieved the three application determination performance indicator targets for the first time in the year ending March 2006 (Majors 62%, Minors 69% and Others 84%), and has maintained that performance through to the year ending December 2006, there is a need to sustain that level of achievement. If the targets are not met, staff and IT resources will be lost and this would lead to an overall decline in performance.

Recommendation

13. That the revised scheme of delegation for determining applications, which are incorporated at Paragraph 5.2 above and included in Appendix 1 attached, be adopted and be implemented immediately and that the operation of the scheme be reviewed in 6 months time.

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

- (a) "Delivering Delegation": ODPM and LGA, March 2004
- (b) Department for Communities and Local Government Report, "Evaluation of South Cambridgeshire District Council" dated 26th June 2006.
- (c) South Cambridgeshire District Council: Process Mapping for Determining Planning Applications – BV109A – A Review by Hephher Dixon (March 2007)

Notes:

Major Developments

For dwellings: where 10 or more are to be constructed (or if number not given, area is more than 0.5 hectares).

For all other uses: where the floorspace will be 1000 sq.metres or more (or site is 1 hectare or more).

Minor Developments

is development, which does not meet the criteria for Major Development or the definitions of Change of use, or Householder Development.

Other Developments comprise:

Change of Use (if it does not concern a major development and no building or engineering work is involved):

Householder development

Advertisements

Listed Building Consents

Conservation Area Consents

Certificates of Lawfulness

Other decisions including certificates of appropriate alternative development and notifications under Circular 14/90.

Contact Officer: David Rush - Development Control Quality Manager
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APPENDIX 1 - Proposed Delegation Procedures

TABLE 3

Executive Director/Corporate Manager for Planning and Sustainable Communities/Development Control Quality Manager/Design and Conservation Manager and Major Developments Manager.

Powers and Functions delegated by the Planning Committee

A. Powers delegated to Executive Director, Corporate Manager for Planning and Sustainable Communities, Development Control Quality Manager, Design and Conservation Manager and Major Developments Manager to be exercised in accordance with the provisions of the approved Development Plan and the Council's planning policies.

1. The determination, with or without conditions, of applications for or amendments to:
 - (a) Planning Permission
 - (b) Listed Building Consent
 - (c) Conservation Area Consent
 - (d) Advertisement Consent
 - (e) Approval of Reserved Matters
 - (f) Hazardous Substance Consent
 - (g) Consent to cut down, top, lop, uproot or destroy trees under Section 198 of the Town & Country Planning Act 1990
 - (h) Consent under Sections 36 and 37 of the Electricity Act 1989 (i.e. generating stations and overhead lines) (Circular 14/90)
 - (i) Prior notifications of permitted development for:
 - i. Agricultural buildings and operations
 - ii. Demolition
 - iii. Telecommunication apparatus

Except where any of the following apply:

- i. A proposed recommendation of approval would conflict with or would not substantially satisfy through the imposition of conditions, written representations received from a Parish Council, within the specified consultation period (other than those applications which may be considered at the "Chairman's Delegation Meeting") (ChDM) except in the case of reserved matters application, the Parish Council expresses in writing within the specified consultation period, an objection which relates solely to the principle of development approved by the outline planning permission.
- ii. In the case of reserved matters or details, the Committee has specifically retained approval.
- iii. An elected Member of the District Council has, within 28 days of the date of registration of an application, requested in writing that Committee determine the application with or without a site visit by Members. The written request should include the material planning reason(s) why the application should be determined by Committee (where the application for 'other' development would be considered by ChDM, that request shall first be considered at that meeting).
- iv. A proposed recommendation of approval on an application for a major development would conflict with or would not substantially satisfy through the imposition of conditions, written representations on material planning

reasons received from owners or occupiers of property (but no other statutory consultee) within the specified consultation period. In which case the application will be referred to ChDM.

- v. A proposed recommendation of approval would be contrary to the provisions of the approved Development Plan and has attracted an objection on material planning reasons or would need to be referred to the Secretary of State.
 - vi. The application is submitted by or on behalf of a Councillor of the District Council (or by their spouse/partner), by any member of staff of the District Council's Planning Service (or by their spouse/partner) or by a Director of the District Council (or by their spouse/partner).
 - vii. The application for Major or Minor development is submitted by or on behalf of the District Council or on land owned by the District Council except for the approval of developments to which no objection on material planning reasons has been received.
 - viii. The application proposes affordable housing on an exception site outside a village framework in the approved Development Plan.
 - ix. The Executive Director, Corporate Manager for Planning and Sustainable Communities, Development Control Quality Manager, Design and Conservation Manager or the Major Developments Manager considers that the application should be presented to Committee for decision.
2. Chairman's Delegation Meeting - The extended delegation will cover applications for Minor and Other development and for Prior notifications of permitted development where the proposed decision of the officer to approve the application would conflict with, or would not substantially satisfy through the imposition of conditions, the written representations of the Parish Council received within the statutory consultation period. Such decisions would only be taken following, and in consultation with, the Chairman and Vice-Chairman of Planning Committee and the Local Member(s).

