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28 April 2008

To: Chairman – Councillor Mrs PS Corney
Vice-Chairman – Councillor CR Nightingale
All Members of the Planning Committee

Quorum: 4

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, 7 MAY 2008** at **2.00 p.m.**

Yours faithfully
GJ HARLOCK
Chief Executive

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

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.

AGENDA		PAGES
PROCEDURAL ITEMS		
1. Apologies	To receive apologies for absence from committee members.	
2. General Declarations of Interest		1 - 2
3. Minutes of Previous Meeting	To authorise the Chairman to sign the Minutes of the meeting held on 2 April 2008 as a correct record. The Minutes are available online by going to www.scambs.gov.uk/meetings , and following the links to the Planning Committee on 7 May 2008.	
PLANNING APPLICATIONS AND OTHER DECISION ITEMS		
4. S/0312/08/F – Linton (8a The Grip)		3 - 10
5. S/1881/07/RM – Linton (Land R/O Newdigate House, Horseheath Road)	Appendices 1 and 2 are available online by going to www.scambs.gov.uk/meetings , and following the links to the	11 - 20

Planning Committee on 7 May 2008.

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| 6. | S/1970/07/A21- Longstanton (Land West of Longstanton (Home Farm)) | 21 - 36 |
| 7. | S/0376/08/F - Weston Colville (Mines Farm, Weston Green) | 37 - 54 |
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| 9. | S/0330/08/F – Ickleton (Riverside Barns, 111 Frogge Street) | 63 - 72 |
| 10. | S/0297/08/F – Girton (Hotel Felix, Whitehouse Lane) | 73 - 84 |
| 11. | S/0307/08/F – Histon (Land at Bishops Cycles, 49 Station Road and Land R/O 51- 55 Station Road) | 85 - 98 |
| 12. | Public Speaking at Planning Committee
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INFORMATION ITEMS

The following items are included on the agenda for information and, apart from the summaries element, are available in electronic format only (at www.scambs.gov.uk/meetings and in the Weekly Bulletin dated 30 April 2008). Should Members have any comments or questions regarding issues raised by the reports, they should contact the appropriate officers prior to the meeting.

- | | | |
|-----|---|------------------|
| 13. | Appeals against Planning Decisions and Enforcement Action
Summaries of Decisions of interest attached.
Contact officers:
Gareth Jones, Head of Planning – Tel: 01954 713155
John Koch, Appeals Manager (Special Projects) – Tel: 01954 713268 | 103 - 106 |
| 14. | Appeal Statistics
Contact officers:
Gareth Jones, Corporate Manager (Planning and Sustainable Communities) – Tel: 01954 713155
John Koch, Appeals Manager (Special Projects) – Tel: 01954 713268 | |

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

“I propose that the Press and public be excluded from the meeting during the consideration of the following item number in accordance with Section 100(A) (4) of the Local Government Act 1972 on the grounds that, if present, there would be disclosure to them of exempt information as defined in paragraph of Part 1 of Schedule 12A (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 – 7 May 2008 – Declaration of Interests

Councillor

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Vill age:

Reason:

Personal / Personal and Prejudicial [delete as appropriate]

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Personal / Personal and Prejudicial [delete as appropriate]

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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]

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee7th May 2008**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0312/08/F - LINTON
Studio/Office Outbuilding at 8a The Grip for Dr P Blakeley**Recommendation: Approval****Date for Determination: 18th April 2008****Notes:**

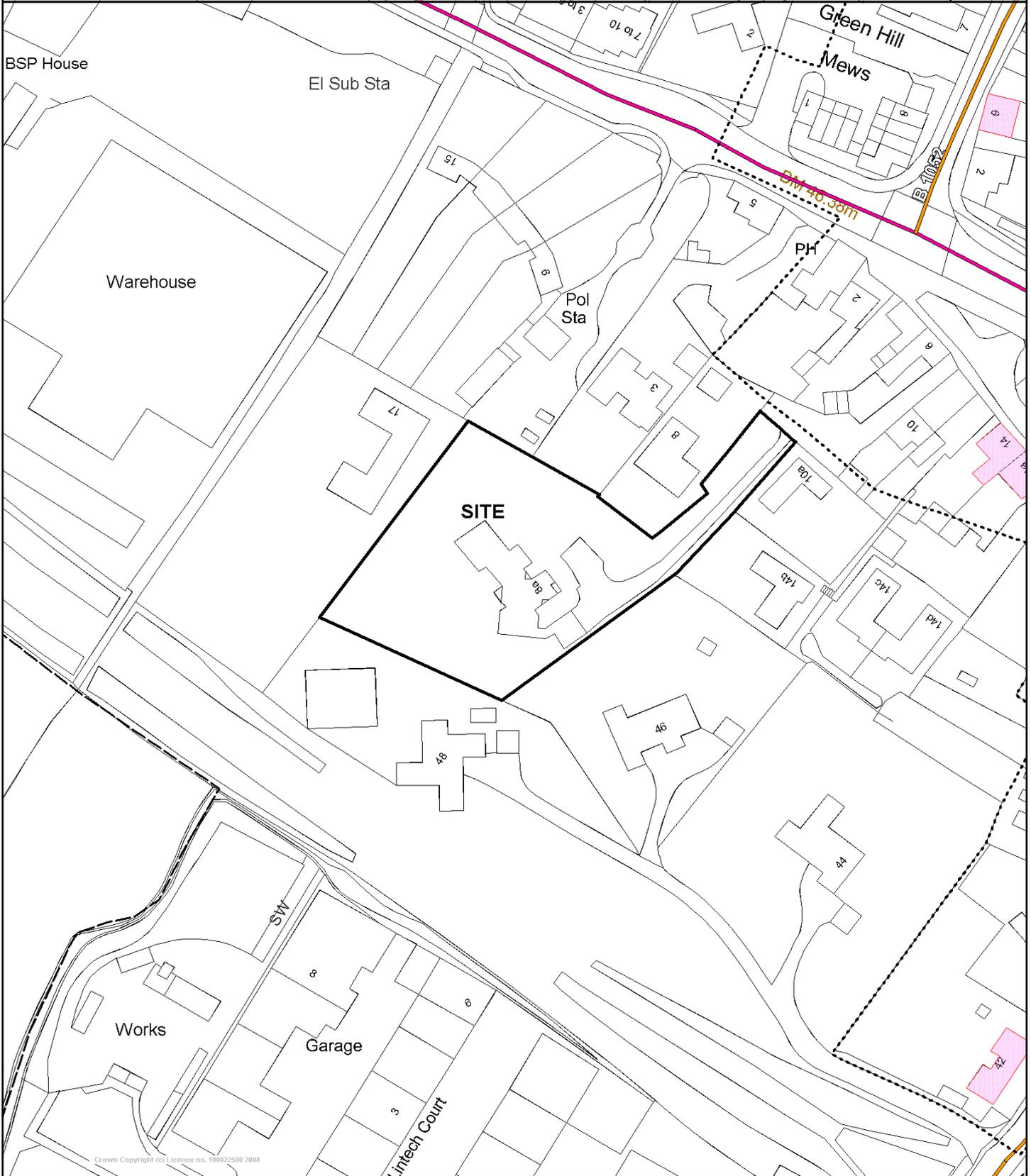
This Application has been reported to the Planning Committee for determination because the Officer recommendation is contrary to the response of the Parish Council, at the request of District Councillor Mrs Bear, and following consideration of the application at the Chairman's Delegation meeting held on 16th April 2008

Members of Committee will visit the site on Wednesday 7th May 2008

Site and Proposal

1. The application site is occupied by a brick and tile bungalow located approximately 100 metres to the south of the A1307, and accessed between Nos. 6 and 10 The Grip. The curtilage of the property occupies two distinctly different levels. The bungalow itself sits on lower ground at roughly the same level as adjoining properties to the south, Nos. 46 and 48 The Grip. On the west and south side of the dwelling is a much higher section of land that sits above the ridgeline of the bungalow itself and is at the same level as No.17 Cambridge Road to the west as well as a swimming pool building constructed within the raised garden area of No.48 The Grip. The land rises steeply between the lower and higher elements from east to west along the northern boundary of the site. Construction of a building measuring approximately 12.5 metres x 5.2 metres has commenced on the elevated part of the site to the south-west of the bungalow, adjacent to the boundary with No.17 Cambridge Road. The foundations and north-western boundary have been built and a gravelled access/wide pathway constructed alongside the northern and western boundaries.
2. The full application, submitted on 22nd February 2008, seeks to complete the development that has commenced on site. The building would be an asymmetrical design weatherboard and slate roof structure measuring 4 metres to the ridge. The eaves would be 3 metres high on the side adjoining No.17 Cambridge Road and 2.4 metres high on the side facing the applicant's own property. The structure would comprise a home office, studio, wash up area, toilet and hallway.
3. The application has been accompanied by a design and access statement which argues that the building constitutes permitted development under Class E of the General Permitted Development Order 1995 as the building would not provide independent or primary residential floor space. The statement confirms that the building would only be used in conjunction with the main dwelling and that the

S-0312-08-F LINTON



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premises would not be used for business purposes. The applicant paints as a hobby and proposes to use the studio area for this purpose, whilst the home office would be used in the same way as a study may be used within a house. The small kitchen area for tea making and toilet would reduce the need to return to the bungalow. The applicant is registered ambulant disabled and it would therefore be more convenient to have these facilities within the building. The ramped pathway provides a suitable gradient for the applicant to access the higher level of the garden. A more direct route from the rear of the house could be created with steps but this would not achieve the required disability access arrangements. The design and access statement also explains that the building may be used occasionally to provide additional residential accommodation for family members.

Planning History

4. **S/0996/92/O** – Outline planning permission granted for the erection of a bungalow on the site.
5. **S/1709/93/RM** – Reserved matters consent granted for the erection of a bungalow on the site.