Area and Senior Planning Officer

Delegated Powers

- B. The following powers are delegated to each Area Planning Officer to be exercised in accordance with the provisions of the Development Plan and the Council's planning policies.
- 1. The determination, with or without conditions, of applications for or amendments to Minor and Other developments and Prior notifications of permitted development.
- C. The following powers are delegated to each Senior Planning Officer to be exercised in accordance with the provisions of the Development Plan and the Council's planning policies.
- 1. The determination, with or without conditions, of applications for or amendments to Other developments.

The powers incorporated at B1 and C1 above shall apply except in any case as provided in A.1 (i) to (ix) above or where consideration of the application or the amendment has been reserved by the Executive Director, Corporate Manager for

Planning and Sustainable Communities, the Development Control Quality Manager, Design and Conservation Manager or the Major Developments Manager under their own delegated powers.

These powers shall be exercisable by any Area and Senior Planning Officer in respect of any relevant application or amendment, but shall normally be exercised only in respect of matters within the respective area of each officer.

Notes:

For the purposes of the Delegation Powers specified in Table 3 the following definitions apply:

Major Developments

For dwellings: where 10 or more are to be constructed (or if number not given, area is more than 0.5 hectares).

For all other uses: where the floorspace will be 1000 sq.metres or more (or site is 1 hectare or more).

Minor Developments

is development, which does not meet the criteria for Major Development or the definitions of Change of Use, or Householder Development.

Other Developments comprise:

Change of Use (*if it does not concern a major development and no building or engineering work is involved*):

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Other decisions including certificates of appropriate alternative development and notifications under Circular 14/90.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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| REPORT TO: | Planning Committee | 1 st August 2007 |
| AUTHOR/S: | Executive Director / Corporate Manager - Planning and Sustainable Communities | |

CAMBOURNE PHASE 7 UPPER CAMBOURNE DEVELOPMENT BRIEFING DOCUMENT**Purpose**

1. To seek delegated powers to approve / refuse the Cambourne Phase 7 Upper Cambourne Development Briefing Document ("the Brief") for Development Control purposes as part of the Cambourne Design Guide.

Background

2. The draft Brief has been prepared by the Cambourne Developers' masterplanners, Randall Thorp, and has been discussed and amended following Planning Officers' advice. It is intended to guide the continuity of development in Upper Cambourne in accordance with the Outline planning permission for 3,300 dwellings. Phase 7 is the last phase under the 3,300 permission, and future phases will have to comply with whatever requirements are set out in the new outline planning permission and associated Section 10 Agreement, the application for which is due to be submitted this summer. Nevertheless, in view of the advanced status of the Local Development Framework (LDF), this phase also needs to be as compatible as legally possible with progress towards the future growth of Cambourne making efficient use of land. The Brief complies with the approved Housing Schedule which gives the potential dwelling numbers for parcels in this Phase.
3. The Brief covers housing parcels in the northern part of Upper Cambourne, between the Vine School / village green and the A428, wrapping around the development sites allocated for Phase 6. The phase 7 parcels are private house-builder sites UC07, 08 and 09, and housing association sites UC10, 11 and 12.

Local Development Framework

4. **Core Strategy** – sets the scene within the context of the Community Strategy aims of active, safe and healthy communities, building successful new communities, good access to services, quality homes for all, and a high quality environment. The Core Strategy asserts the Cornerstone of Sustainability and states Strategic Objectives including (g) To ensure development addresses sustainability issues, including climate change mitigation and adaptation issues, maximising recycling and reuse of resources, and reduce waste and pollution, and (i) To ensure that any new development results in appropriate provision for the protection and enhancement of native biodiversity. Opportunities for increased access to the countryside and enjoyment of biodiversity should be viewed as integral requirements of new development.
5. Cambourne is identified in **Policy ST/4 Rural Centres** as a rural centre; since these "comprise the most sustainable villages in South Cambridgeshire there is no strategic constraint on the amount of development of land for housing that can come forward within the village frameworks, provided that the proposals are in accordance with the policies in the Plan."