Planning Policy

6. **Policy P1/3** of the Cambridgeshire and Peterborough Structure Plan 2003 stresses the need for a high standard of design and a sense of place which corresponds to the local character of the built environment.
7. **Policy DP/2** of the Local Development Framework Development Control Policies 2007 requires all new development to be of high quality design and to provide higher residential densities and a mix of housing types.
8. **Policy DP/3** states that permission will not be granted for proposals that would have an unacceptable adverse impact on (amongst other issues): residential amenity; from traffic generated; on village character; on the countryside and landscape character; from undue environmental disturbance; on ecological, wildlife and archaeological interests; and on flooding and flood risk.
9. **Policy CH/5** requires new development in or affecting a Conservation Area to be determined in accordance with national policy (PPG15), namely to preserve or enhance the character of the area.
10. **Policy CH/10** of the Local Development Framework 2007 states that, south of the A1307 bypass at Linton, further residential development will not be permitted other than improvements to existing properties. The supporting text to this policy goes on to say that this area is isolated from the main village and further residential development would not be sustainable with its poor access to the village facilities and services.

Consultations

11. **Linton Parish Council** recommends refusal, stating:
 - a) This application contravenes Policy CH/10 Linton Special Policy Area which clearly states that further residential development will not be permitted other than improvements to existing properties. This is not an improvement to the current property but a separate building, being completely independent and having its own driveway. The applicant has stated that ‘it will be used occasionally to

provide additional accommodation' (see Supporting Justification and Design and Access Statement page 10, 6.7). If permitted this building could be sold or let as a separate entity.

- b) This application contravenes Policy DP/3 of the South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007 which states that planning permission will not be granted where the proposed development would have an unacceptable adverse impact on residential amenity. The proposed building, by virtue of its height in relation to 8a The Grip and 17 Cambridge Road and proximity to the conservatory of 17 Cambridge Road does appear unduly dominant and overbearing and has an adverse impact on residential amenity.
 - c) The north window overlooks 17 Cambridge Road.
 - d) Council is extremely disappointed that the large spinney, protected by a covenant, has been removed.
 - e) Council is concerned that this site was previously quarried and request that this be investigated on the grounds of health and safety.
 - f) Council requests that a site visit is undertaken.
12. **The Conservation Manager** raises no objections, stating that the building is not located within the Conservation Area, nor is it adjacent to any listed buildings, so will not have a negative impact upon either.

Representations

13. Letters of objection have been received from Nos.10 and 46 The Grip, No.17 Cambridge Road, and from Stevens Solicitors (acting on behalf of the occupiers of No.17). The main points raised are:
- a) Why has the building been erected on the highest part of the site? If the building was constructed on the flat part of the site next to the dwelling, there would be no need for a wash up area and toilet, and for a separate vehicular width access;
 - b) A much smaller building would meet the applicant's needs;
 - c) Why has work started without planning permission?;
 - d) The building has been constructed on top of a chalk tunnel. The embankment has two chalk tunnels running into it and a spinney on top. The trees were given to the then occupants by the local authority in the 1970's. Some of these trees have been removed, and the construction of the building has therefore destroyed the character of the area;
 - e) The building would overlook No.46 The Grip and No.17 Cambridge Road;
 - f) The structure can be seen by all surrounding properties;
 - g) The art studio/office could be used for business purposes (perhaps an art school?) and potentially attract visitors. The applicant exhibits and sells paintings, including in a gallery in Linton;

- h) There is a wide vehicular access leading to the building;
- i) The proposed weatherboarding would be out of keeping with the character of the area which is typified by brick buildings;
- j) The former occupiers of the site put a covenant on the land to prevent the erection of anything other than a single storey dwelling with garage and outbuildings, and to prevent the construction of any windows above ground level. Solicitors acting on behalf of occupiers of No.46 The Grip have written to the occupiers of No.8a The Grip to advise them of this breach;
- k) There has been a change of use at the premises from residential to industrial business. Why were neighbours not consulted? Large lorries have been passing by, and causing damage to, No.6 The Grip;
- l) The development contravenes the Linton Policy which prevents new residential development on the south side of the A1307. The structure is obviously a separate dwelling;
- m) The applicant has used the police yard to access the site without proper authority.

Planning Comments – Key Issues

14. The key issues to consider in the determination of this application are:

- a) Use of the building;
- b) Impact upon character and appearance of area;
- c) Residential amenity;
- d) Loss of trees.

Use of building

- 15. The building that has been partly constructed is on the higher part of the site but within the defined residential curtilage of the property. The applicant's agent has sought to argue that the building constitutes permitted development under the section of the General (Permitted) Development Order (GDO) relating to residential outbuildings. The size and position of the building (ie – no more than 4 metres high, more than 5 metres from the house and not within 20 metres of a highway) do comply with the requirements of the GDO. However, to constitute permitted development, such buildings must be used for a purpose incidental to the enjoyment of the dwellinghouse only (eg – garaging/storage) and not for primary accommodation. The applicant is at liberty to apply for a Lawful Development Certificate to determine whether the proposal would or would not constitute permitted development.
- 16. An application has been requested solely on the basis of the proposed use of the building. Given that in all other respects the building complies with the requirements of the GDO and would not need planning permission if, say, used as a garage and workshop, I would argue that the merits of the application can only reasonably be considered insofar as they relate to the proposed use of the building.
- 17. Objections have been raised by the Parish Council and local residents on the basis that the proposal is considered to conflict with Policy CH/10 of the Local Development

Framework, which restricts residential development on the south side of the A1307 in Linton. I can understand these concerns given the size of the building, the fact it has been constructed on a separate part of the site to the main dwelling, and the fact that a vehicular width access has been created to the structure. However, the application is not seeking to use the building as a separate dwelling and the stipulations within Policy CH/10 do not therefore apply in this instance. The design and access statement makes it clear that there is no intention to use the proposed structure for business purposes. The use of the building can be controlled by a Section 106 legal agreement to ensure: that it is used for purposes ancillary to the dwelling only; that it is not used for business purposes; and that, if used for accommodation, it is occupied by family members only. If Members are minded to grant permission for the building, I would recommend that it be subject to the prior signing of such an agreement.

Impact upon character of area

18. The access to No.8a The Grip abuts the Linton Conservation Area, but the proposed building is situated approximately 90 metres away from the Conservation Area and even further away from the nearest Listed Building. The Conservation Manager is satisfied that the proposal does not result in harm to either the setting of the Conservation Area or nearby Listed Buildings.
19. The structure would comprise weatherboard walls and a slate roof. Whilst other buildings in the immediate area are constructed of brick, I do not consider the stipulated materials to be inappropriate or harmful to the character of the area.

Residential amenity

20. As stated in paragraph 15, the building, if used for different purposes, would constitute permitted development. Nevertheless, I have visited the neighbour at No.17 Cambridge Road in order to assess the impact of the building upon their amenities. The structure has been positioned such that the 3 metre high eaves are adjacent to the boundary with No.17 Cambridge Road. The building is approximately 8 metres away from the centrepiece of No.17's rear conservatory and I am therefore satisfied that it would not be unduly overbearing or cut out an unacceptable amount of light to the conservatory.
21. Windows are proposed in the north and east elevations of the building. The window in the north elevation would look towards the northern boundary of the site, rather than into No.17 Cambridge Road's private garden, whilst the windows in the east elevation would look down into No. 8a The Grip's garden. The finished building would be 34 metres away from the boundary with No.46 The Grip and just under 50 metres away from the neighbouring dwelling itself. As such, there would not be an unreasonable degree of overlooking of this neighbouring property from the structure.

Other matters

22. The applicant's agent states that trees have not been removed to enable the construction of the building. From the photographs submitted by neighbouring residents, this does not appear to be the case, and it seems that trees on the site have been removed. However, the site is not in a Conservation Area and there is no Tree Preservation Order covering the land so the spinney that covered the upper portion of the site did not have any statutory designation. As such, the applicant has not committed any offence in planning terms by removing the trees.

23. The applicant's agent has advised that the applicant's solicitor is of the view that no breach of the covenant attached to the land has occurred. The covenant states 'not to erect anything on the land.....other than a single storey dwelling with garage and other outbuildings....' As the structure is single storey, the legal view is that the terms of the covenant have not been contravened. Whether this is the case or not, this matter is not a material planning consideration. Even if planning permission is granted, the building may still be contrary to the covenant attached to the land, and could potentially be required to be removed under its terms. Granting planning consent would not override the terms of any covenant attached to the land.
24. With regards to concerns about the building being constructed on the site of an old quarry, the applicant's agent has confirmed that the site includes an old chalk pit which has been filled in. The existing bungalow is built on this pit and has concrete piles accordingly. The proposed building is not within the pit but on the top level which has not been quarried. The Design and Access Statement also confirms that the structure complies with Building Regulations, that the foundations have been inspected by RH Consulting, and that the structure has been built on solid chalk.

Recommendation

25. Subject to prior signing of a Section 106 Legal Agreement to ensure that the building would only be used for purposes ancillary to the domestic use of the main dwelling, including use as an annexe by family members only, approval subject to the following conditions:
1. No development shall resume until details of the colour of finish to be used for the weatherboarding 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. No windows, doors or openings of any kind shall be inserted in the north-west side elevation of the building, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf. (Reason – To safeguard the privacy of occupiers of No.17 Cambridge Road)

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

South Cambridgeshire Local Development Framework (LDF) 2007;
Cambridgeshire and Peterborough Structure Plan 2003;
Planning application references: S/0312/08/F, S/1709/93/RM and S/0996/92/O

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

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee7th May 2008**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/1881/07/RM - LINTON**Erection of 11 Dwellings****Approval of Reserved Matters - Layout, Scale, Appearance, Access and Landscaping, Land Rear of Newdigate House, Horseheath Road, for Beechdale Homes Ltd****Recommendation: Approval****Date for Determination: 26th February 2008 (Major Application)****Members will visit the site on 7th May 2008**