South Cambridgeshire Local Plan 2004 (Local Plan)

6. **Cambourne 1** – Development in accordance with Cambourne Masterplan
Cambourne 2 – Development in accordance with Cambourne Design Guide
7. **SE2** – Rural Growth Settlements – Development should provide an appropriate mix of dwellings in terms of size, type and affordability and should achieve a minimum density of 30 dph unless there are strong design grounds for not doing so.
8. **SE7** – Development in accordance with Cambourne Masterplan and Design Guide.
9. **HG10** – housing mix to include a range of types and sizes, including 1 and 2 bedroom dwellings, making the best use of the site and promoting a sense of community which reflects local needs. The design and layout should be informed by the wider character and context of the local townscape and landscape. Schemes should also achieve high quality design and distinctiveness, avoiding inflexible standards and promoting energy efficiency.
10. **TP1** – Promotion of sustainable transport choices, restriction of car parking to the maximum levels in appendix 7/1.
11. **EN5** – retention of natural features, new planting appropriate to the character of development, its landscape setting and the biodiversity of the locality.
12. The approved **Cambourne Master Plan** identifies this area for housing.
13. The approved **Cambourne Design Guide** describes the character of Upper Cambourne as the quietest and most secluded of the villages being “self-contained at the end of the village road with no further connection except for buses. ”The Design Guide emphasis is on the rural character, both in materials used and the structural tree framework and spacious layout.
14. The **Cambourne Highway Design Guide** picks up the above theme, and describes the spine road having a wide corridor up to the Green, the section up to the Green to be very green, with trees planted as a “remnant avenue”, and the paths and buildings set back from the carriageway, generous front gardens with medium/tall enclosures mainly hedges. Features to capitalise on are the entrance to the village and the proposed pond at the south end of the village green.
15. **South Cambridgeshire Design Guide Draft supplementary planning document 2005** – at section 2.4 emphasises sustainability by resource efficiency, inclusiveness, biodiversity, and local facilities. Further advice on resource efficiency is given at section 3.5 Housing Design. Part 3 deals with larger development sites and picks out some of the elements of urban design which help to create distinctive and usable places; particularly helpful in Phase 6 will be the use of “landmarks” and waymarkers” which would emphasise, for example, the arrival of the spine road at the village green, and a few of the more important corner buildings at junctions.

Considerations

16. The number of houses intended for this phase complies with the approved Housing Schedule. It continues to concentrate the higher density areas (including these parcels) around the spine roads which could become public transport routes. The Brief sets out the context of the existing roads and established hedgerows and takes

advantage of these by ensuring their retention as part of the development. The opportunity taken within phase 6 to create a central greenway alongside the east-west hedge has also been continued within this phase. Affordable housing sites have direct access to a spine road, thus avoiding the “landlocking” of sites which might otherwise await progress on adjacent private housing parcels.

17. The movement network is set out to facilitate logical progression from the spine roads, easy access to the school and back towards the village centre for both vehicles and pedestrians, and the use of as few routes as possible through the existing hedgerows.
18. Within the parcels, the emphasis is on permeability for pedestrians and cyclists, and the provision of LAPs that could be linked as parts of narrower green corridors to enable continuous habitat.

Consultations

19. Cambourne Parish Council will be considering this document at its meeting on 7th August, hence my request for delegated powers to approve / refuse the Brief once the Parish Council's comments have been taken into account.
20. Highways Agency – it would appear that the application will not have a detrimental effect on the A428 at this location; therefore the Agency would not wish to comment further on the document.

Effect on Annual Priorities and Corporate Objectives

| | | |
|-----|-----------------------------------|---|
| 21. | Affordable Homes | Facilitating the development of affordable housing Parcels UC10, 11 and 12 |
| | Customer Service | Providing consistent and transparent planning advice |
| | Northstowe and other growth areas | Facilitating the continuing growth of Cambourne |
| | Quality, Accessible Services | Facilitating accessible layouts for service and transport providers. |
| | Village Life | Safeguarding the separate character of Upper Cambourne |
| | Sustainability | The LDF Core Strategy and SCDC Design Guide must be acknowledged and expressed. |
| | Partnership | Cooperation with the Cambourne Developer to deliver appropriate development. |

Conclusions/Summary

22. The Brief has a difficult task to advise developers on appropriate development in what is effectively a state of policy limbo. The planning applications to be made for these parcels will be reserved matters under the original outline permission and S106 Agreement, so it is not possible to impose the new LDF policies upon them, except where those policies do not conflict with the previous local plan policies. Nevertheless, the developers acknowledge the importance of making a step change to more sustainable development in the next phases (which will be the subject of the new outline application to be considered under the new LDF). They have consequently made additions to the Brief to ensure this phase is an incremental improvement over Phase 6.

23. Overall, the Brief is a helpful framework for the movement network, the preservation and creation of green spaces and vistas, and the general density character of this Phase. It is therefore requested that, subject to the Parish Council's comments, delegated powers to approve or refuse the Brief be granted to the Corporate Manager (Planning and Sustainable Communities).

Recommendation

24. Delegated powers be given for approval or refusal of the Phase 7 Upper Cambourne Development Briefing Document Rev D, July 2007, subject to there being no additional or conflicting comments from the Parish Council that cannot be overcome by amendment or clarification.

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

South Cambridgeshire Local Plan 2004
Local Development Framework 2007 Core Strategy
South Cambridgeshire Design Guide Draft supplementary planning document 2005
Cambourne Master Plan Report
Cambourne Design Guide
Cambourne Highway Design Guide
Phase 7 Upper Cambourne Development Briefing Document Rev D, July 2007

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**REPORT TO:** Planning Committee

1 August 007

AUTHOR/S: Executive Director / Corporate Manager – Planning and Sustainable Communities

**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.

Summaries**Mrs E Smith and Mrs M Hardy – Erection of house – 322 High Street, Cottenham – Appeal allowed.**

2. This appeal concerned a backland site close to the triangular green in the village. The main issues were the effect on the conservation area, the adjoining listed buildings and the adequacy of the proposed access.
3. The inspector found that the linear form of the proposed dwelling would reflect a pattern of development already established on other, characteristically narrow plots on this side of the High Street. Its height would be similar to buildings on land to the rear of no. 324. In developing a site which is currently open, the inspector did not consider this would prejudice an appreciation of the historic pattern of development in this part of the High Street or appear out of place. The design was a response to the constraints of the site.
4. The access connects with the highway at a point that the inspector agreed "... requires drivers to exercise particular caution", but "... where the High Street does not appear to carry large volumes of traffic". While there may be times when a vehicle entering the site would meet a vehicle wishing to leave the site, this would not result in conditions seriously hazardous to other road users.
5. The inspector was also satisfied that there would not be a harmful effect on the setting of nearby listed buildings, or that the movement of vehicles would have a seriously adverse effect on the amenity of the occupiers of nearby houses.
6. Planning permission was granted subject to details of materials for the house and the access drive and the removal of permitted development rights.

C Huggins – Erection of house – 2 Orchard Road, Histon, - Appeal allowed

7. The main issues in this appeal were the effect on neighbours' living conditions and on the character of the appearance of the area.
8. The proposal was found to significantly reduce the rear garden area of 2 Orchard Road and the window serving bedroom 2 would directly overlook the end of that

reduced garden. However, the screening effect of an existing extension to no. 2 would ensue that the garden area nearest to the house would not be overlooked from the new dwelling. The rest of the garden would only be seen in oblique views and appropriate boundary treatment would further protect privacy. The distance between the first floor windows of the dwellings and the adjoining bungalow was also sufficient to prevent prejudicial overlooking. Due to the distances between the dwelling and other neighbouring properties, any overlooking would not be significant.

9. While the Council was concerned with a loss of light to the adjoining bungalow, the inspector found the design and separation distances acceptable. The Council was unable to challenge the technical evidence on overshadowing submitted by the appellant. While the property would clearly be visible from the adjoining bungalow, there was a generous degree of separation and the new property would not appear overbearing.
10. So far as the character and appearance of the area are concerned, the inspector was aware that bungalows predominate on this side of Mill Lane. The proposal incorporated a single-storey garage and lean-to roof and when seen in the context of the gap between properties, this would ensure an appropriate transition from single-storey to two-storey development on this side of Mill Lane. Furthermore there are two-storey dwellings opposite the site and close by. The design of the new house would not be out of character with that of existing properties and the house would not appear discordant in the street scene.
11. The appellant had agreed at appeal stage to amend the fenestration to provide a better relationship between ground and first floor openings. The inspector considered this was necessary and could be achieved by a condition.
12. The appeal was allowed subject to conditions regarding materials, boundary treatment, a revised front elevation and a restriction on the times that power operated machinery shall be operated during construction works.