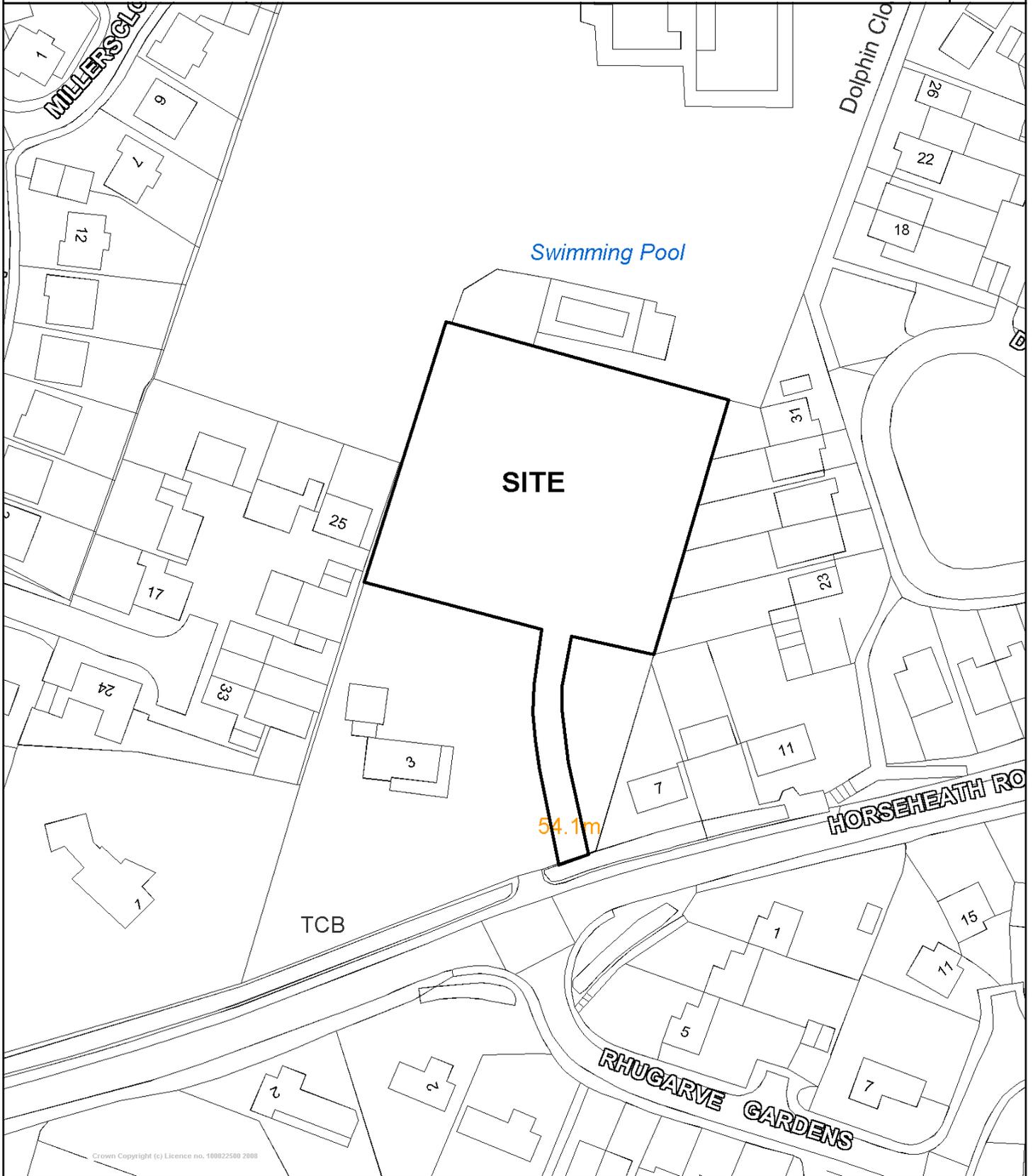
This Application has been reported to the Planning Committee for determination because the recommendation of the officers does not accord with the recommendation of the Parish Council.

Introduction and update

1. Members deferred consideration of this application from the meeting of 5th March 2008 to enable a site visit to be held. A copy of the officer report for that item is attached at Appendix 1
2. This reserved matters application, dated 21 September 2007, has been amended several times, most recently by perspective drawings date-stamped 4 March and revised details date-stamped 28 March 2008. The revisions show:
 - a) Plot 3: amendment to roof to show hipped ends with a lower pitch and lowering of the ridge height to 7.3m; resiting to provide 3.3m to boundary with 29/31 Dolphin Close and increase in garden depth from 11.8m to 12.0m;
 - b) Perspective drawings of the outlook from the rear garden and 1st floor window of 31 Dolphin Close towards Plot 3;
 - c) The layout plan no. 07.161/102G has been adjusted to show extensions to the rear elevations of nos. 23, 25 and 27 Dolphin Close, and correction to the side boundary with the school at 31 Dolphin Way;
 - d) Drawings showing the grading and gabion wall support at the entrance, and landscaping at the entrance.

Consultations**Linton Parish Council** – Recommends refusal:

S-1881-07-RM LINTON



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May 2008 Planning Committee

Access

3. There should be only a single shared access for the proposed development and the existing property, Newdigate House, which should be no further to the east than the existing Newdigate house access. The existing access road is not shown on the drawings, contrary to LDF Policy DP2 (2) (n), but the Parish Council's understanding is that the current proposal would leave Newdigate House enjoying a separate access point on to Horseheath Road. Two access points very close to each other would be dangerous and contrary to LDF Policy DP3 (1) (b) and it does not appear to the Parish Council that Cambridgeshire County Council Highways Development Control Manager has appreciated that under the proposal there appear to be two such separate access points. Nor is the Parish Council satisfied that Highways Development Control has fully appreciated the extent to which the proposed access had been moved compared with the existing access to Newdigate House, and thereby aligned it more closely with the Horseheath Road/Rhugarve Gardens junction.
4. The access as presently proposed will be unsafe, by reason of the proposed visibility splay being ineffective, contrary to LDF Policy DP/3 (1) (b), given that the ground level of 7 Horseheath Road is considerably higher than the height of the proposed access road as it approaches the junction with Horseheath Road. The Parish Council understands that the occupier of 7 Horseheath Road is entitled to extend his boundary fence up to the front boundary of his property, and given the loss of privacy to his property from the new development it seems likely that he would choose to do so, thereby reducing visibility.
5. The access as presently proposed will be unsafe, contrary to LDF Policy DP3 (1) (b) because there is considerable parking on the northern side of Horseheath Road to the east of the proposed access both overnight and at week ends.
6. The plans show part of the embankment on the north eastern side of the proposed access road as being within the ownership of 7 Horseheath Road (the Parish Council's understanding is that the boundary between the properties projects in a straight line as far as the highway boundary). The applicant has not demonstrated that it has the ability to secure the carrying out of works on land which is not within its ownership or control. In addition, the Parish Council is concerned that the gradient of the embankment and its proximity to 7 Horseheath Road may affect the structural stability of that property and would wish a condition to be imposed that no work is carried out until the applicant's have supplied the District Council with a structural engineer's report demonstrating that the proposed works will not endanger the stability of any part of 7 Horseheath Road.
7. The proposed rumble strip is unnecessary and liable to cause a noise nuisance contrary to LDF Policy DP/3 (2) (n).

Housing and Design

8. The proposed development was contrary to former Local Plan policies as referred to by the Planning Inspector in the previous decision notice, and is contrary to policies in the Local Development Framework for the various reasons set out below.

Housing Issues

9. The proposal provides for 27% of the housing to be affordable housing, contrary to the requirement of 40% or more in LDF PolicyHG2 (2) & HG3 (2). No reason for the proposed derogation from this requirement has been advanced by the applicant. It is noted that no offer of off-site provision through the mechanism of an S. 106 obligation has been made.

10. The housing mix proposed is contrary to LDF Policy HG2 (3), the principles set down in the Planning Inspector's report and the findings of the Local Housing Needs Survey for Linton and of the Linton Parish Plan. Policy HG2 requires developments of 11 or more dwellings to provide a range of accommodation, including one and two bed dwellings, having regard to economic viability, the local context of the site and the need to secure a balanced community. The present proposal provides for 50% of the market dwellings to be 4 or more bedroomed, 37.5% 3 bedroomed and 12.5% 2 bedroomed. Had the development been of 10 rather than 11 dwellings, policy HG2 (3) would have required approximately 25% of the market dwellings to be 4 or more bedroomed, 25% to be 3 bedroomed and at least 40% to be 1 or 2 bedroomed. To propose a development which, had there been one house fewer, would have been wholly at variance with Policy HG2 is contrary to the clear intent of the Policy in relation to sites of 11 or more dwellings, as explained by paragraph 4.6 of the supporting statement. "The targets are set for smaller developments of up to 10 dwellings. Developments of more than 10 houses will require assessment with the target as a starting point." (emphasis added). The Parish Council's understanding is that no such assessment has been submitted to the LPA.

Design Issues

11. The proposal as a whole would cause serious and unacceptable harm to the amenities of the occupiers of nos. 23-31 Dolphin Close contrary to LDF Policy DP2 (1) (f) & DP3 (2) (j). Whilst the block comprising plots 3, 4 and 5 has been moved approximately from 3m to 3.3m to the west in the revised plan, compared to that considered by the Parish Council in October 2007, because the previous proposal failed to include substantial recent extensions to no's 25, 27 and 29 Dolphin Close on the plans submitted, the distance between the rear walls of no's 25, 27 and 29 Dolphin Close and plot 3 is now actually considerably less than had been thought when the original application was considered by the Parish Council in October 2007. The Parish Council has considered both the plans submitted. It has had the advantage of viewing photographs and superimpositions of the proposed block comprising plots 3, 4 and 5 provided by one of the occupiers of Dolphin Close, all of which serve to demonstrate unacceptable damage to the amenities of these adjoining occupiers.
12. The hipped roofs now proposed for the dwellings on plots 3, 4 and 5 are not in keeping with the other plots on the development or with existing developments in the vicinity of the application site, all of which have gable roofs. These roofs appear to have been introduced into the scheme as an architecturally misguided attempt to address the impact of the proposed development on the adjoining properties in Dolphin Close. The proposal is accordingly contrary to LDF Policy DP2 (1) (c) & (f) & DP3 (2) (i) of the LDF. In the event, it also fails to achieve its design objective.
13. The proposal, by reason of its inclusion of dwellings more than 2 storeys in height, fails to preserve the amenity of the occupiers of neighbouring properties, including Newdigate House, contrary to LDF Policy DP2 (1) (c) (d) & (f) & DP3 (2) (j) & (i).
14. The second bedroom of plot 3 will substantially overlook the garden and living accommodation of 31 Dolphin Close and thereby have a serious and damaging impact on the amenities of 23-31 Dolphin Close contrary to LDF Policy DP2 (1) (f) & DP3 (2) (j).
15. No detailed plan has been sent to the Parish Council properly showing the revised side elevation of plot 3. Until that is done it is impossible to fully evaluate the impact of this aspect of plot 3 on the amenities of 23-31 Dolphin Close. At the moment the

elevation appears to have a serious and damaging impact on the amenities of those properties.

Necessary Conditions in the event the Committee is minded to grant permission.

16. A full biodiversity survey shall be undertaken prior to any development commencing.
17. The boundary treatment along the whole of the northern boundary shall comprise a 2.4 metre close boarded fence with 0.8 metre trellis above in order to secure proper privacy for pupils of the adjoining school, particularly pupils using the school outdoor swimming pool, reflecting the provision in the amended application plan for the boundary fence between plots 3, 4 & 5 to be closer to the swimming pool than shown on the original plans, due to the proposed removal of the existing vegetation.
18. Permitted development rights shall be excluded in the case of the properties on the northern and eastern boundaries of the development, to prevent unacceptable harm to the amenities of the occupiers of the adjoining properties in Dolphin Close, pursuant to LDF Policies DP2 (1) (f) & DP3 (2) (j).
19. The existing vegetation on the northern and eastern boundaries shall be retained and strengthened in order to maintain biodiversity and the privacy of adjoining occupiers in accordance with an approved planting and maintenance plan & schedule.
20. All existing trees within the application site except those within category R in the report prepared for the applicant by Lesley Dickinson shall be retained.
21. The landscaping as shown in the approved landscaping scheme shall be maintained in perpetuity by the occupiers of the various plots and any trees or other plants planted in accordance with it shall not be removed without the express consent of the planning authority.

Further Comments

22. This response is submitted prior to the indicative scaffolding being erected on the application site to demonstrate the impact of plot 3 on 31 Dolphin Close. The Parish Council reserves the right to submit further comments after that has been done.

Possible future statement

The Parish Council's views regarding the future development of the application site

23. *The Parish Council acknowledges the principle of the development of this site provided it is consistent with relevant development control policies, and the proper interests of local residents are respected. The present proposals fail in both respects. It appears to the Parish Council that a combination of the applicant's understandable concern to maximise its return from the site and its (or the current owner's) wish to maintain the maximum value of the retained part of the plot on which Newdigate House stands has resulted in a proposal which is not consistent with the relevant development control policies and does not respect the proper interests of local residents.*
24. *The Parish Council would in principle support a proposal for an eleven dwelling development incorporating four affordable dwellings (36%) and 7 market dwellings (64%) of which two (28.5%) were 4 bedroomed dwellings, two (28.5%) were 3 bedroomed market dwellings and three (43%) were 1 or 2 bedroomed dwellings, a*

mix which would fall not far short of the requirements of LDF Policies HG 2 & HG3, provided it was designed in such a way as not to cause damage to the amenities of the occupiers of Dolphin Close and Linton Heights Junior School and enjoyed a shared access with Newdigate House to an appropriate point on Horseheath Road.

25. *If it proves impossible to design an eleven dwelling development which properly protect the amenities of the occupiers of Dolphin Close, the Parish Council would be looking for a scheme of ten dwellings, of which four were affordable dwellings, three were 3 or more bedroomed market dwellings and three were 2 bedroomed market dwellings, in accordance with LDF Policies HG2 & HG3.*
26. **Local Highway Authority:** Recommends approval. The necessary visibility splays can be achieved in the context of the embankment. The verge, although steep, would not achieve a height sufficient to obstruct visibility at the required setback. The LHA accepts that the rumble strip could be replaced with a ramp surfaced in block paving, to minimise noise disturbance.
27. **Council's Ecology Officer:** No objection subject to a conditions to restrict the time of year of vegetation removal to avoid the bird nesting and breeding season and to provide bat and bird nesting boxes.
28. **Council's Landscape Officer:** To the amended plans, concern that insufficient land is provided for tree planting to the front of Plots 6 and 7, and a request for final details of plant species to be submitted for agreement. These details have been provided by the agent in a drawing received 3rd March.

Representations of the agent

The agent has confirmed the following:

29. "At the end of the day, planning permission has been granted for eleven houses on this site; it is not possible to develop it so that it cannot be seen; our position is that we considered the Inspector's comments, but it was plain that the "buffer" referred to was insubstantial, and if it was retained as the basis of protecting privacy this could give rise to problems in the future (as any trees and vegetation could be chopped down / cleared) - the inspector acknowledged that it could be removed. It is best if these problems, or perceived problems, are best "designed out" from the start.
30. "The illustrative layout which accompanied the outline planning permission provided for a long rear elevation facing Dolphin Close, dominating the outlook and with habitable room windows looking directly into the properties in Dolphin Close, giving rise to potential privacy problems; our design has a narrow span blank gable facing Dolphin Close, not actually at the end of the garden of number 31, with a fully hipped roof in order to mitigate its impact. There is no overlooking or loss of privacy, and it is situated far enough from the boundary for there to be no significant impact in terms of dominance or loss of light.
31. "In relation to this, I was concerned that Mrs O'Brien's photograph with the red "cube" superimposed was not an accurate representation of the visual impact from number 31 Dolphin Close. I therefore attach two perspective drawings now prepared by the architects, showing what will be seen from the garden and from the first floor windows of number 31".
32. A letter dated 14 March 2008 has been supplied by the agent indicating the acceptance of the proposed boundary treatment on the northern boundary of Plots 6 and 7 by the Headteacher of Linton Heights Junior School.

Representations

33. Letters of objection have been received from the occupiers of Nos. 25, 27, 29, 31 Dolphin Close, 12 Fairfield Way, 7 Horseheath Road, 21 Balsham Road, 33 Rivey Way, Greenditch Hill Barn, and 21 Balsham Road. Issues raised are:

Landscaping and ecology

- a) loss of buffer zone on eastern boundary, as referred to by the Inspector at paragraph 10. A copy of the appeal reference **APP/W0530/A/06/2020762** dated 6 February 2007 is attached at Appendix 2.
- b) loss of the spinney trees on northern boundary and the loss of their ecological value;
- c) lack of landscaped areas.

Scale, layout and design

- a. height of dwellings especially 2½-storeys;
- b. density of development too high;
- c. underprovided with affordable housing;
- d. underprovided with 1-bed, 2-bed and 3-bed market housing, and overprovided with 4-bed houses. This will not achieve a locally-balanced community that Policy HG/2 is seeking to achieve;
- e. house Type A is 2-bed with a first floor study, so is 3-bed in effect.
- f. the use of hipped roofs has resulted in the design of Plots 3,4 and 5 being out of keeping with the character and design of other dwellings in the area.

Amenity

- g. loss of privacy to the school pool;
- h. noise disturbance to future occupiers when the school pool is in use;
- i. loss of privacy to Nos.27,29 and 31 Dolphin Way;
- j. overshadowing of Nos.27,29 and 31 Dolphin Way from the mid-afternoon onwards;
- k. overbearing and loss of outlook to Nos. 27, 29 and 31 Dolphin Way. The officer's report incorrectly states that the distance from the corner of Plot 3 to the rear elevation of is 14.0m when it should be 12m approximately. The occupiers of 31 Dolphin Way have submitted annotated photographs to show the position of the adjacent dwellings and to illustrate the loss of sunlight. These are included as Appendix 3 together with their letters of objections.
- l. these amenity issues were also identified by the Inspector when allowing the appeal in 2007;

m. additional noise disturbance;

Highways

- a) unacceptable re-siting of access position on Horseheath Road;
- b) noise from rumble strip to the occupier of No. 7 Horseheath Road;
- c) loss of parking on Horseheath Road;

Services

a) additional burden on the infrastructure of Linton, such as schools, health services and roads.

Planning Comments

Amenity

- 34. In my report of 5 March I examined the concerns of occupiers of neighbouring properties in respect of amenity impact. The amended plans date-stamped 28 March 2008 have increased the distances of dwellings from the boundaries with dwellings in Dolphin Close, and the height of the dwellings on Plots 3-5 has been reduced, and hipped ends provided. These changes are intended to reduce the impact on neighbouring amenity of the development. I acknowledge there have been extensions on the rear elevations of these dwellings, and these are now shown on the revised layout plan no. 07.161/102G. Members will wish to assess this aspect on site.
- 35. The distance of the proposed gable to the windows in the rear of Nos. 29 and 31 is 14.0m, and set west of them, which I consider to be acceptable. This is the distance that can be scaled from the submitted plan, but can be assessed on the site visit.
- 36. The dwelling on Plot 3 nearest to the rear garden of No.31 is shown to have a bathroom window closest to the boundary. The first floor bedroom window in its rear elevation is located 6m from this boundary, but at a minimum angle of 30 degrees to it, so any views over the rear garden of No.31 will be oblique. I do not consider that the development will result in serious overlooking of this dwelling, but in order to reduce such impact I recommend a condition to amend the design of these windows to be fixed pane with top opening vents, to prevent oblique overlooking from an open pane.
- 37. The distance between rear bedroom windows in Plots 1 and 2 to the rear garden boundary with Nos 8 Horseheath Road, and 23/25 Dolphin Close, has been increased in the amended layout plan to 8.1m. The window-to-window distances are between 22 and 25m, which is acceptable. The development will result in a degree of overlooking of these gardens and rear elevations, but as the gardens are already overlooked from existing dwellings, I do not consider that the additional overlooking is so serious as to warrant a refusal of reserved matters application.

Housing Mix

- 38. LDF Policy HG/2 (Housing Mix) sets out firm guidelines for the required house size in development of up to ten dwellings, but in larger schemes such as this more flexibility is provided for. The amended scheme includes 38% 2-bed market housing, which I consider to be acceptable in this context. I do not consider that the shortfall in 3-bed housing, and more than expected provision of 4-bed dwellings to be a sustainable reason for refusal of reserved matters in a scheme of this size. Affordable housing

numbers were in this instance determined by the Inspector, with which the scheme complies.

Appearance

39. The alteration to the appearance of the dwellings on Plots 3-5 by the addition of hipped roofs is satisfactory in my opinion, in this area of a variety of modern house styles and not within a conservation designation.

Access

40. The comments of the Local Highway Authority are noted. I consider that the scheme is acceptable in highway safety terms, and I recommend that the rumble strip be replaced as advised.

Other

My comments in relation to other matters raised remains as reported on 5th March 2008.