Kirby Property Management Ltd/M Proctor – Use of property as Lettings Agency (B1 Office Use) – 49 Broad Street, Cambourne – Planning and Enforcement appeals dismissed

13. Both appeals raised the same issues. Namely whether the use of a residential property as an office would harm the objectives of the Cambourne Master Plan.
14. The inspector noted that Broad Street is one of the main streets into Cambourne and that there are both commercial and office uses close by. The Council argued that Broad Street does not form part of the settlement centre; the appellants argued that it does. The inspector noted that the properties along this part of the street were intended to be residential and that this is its main character the appeal site was originally a show home/sales centre and has never been used as a dwelling.
15. The Council expressed the concern that allowing the use to continue would undermine the vitality of the settlement centre. It was noted that Cambourne was intended to accommodate part of the district's strategic housing needs and its inability to achieve this would be undermined if changes of use were allowed without good reason. The inspector therefore concluded that to allow the use would harm the objectives of the Cambourne Master Plan. This was not offset by some support for the proposal from local residents in Broad Street.
16. The Council also raised some concerns on whether car parking was adequate for the

office use. At the time of his visit, the inspector saw that the property was being more intensively used than originally envisaged. Nonetheless, he considered that the allocated parking area was adequate and that Morrison's Supermarket car park could be a practical alternative. Had this been the only issue, the inspector would not have ruled against the use. However, in the light of his policy objections, it added to his overall concerns

17. Planning permission was therefore refused and the use must cease. The inspector considered that the four-month period for compliance should be extended to six months to enable the appellant ample opportunity to find alternative premises. The use must therefore cease on or before 6 January 2008.

Mr & Mrs Bateman – Front/side extensions and detached garage – 35 Bird Farm Road, Fulbourn – Appeal allowed

18. The main issue in this appeal was the impact on the character and appearance of the area. This semi-detached property occupies a very prominent position at the corner of two roads, albeit in an area of exhibiting a wide range of designs and materials. The proposed side extension would extend up to the side boundary but would be separated from the road by a broad grass verge. The inspector found that it would not appear intrusive in the street scene. The design and fenestration included the use of glass blocks, but the inspector felt this was not unacceptable given the variety in the area.
19. The appeal was therefore allowed subject to conditions regarding materials and further details of the proposed garage door.

Mr & Mrs J Chivers – Single storey garage/workshop building – 18 High Street, Little Eversden – Appeal allowed

20. Home Close Cottage is a listed building set back from the High Street, along with a former barn set at right angles to it. The Council was concerned that the proposed building would harm the setting of the listed building.
21. The proposed building would be some 20m back from the road and 10m from the side of the cottage. The inspector found this relationship acceptable and that it would not encroach upon the prominence of the former barn and its interesting relationship with the High Street. The design of the new building would provide sufficient visual separation and incorporated a hip roof feature found on a number of other outbuildings and structures in the village. The proposed use of materials was found to be appropriate, emphasising its subservience as an outbuilding and matching the use of similar materials in the locality.
21. Subject to a condition requiring the submission of sample materials, the appeal was allowed.

The Strategic Land Partnership LLP – 1. Demolition of existing house and 2. The erection of seven residential and two retail units - Land at Bishop's Cycles and 49 Station Road, Histon – Appeals dismissed

22. These two appeals followed an earlier unsuccessful appeal to demolish the former cycle shop and replace it with three dwellings. The main issue in both appeals was the impact on the character and appearance of the conservation area and in the second appeal, the impact on highway safety and the living condition of neighbours.
23. The inspector found that the existing house to be demolished has no particular

architectural or historic interest. A well-conceived scheme could equally preserve the character and appearance of the conservation area. Nonetheless, consent for demolition should only be given if there is an acceptable scheme for redevelopment.

24. The proposed semi-detached houses fronting Station Road were found to be broadly consistent with the pattern of development in the adjacent terrace and would be an improvement on the existing cycle shop building. However, the inspector found they would continue a rather uniform row of development, which would lack the characteristic variety of the area. The fenestration details were also considered inappropriate. The proposed adjoining shops and dwellings would be of substantial size and render the building an unduly harsh and incongruous feature in the street scene. It would also result in a visually important beech hedge which contributes to the semi-rural character of the area.
25. The remainder of the development would comprise three dwellings behind the frontage buildings. These were found to be uncharacteristic of the street scene, which is linear in form. Their substantial size and the gap formed by the necessary access would only increase the hardness of the development when viewed from Station Road.
26. The houses were also considered to be close to a beech tree, protected by a TPO. The tree would significantly reduce the amount of daylight available and would put its long-term retention at risk.
27. The proposal was therefore found to harm the character and appearance of the conservation area. It therefore followed that consent for the demolition of the existing property should be refused in the absence of an unacceptable proposal to replace it.
28. In considering the effect on highway safety, the inspector noted that there was a complete lack of parking provision for the retail units. While the Council's parking requirements were considered excessive, the absence of any car parking was unacceptable. It would unduly add to on-street parking to the detriment of highway safety.
29. The inspector had no issue with objections regarding overlooking of surrounding properties.