Recommendation

41. In accordance with the application dated 21st September 2007, as amended by drawings date-stamped 18th February and 28th March 2008. Approval of reserved matters – layout, scale, appearance, access and landscaping in accordance with outline planning permission reference and APP/W0530/A/06/2020762 (LPA reference S/0348/06/O) dated 6th February 2007.

Additional Conditions

1. SC22 (no additional windows) 'inserted at first floor level in the eastern elevation of Plot 3' - (RC22).
2. SC23 (obscured window) 'first floor bathroom window in the rear elevation of Plot 3' (RC23 'adjoining property at 31 Dolphin Close'.)
3. Notwithstanding the details shown upon no.2070629/04B, hereby approved, details of windows at first floor level in the rear elevation of the dwellings on Plots 3, 4 and 5 showing fixed pane with top-opening vents shall be submitted to and approved in writing by the Local Planning Authority before development commences. The development shall be carried out in accordance with the approved details and thereafter retained in that condition (Reason - In order to protect the privacy of the occupiers of 31 Dolphin Close.)
4. SC21 Plots 1-7 (Withdrawal of permitted development rights) Part 1 Classes A and B (extensions and roof alterations) (RC23 'properties').
5. SC51 (Landscaping) (RC51).
6. SC52 (Implementation and maintenance of landscaping). (RC52).
7. SC5 (External materials) (RC5).
8. SC59 (Provision and retention of fencing) '3.4m', 'northern boundary Plots 6 and 7', add at end 'and thereafter retained'.

(Reason - To protect the privacy of users of the adjoining school swimming pool.)

9. Limitation on timing of vegetation removal (In the interests of the ecology of the site.)
10. Provision of bat and bird boxes (In the interests of the biodiversity of the site.)
11. Development shall not begin 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 by the Local Planning Authority; no development shall take place otherwise than in accordance with the approved scheme.
(Reason - To ensure adequate provision is made for fire hydrants.)

Informatives

The applicant's attention is drawn to Condition No 5 of the outline planning permission APP/W0530/A/06/2020762 (LPA reference S/0348/06/O) dated 6th February 2007 relating to the provision of affordable housing.

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

- South Cambridgeshire Development Control Policies Development Plan Document (2007)
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File ref APP/W0530/A/06/2020762 (LPA reference S/0348/06/O)

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7th May 2008

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

**S/1970/07/A21- Longstanton
Increase in Number of Dwellings from 500 to 546 In Accordance With
Condition No. 16 of Planning Permission Reference S/0682/95/O at
Land West of Longstanton (Home Farm) for Mr & Mrs P L Stroude**

**Recommendation: Approval
Date for Determination: 12th December 2007**

This application has been reported to the Planning Committee for determination because the Officer's recommendation conflicts with the recommendation of the Parish Council.

Site and Proposal

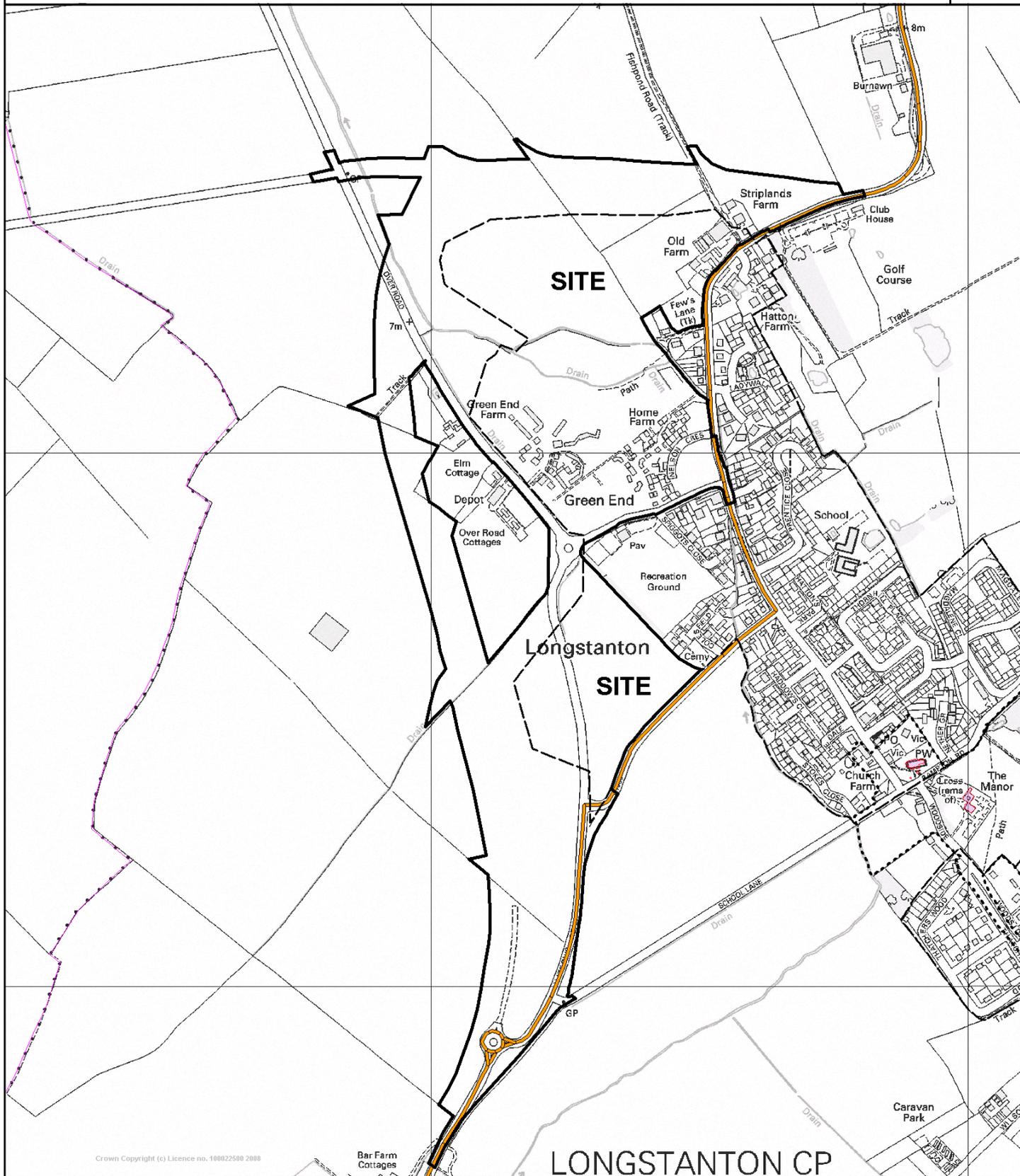
1. The Home Farm development site comprises land to the west of Longstanton.
2. The residential element of the development is now well under way with Phase 1 complete and Phase 2 under construction resulting in 208 out of a permitted 510 dwellings built and occupied. No development has commenced on Phase 3 and the bypass is yet to be completed. No more than 250 dwellings can be occupied until the completion of the bypass which is likely to take approximately 1 year to complete.
3. The application is made under Article 21 of The Town and Country Planning (General Development Procedure) Order 1995 and is not an application for planning permission. Essentially such applications seek the Local Planning Authority's agreement to a matter contained within a planning condition. In this case, Condition No. 16, which states:

"Not more than 500 dwellings shall be constructed on the site unless otherwise agreed by the Local Planning Authority".
4. The application seeks agreement to erect 546 dwellings on the site in principle. No details of location, house types, mix, landscaping etc are relevant through the Article 21 procedure in relation to this outline planning permission.
5. If agreed the additional dwellings would be subject to all other conditions contained within the Outline Planning Permission (S/0682/95/O).

Relevant Recent History

6. 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

S/1970/07/F Longstanton



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May Planning Committee

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.

7. **S/1762/03/RM** - 91 dwellings and ancillary works (Phase 1) - approved 22.12.03.
8. **S/0246/04/RM** - Duplicate application for 200 dwellings (Phase 2) - Appeal allowed 23rd August 2005 and reserved matters granted for 196 dwellings.
9. **S/2069/04/RM** - Reserved matters consent issued 5th May 2005 for 153 dwellings and ancillary works (Phase 2).
10. **S/0845/04/RM** and **S/1429/04/RM** - Duplicate Reserved Matters applications for 103 dwellings on part Phase 3 were both withdrawn in March 2006.
11. **S/0682/95/O** - 11/02/04 – Article 21 application to increase numbers of dwellings above 500 refused March 2004 and subsequently dismissed at appeal 29th November 2004.
12. **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 8th June 2006.
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. **S/0625/06/RM** – In April 2007, Reserved Matters were approved for the erection of 87 dwellings for Phase 3A
17. **S/1390/07/RM** – In December 2007 Reserved Matters were approved for the erection of 159 dwellings for Phase 3B.

Planning Policy

18. The site forms part of the 21 hectare area of land allocated for some 500 dwellings on land north of Over Road, Longstanton in South Cambridgeshire Local Plan: 2004 **Policy HG5**.
19. The principles of development were encapsulated in **Policy Longstanton 1** of the Local Plan 2004. This Policy ceased to have effect from 27th September 2007. The supporting text at Paragraph 67.17 stated:

"The District Council has granted outline planning permission for residential, employment and recreation uses, which includes the provision of a development related bypass. The bypass between Hattons Road, Over Road and Station Road would provide access to Over or Willingham and onto Fenland without passing through the village. The District Council considers that the provision of the bypass is crucial for the village and therefore allocated a larger area for a housing estate than would otherwise be appropriate. In this instance there is no requirement for affordable housing as set out in **Policy HG/3** of the South Cambridgeshire Local

Development Framework Development Control Policies Development Plan Document 2007 (LDFDCP) because of the need to ensure the provision of the bypass and other community facilities such as a village green, shop and surgery”.

20. Longstanton is defined as a Group Village in South Cambridgeshire Local Development Framework Core Strategy Development Plan Document 2007 (**Policy ST/6**). Residential development and redevelopment up to an indicative maximum scheme size of 8 dwellings will be permitted within village frameworks. Development may exceptionally consist of up to about 15 dwellings where this would make the best use of a single brownfield site.
21. 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.”
22. **Policy DP/1** of the LDFDCP addresses the principles of sustainable development.
23. **Policy DP/2** of the LDFDCP addresses the design of new development.
24. **Policy DP/3** of the LDFDCP addresses development criteria.
25. **Policy DP/4** of the LDFDCP addresses infrastructure.
26. **Policy HG/1** of the LDFDCP addresses housing density. It states that residential developments will make the best use of sites by achieving average net densities of at least 30 dwellings per hectare unless there are exceptional local circumstances that require a different treatment. Higher average net densities of at least 40 dwellings per hectare should be achieved in more sustainable locations close to a good range of existing or potential services and facilities and where there is, or there is potential for, good local public transport services.
27. **Policy HG/2** of the LDFDCP addresses housing mix. It states (in part) that residential units will contain a mix of units providing accommodation in a range of types, sizes and affordability, to meet local needs. In developments of more than 10 dwellings a mix of units will be sought providing a range of accommodation, including one and two bed dwellings, having regard to economic viability, the local context of the site and the need to secure a balanced community.
28. **Policy SF/6** of the LDFDCP addresses public art and new development. It states (in part) that the policy will apply to residential developments comprising 10 or more dwellings and states that the District Council will encourage the provision or commissioning of publicly accessible art, craft and design works.
29. **Policy SF/10** of the LDFDCP addresses outdoor play space, informal open space and new development. It states (in part) that all residential developments will be

required to contribute towards outdoor playing space (including children's play space and formal outdoor sports facilities) and informal open space to meet the additional need generated by the development in accordance with the standards in Policy SF/11.

30. **Policy SF/11** of the LDFDCP gives the standards required for open space. It states:

The minimum standard of outdoor play space and informal open space is 2.8 hectares per 1,000 people, comprising outdoor sport – 1.6 hectares per 1,000 people, children's playspace – 0.8 hectares per 1,000 people and informal open space – 0.4 hectares per 1,000 people.
31. The Council is in the process of producing a draft Supplementary Planning Document on open space (including play, sport and community space).
32. **Policy NE/1** of the LDFDCP addresses energy efficiency. It states (in part) that development will be required to demonstrate that it would achieve a high degree of measures to increase the energy efficiency of new buildings for example through location, layout, orientation, aspect and external design.
33. Developers are encouraged to reduce the amount of CO₂ m³/year emitted by 10% compared to the minimum Building Regulation requirement.
34. **Policy NE/3** of the LDFDCP addresses renewable energy technologies in new developments. It states: "All development proposals greater than 1,000m² or 10 dwellings will include technology for renewable energy to provide at least 10% of their predicted energy requirements, in accordance with Policy NE/2".
35. **Policy NE/6** of the LDFDCP addresses biodiversity issues.
36. **Policy NE/9** of the LDFDCP addresses water and drainage infrastructure.
37. **Policy NE/10** of the LDFDCP addresses foul drainage and alternative drainage systems.
38. **Policy NE/11** of the LDFDCP addresses flood risk.
39. **Policy TR/1** of the LDFDCP addresses planning for more sustainable travel. It states (in part) that 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.
40. **Policy TR/2** of the LDFDCP addresses the Council's car and cycle parking standards.
41. 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.
42. Government's **Planning Policy Statement PPS3**, "Housing" (November 2006) aims to ensure that developments make efficient use of land. "Local Planning Authorities may wish to set out a range of densities across the plan area rather than one broad density range although 30 dwellings per hectare (dph) net should be used as a national indicative minimum to guide policy development and decision-making.

Careful attention to design is particularly important where the chosen local strategy involves intensification of the existing urban fabric. More intensive development is not always appropriate. However, when well designed and built in the right location, it can enhance the character and quality of an area... The density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. If done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment”.

PPS3 also requires a mix of housing, both market and affordable to create mixed communities.

Consultation

43. Like Reserved Matters applications, there is no statutory requirement for consultation on Article 21 applications however all consultations that would have been necessary for a planning application have taken place. The consultation period, which commenced on 2nd January 2008, has expired.
44. **Longstanton Parish Council** recommends refusal. It states:
- a) “There is absolutely no detail in this application that lets it be evaluated properly, including location and proposed landscaping. Since the bulk of Home Farm is already under construction, it is no longer acceptable to simply ask for a variance without details on where these houses will go. Are they to go into existing Phase 3 a/b lands? Are they to go into the land that was left undeveloped, but from the outline consent was clearly always to be part of the development? The outline consent was clearly meant to fill the area with 500 homes. Instead, the developers left a portion undeveloped and increased density in the other areas. This was clearly done as such that they could later claim a need to increase the number of homes. However, if that land is not undeveloped, there is no specific requirement that this greenfield land should become developed and, in fact, doing so it is at odds with government policy on preferred areas for development. In other words, if the developers made ‘more efficient’ use of the land by building at higher densities than agreed in the outline consent, that should not give them any special standing in building a further 46 homes (or a further 36 past the 510 applied for) on green land. Government policy is directed towards densities, not ensuring that greenfield land is fully populated.
 - (i) With so much of the village’s green space already be lost to major development, it is essential that this remaining piece of the original application not be developed.
 - (ii) The existing densities on Home Farm are so much higher than the rest of the village, that any higher density would be significantly out of keeping and should not be permitted.
 - b) We have yet to see the recreation ground extension be delivered. In fact, the latest letter from the owner’s solicitor indicates it would be ‘available for use’ which can be all too easily interpreted as ‘will remain under the ownership of the current landowner, who will permit people to walk across it.’ The outline consent requires that the land be an extension to the recreation ground, meaning there is one set of grounds that will be made larger, meaning that the land must transfer to the owner of the recreation ground in order to make it one. Until this

happens, any approval of further development on the site would be at complete odds with enforcing existing elements of the application.

- c) It would be untenable if these extra homes were permitted without the requirement that a stream bypass be installed. Such a bypass has been agreed by the developer's engineers and Northstowe engineers as probably the best technical solution to flood risk in the village, and the current Home Farm works do nothing, as stated by the developers, to reduce risk in the rest of village. PPS25 requires developments to be reducing flood risk in their communities, but to date we have seen this clear direction in PPS25 ignored, even with developments of this scale.
- d) The outline consent required no affordable housing, on the basis that the development would build a road bypass instead. The new homes clearly must be built with 40% affordable housing, or at least some other feature of a significant benefit to the village.
- e) The development was also to have lands for community amenities (shops, etc.) The former is late in coming and not a benefit (as it turns out) since it would have been built by Northstowe anyway. Developers have done nothing, we can see, to encourage community amenities, meaning that the village now has 500 new homes with absolutely no net benefit to the village in terms of infrastructure or amenities."

45. **Swavesey Parish Council** makes no recommendation. It states:

"Swavesey Parish Council raises the following objections and concerns to this application, which are in line with objections and concerns raised over previous application for development at Home Farm:

Local sewage system – additional pressure from increased development will be put onto the local sewage system which is currently at capacity.

Surface water drainage – again increasing the housing numbers will put increased pressure on drainage systems.

A new flood assessment report should be carried out to assess the future flood risk to the surrounding area resulting from the proposed increase in development. The original report would have been calculated on the permitted limit of 500. This application is a 10% increase over that permitted level. In the light of recent flood events around Swavesey, concern over future flood risk is high."

46. **Willingham Parish Council** recommends refusal. It states:

"WPC welcome the provision of a bypass for Longstanton but oppose the building of further houses without extension of the bypass around Willingham."

47. **Over Parish Council** recommends refusal. It states: "Refusal on grounds that bypass needs to be in place."

48. **Bar Hill Parish Council** makes no recommendation

49. **Anglian Water** comments are awaited.

50. **Environment Agency (EA)** has no objections It comments:

“The Agency would have no objection in principle to the proposed amendment provided that the development is carried out in accordance with the previously agreed constraints relating to drainage and infrastructure. The applicant should be aware of his responsibility to ensure that adequate residual capacity exists to accept any additional drainage arising from the development.”

51. **Middle Level Commissioners** object:

“Surface water from this development will discharge into the upstream tributaries of Swavesey Drain, which borders the Board’s drainage district. Previously, the Environment Agency has indicated that this watercourse is close to capacity during high rainfall events and any additional unregulated discharges could exacerbate flooding the Board’s area due to overtopping of the adjacent flood defence embankments.

The Commissioners, on the Board’s behalf, previously agreed suitable land drainage/flood defence negotiations with the applicant’s consultant and the Environment Agency to ensure that this development does not detrimentally affect the Board’s area. It has been agreed that a flow-balancing pond would be constructed near Gravel Bridge to accommodate flows within Longstanton Brook whilst Webb’s Hole Sluice is closed during periods of high water levels in the River Great Ouse System.

During the above negotiations, it was agreed that:

- (i) The plans submitted with this planning application meet the Board’s approval and are based upon the current proposals for 500 houses at Home Farm.
- (ii) The balancing pond must be completed to its maximum dimensions and the necessary flow-regulation structures installed and operational before work on the Home Farm development commences on site, i.e. not a phased construction to match the various development stages. It is understood that this balancing pond has now been completed.

The proposal to increase the number of houses on the site would negate the current agreement and require further negotiation between all the parties previously involved. Failure to do so would be contrary to the sentiments of PPS 25, which promotes the consideration of flood risk on a catchment basis. The Board’s policy which seeks to prevent development that places the District at an unacceptable risk of flooding or creates or exacerbates flooding elsewhere, and your Council’s policy CS5. In view of the above and the increased risk of flooding in the Board’s area and until the matter is resolved, I have no alternative but to oppose this application on the Board’s behalf.”

52. **Local Highways Authority (LHA)** has no objections. It comments:

“Although the proposed increase in dwelling units will inevitably lead to an increase in traffic movements in the area, given the relatively small percentage rise (9.2), the overall effect on the highway network is unlikely to be significant.”

53. **Environment Operations Manager** comments are awaited.

54. **Landscape Design Officer** comments are awaited.

55. **Drainage Manager** comments are awaited.

56. **Cambridgeshire Fire and Rescue Service** request that adequate provision be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition. In addition, access and facilities for the Fire Service should also be provided in accordance with the Building Regulation Approved Document B5, Section 16.

57. **Corporate Manager – Health and Environmental Services** comments are awaited.

58. **Police Architectural Liaison Officer** comments:

“While I have no comment to make in relation solely to the numbers of dwellings proposed care should be taken that increased densities do not lead to excessive permeability or to inappropriate or poorly overlooked car parking arrangements. Internal courtyard parking courts should be avoided wherever possible.”

59. **Natural England** states:

“Natural England has no objection to the proposal development in respect of legally protected sites or species as we are not aware that they are likely to be adversely affected by the proposals. However, if any other information such as representations from other parties highlights the possible presence of a protected or Biodiversity Action Plan species, the LPA should request further information from the applicant before determining the application in line with paragraph 99 of Circular 06/2005”.

60. **Ecology Officer** comments are awaited.

61. **Housing Development Officer** comments are awaited.

62. **Strategic Sustainability Officer** comments are awaited.

63. **Waste Recycling and Minimisation Officer** comments are awaited.

64. **Cultural Services Manager** comments are awaited.

65. **Finance Manager – Cambridgeshire County Council** comments:

“The County Council is concerned with regard to the impacts the extra housing will have on local primary and secondary education. Therefore the County Council object to this proposal unless it's S106 requirements are met.

The County's Research Group have undertaken some work in which they have examined the current trends at the existing development, and have then forecast the expected number of children the extra 46 dwellings will generate.

The County Council forecast that the extra dwellings will generate an additional 17 primary children, and 12 secondary aged children.

By 2013, there will be no capacity at the local primary school. There will also be no spare capacity at Swavesey VC. As a result, I would be grateful if you could seek the following education contribution on behalf of the County Council.

17 x £8,400 = £142,800 - Primary (£8,400 = 1 primary place)

12 x £12,500 = £150,000 - Secondary (£12,500 = 1 secondary place)

A total of £292,800 - to be used towards education facilities serving Longstanton.”

Representations

66. One representation has been received from Cllr Alex Riley. He states:

“I am aware that 1.66 Ha remains to be developed beyond Phase 3B. But the application did not seem tied to that site. Besides, 36 houses on 1.66 Ha is a density far lower than anywhere else on Home Farm.”

Planning Comments - Key Issues

67. The outline planning permission, ref S/0682/95/O, is for a mixed development including 21ha of housing. The development was limited to 500 unless otherwise agreed by the Local Planning Authority - Condition No. 16 attached to that permission (see above).
68. The reason given for this condition was: “To ensure an appropriate balance is achieved between scale of development and the provision of essential services, infrastructure and the Longstanton By-pass”
69. To date an additional 10 dwellings have been agreed taking the total of permitted dwellings to 510 with no affordable housing requirements.
70. The application is seeking the agreement of the Local Planning Authority to accept a further 36 dwellings to bring the total to 546. This would be within the bounds of the existing outline planning permission as it relates to the area permitted for 21ha of housing.
71. 500 dwellings on 21ha of land equates to a density of 23.8d/ha. The proposal (546) would take this figure to 26d/ha. The proposed increase would therefore better meet with current policy density targets although the remaining undeveloped land within the Home Farm site is 1.66ha and should this accommodate the additional 36 dwellings on its own would amount to a density of only 21.7d/ha. This could suggest an even greater number of dwellings should be sought.
72. The consultation responses indicate that the Environment Agency has no objections in relation to drainage issues (although I have had no comments from Anglian Water) and highway infrastructure can accommodate the additional dwellings. The County Council requires a contribution of £292,800 for additional education provision. This has already been addressed through the existing Section 106 Agreement, that accompanies the planning permission, for a specific contribution is required to be paid for each house in excess of 500.
73. At the time permission was granted for 21ha of housing it was accepted that more than 500 dwellings could be accommodated otherwise the condition would not have allowed for a greater number. This includes the consideration that the provision of the bypass was sufficient justification for no contribution to be made to affordable housing provision.
74. Since the granting of the outline planning permission, the Home Farm development has been considered on a piecemeal basis. In general, reserved matters consents have been granted on each phase for higher densities in line with the policy shift to achieve these. This has left a residual piece of land on the northern edge of the site that is within the 21ha permitted area such that it forms an undeveloped ‘island’ between consented dwellings and the structural landscape belt. It clearly makes some sort of sense for the development to be ‘completed’ as this land would form no

function otherwise. Due to a 'complication', that is referred to later, it is only on this part of the whole site that the new housing could be accommodated under the terms of the outline consent.

Previous appeal

75. In November 2004 an appeal was dismissed into a previous Article 21 application to consider an increase in the number of dwellings above 500.
76. In the appeal the Council argued that anything above 510 dwellings would be outside the scope of the condition (Condition No. 16 of S/0682/95). The Inspector stated:

"There is no justification under the terms of the condition for the Council's contention...the condition simply and plainly requires the authority's consent for any number over 500 dwellings whether it be 501 or 1,501 or whatever. In any event, 510 dwellings seems to me to be an unduly narrow interpretation of the margin of tolerance that is normally built-in to the provision of services and infrastructure. On the other hand, increases that were mentioned at the inquiry, where there was reference to the potential of the site to accommodate up to 735 or even 840 houses, are of such a magnitude that they could reasonably be expected to have some impact on services and infrastructure."

77. The Inspector was concerned that no affordable housing was being volunteered and that the applicants were relying on the contention that general affordability and mix of housing would be improved as a result of the increase in numbers. The Inspector stated:

"Whilst it is true that a greater number of dwellings should be better able to meet the needs of the community for market housing, I consider that the proposal would fail to address the needs of those who are unable to compete in the housing market, and thereby would not fully contribute to a mixed and inclusive community."

"I appreciate that the normal requirement for affordable housing was waived for a development of 500 houses so as to facilitate the provision of the by-pass, but I can see the logic of the Council's view that if the number increases, there may be justification for a proportion of the increase to be affordable. I acknowledge the appellants' contention that this would be beyond the scope of the extant permission."

78. With regard to density the Inspector stated:

"The Government places considerable importance on making the best use of land, and there is a strong case for increasing the number of houses on the entire site so that at least the minimum density promoted in PPG3 is achieved [630 dwellings]."

However, he states:

"In policy terms density is by no means the only aspect that needs to be examined under the new regime established by PPG3. There is, for example, the question of the sustainability of development at Longstanton. On the limited evidence before me, the restricted range of services and relatively poor public transport accessibility do not qualify the village as one where increased housing provision would contribute to the creation of a more sustainable pattern of development and a reduction in car dependence."

79. The Inspector stated that he was concerned about available infrastructure but his conclusion was that as he had no upper limit in front of him this would have to be assessed if and when numbers were known.

80. The Inspector concluded that:

“Whilst I believe that there is sufficient tolerance within the policy for slightly more than the 10 extra dwellings acceptable to the Council, this would fall far short of the 130 which seems to be the minimum sought by the appellant. The minimum density requirement of PPG3 is clearly a material consideration of some weight, but as often happens, there is a tension between different aspects of policy that requires a careful balancing of the issues. The question of housing need may also have to be weighed in the balance...”

“To enable meaningful judgements to be made about the impacts of a substantial increase, I believe it is imperative that an alternative figure is set...I do not know the scale of the increase the appellant seeks – I believe it is at least 630 dwellings (i.e. the PPG3 minimum density figure), but there was talk of 735 or even 840...I simply do not have the information to be able to properly assess the impacts of an increase of such a scale.”

“It is necessary for any increase to be tested against the reason for the condition, which requires an assessment of the impact of the additional dwellings on matters such as infrastructure and essential services...Even for matters of drainage and highways, which on the face of the appellant’s evidence appear satisfactory (at least for the lower level of increase thought to be required), the absence of any approval by the normal regulatory authorities means that I cannot be certain.”

“The open-ended nature of the proposal means that it is not possible for me to reach a meaningful conclusion.”

Conclusions

81. All of the above indicates to me that the additional dwellings should be permitted. The Inspector was considering as a minimum an additional 130 dwellings and felt that these would be in line with density requirements and there appeared to be satisfactory evidence that drainage and highways infrastructure could accommodate them. However, I am concerned that in agreeing to the increase within the scope of the outline planning permission there would be no requirement to contribute towards affordable housing, open space etc. and the additional dwellings would be in excess of the 8/15 referred to in Policy ST/6 such that the village would have to soak up the additional pressure of demand for services, open space and affordable housing that would result. The Inspector made clear his concerns that a proportion of affordable housing would be required.

82. However, as the Council has clearly already considered an increase to be acceptable through the granting of the outline planning permission and the Inspector considered that an additional 10 dwellings to be ‘unduly narrow’ within the bounds of the outline permission, it may not be appropriate to require the full affordable housing requirement of 40% as set out in policy.

83. In any case, the application is made under Article 21 of the Town and Country Planning (General Development Procedure) Order 1995 and is not an application for planning permission. In essence no conditions can be imposed such that the application is either acceptable or it is not.

84. This leaves me with a dilemma. It is clear that the Inspector had a similar dilemma but he was able to come to his conclusion based on the lack of a cap on the numbers proposed.
85. On the one hand the proposal is within the bounds of the outline permission already granted and it is hard to argue that an additional 46 dwellings, that can be accommodated within the existing infrastructure provision and will better meet the policy density requirements, should be rejected. Looking at the Inspector's comments, I would not be confident that a refusal would be upheld at appeal particularly now that the infrastructure implications have been largely addressed and that he felt that there was evidence that drainage and highways infrastructure had been demonstrated to potentially accommodate up to an additional 130 dwellings. Such an appeal, if allowed, may not provide a proportion of affordable housing or other infrastructure provisions.
86. On the other hand the additional dwellings would not contribute towards the village, would represent a larger number of dwellings than would otherwise be supported in a Group Village, would generate a need for more affordable housing and open space to be provided and put additional pressure on existing essential services.
87. My only conclusion is to recommend that the application should be approved but that regard must be had to the additional demands the development will put on the village. As such I propose to recommend approval but only provided the applicants make the required education contribution (£292,800), if not already addressed in the existing Section 106 Agreement, a contribution of 35% on site provision of affordable housing (13 dwellings) and the normal open space contributions (in the order of £60,000 - £100,000) all secured through the prior signing of a Section 106 agreement.
88. The applicants have informally indicated that they would be willing to volunteer a significant proportion, in the order of 35%, of on site affordable housing provision and they are aware of the need to fully contribute towards open space and education infrastructure.
89. An additional complication is that the time for submission of the reserved matters for all the housing on Home Farm expired October last year. This means that no further reserved matters applications can be submitted such that only a full planning application or another outline can be considered on the remainder of the site. Such an application would be subject to the normal policy requirements of the Local Development Framework. However, a reserved matters application for 36 dwellings on the northern remainder of the site was submitted just before the deadline in October last year but has not been registered. After taking advice on the matter it appears to me that this application was neither valid nor invalid at the time it was made because it was unknown at that time if the reserved matters were able to be in compliance with the outline planning permission as this depends on the outcome of this Article 21 application. It is my view that if this A21 application is approved, the reserved matters application becomes valid, within time and should be registered and considered from the date it was submitted.

Drainage and Highways infrastructure.

90. I note the comments of the Environment Agency in relation to drainage. It clearly considers that the existing infrastructure can accommodate the additional number of dwellings or it would have objected. However, I also note the objection raised on behalf of the Swavesey Internal Drainage Board. I asked the applicants to assure me that sufficient drainage capacity exists to accommodate the additional dwellings. In a

letter dated 15th April 2008 to the Middle Level Commissioners, the applicant's consultants state:

"You will note that the volume of storage available within the attenuation pond is equivalent to the maximum storm water discharge from a 100 year return period storm event arising over a period of three weeks, assuming 60% and 100% impermeability factors for the Home Farm housing development and employment areas respectively. From the development plans I have calculated the actual impermeability factors and these are shown on the enclosed drawings nos. 8441/02/001 and 002. You will note the actual residential impermeability factor is 43.44% and the actual business park impermeability factor is 59.17%.

Based upon the design impermeability factors of 100% and 60%, gives a design total impermeable area of 19.49 ha. The actual total impermeable area is 13.28 ha some 6.21 ha or 32% less.

Paragraph 5.12 and 5.13 of Wormald Burrows evidence states that a change in the design of the Balancing Reservoir has resulted in an increase in the volume of the reservoir from 20,000 cubic metres to 26,300 cubic metres, i.e. an increase of about 31.5%. I enclose a copy of the balancing pond details drawing for your information.

As I believe you are aware, the increase in dwelling numbers is due to increased density which does not necessarily lead to increased impermeable area. As shown earlier the actual residential and business park build impermeable areas are less than designed, such that the surface water discharge from the development will be some 32% less than the calculated flows, and the required volume within the Balancing Reservoir will be less than the nominal volume of 20,000 cubic metres that was originally calculated. Taking into account that the reservoir has been constructed to provide in excess of 26,000 cubic metres, there is clearly no constraint on increasing the dwelling numbers on grounds of drainage".

(The Wormald Burrow evidence referred to above was presented to the appeal inquiry held in October 2004 - see Paragraphs 75-80 inclusive above).

91. I await a response from Middle Level Commissioners but Members will be updated at the Committee meeting.
92. No comments have been received from Anglian Water. However, it has a duty to ensure that adequate facilities are in place to accommodate the development and it indicated in October 2007 that the expected delivery and completion of foul drainage improvement works remained on target for September 2008.
93. I note the Local Highway Authority raises no objections.

Recommendation

94. Agreement to the increase from 500 to 546 dwellings subject to the prior signing of a S 106 agreement to provide 35% affordable housing, education, if required, and open space contributions and the provision of fire hydrants.

Background Papers:

- Application File Ref S/1970/07/A21 and application files referred to in the 'History' section of this report.
- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- South Cambridgeshire 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 Committee7th May 2008**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0376/08/F – WESTON COLVILLE**Erection of Country House, 2 Staff Dwellings, Barn Together with Parkland, Associated Site Works and Excavation of Lake and Pond at Mines Farm, Weston Green for H D'Abo****Recommendation: Refusal****Date for Determination: 2nd June 2008 (Major Application)****Notes:**

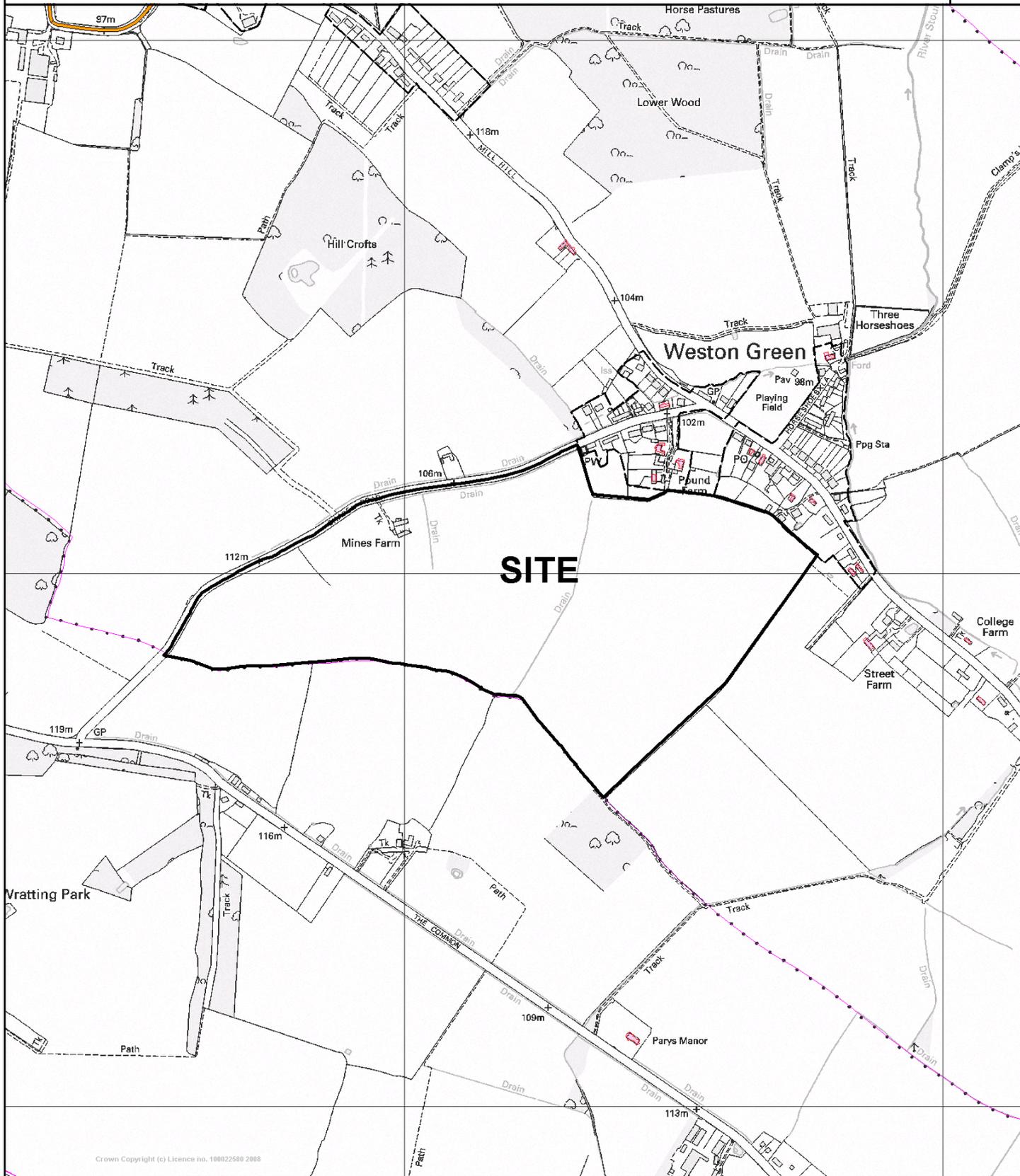
This Application has been reported to the Planning Committee for determination because the application is a Departure from the Development Plan for which letters of support have been received.

Members of Committee will visit the site on Wednesday 7th May 2008.

Departure Application**Site and Proposal**

1. The application site, an area of approximately 39 hectares, is located immediately to the south-west of Weston Green. It is situated within gently rolling countryside typified by blocks of woodland, hedgerows and large, irregular shaped fields. The site is made up of two arable fields separated by a deep drain, hedgerow and footpath, the western field triangular in shape and tapering towards the west, with Chapel Road defining the long northern boundary of the field. The eastern field is more rectangular, its northern boundary forming part of the framework of Weston Green.
2. Mines Farm comprises a group of derelict agricultural buildings (dating from the mid 19th century) within the western field, set 50 metres back from Chapel Road with an intervening overgrown concrete hardstanding. They consist of a two storey weather-boarded and brick structure and a single storey structure beyond repair. The field rises up from the road to a plateau about half way across the field. The roadside boundary is unfenced but there is a good hedgerow along the south boundary of this field. Within the eastern field, ground levels again are lowest at the northern end, closest to the village.
3. The full application, submitted on 3rd March 2008, proposes the erection of a country house, two staff dwellings and a barn, all within a parkland setting comprising new woodland, meadows, a lake and pond.
4. The proposed country house would be located in the western field and on the crest of the rise, approximately 150 metres to the south-west of the derelict farm buildings and around 220 metres back from the road. It would be a contemporary three storey, eight bedroom dwelling comprising kitchen/lounge/family areas on the ground floor,

S--0376-08-F Weston Colville



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May 2008 Planning Committee

three bedrooms/bathrooms at first floor level, and five bedrooms/bathrooms on the second floor. There would also be a basement containing car parking, a staff flat, swimming pool and gym. To the south-east of the house, there would be a walled garden surrounded by a 5 metre high concrete wall with circular openings cut into it to provide views through to the surrounding landscape. The walled garden would accommodate a kitchen garden and greenhouse, formal orchard, scented garden and pleasure garden. Immediately to the north and west of the house would be grass mounding whilst the main private garden area would be to the south. The house would be an oak timber framed building with exposed timbers and hempcrete infill. Metal standing seam with hidden gutter detail would be used for the roof. The house would be 12.8 metres high above the grass mounding. To the rear, the land would be cut away to expose the basement areas, giving the house a total height of 15.8 metres above the reduced ground level.

5. The proposed staff cottages would each comprise four bedrooms and would be constructed on the site of the existing derelict farm buildings. They would be predominantly single storey (4.2 metres high) white concrete buildings arranged around a central courtyard. Two elements of the building near to the main access would have first floor accommodation and would be 6.5 metres high. The design and access statement explains that the cottages would be constructed in environmentally friendly white GGBS concrete with no gutters or downpipes. Instead, the surface water would stream down the roof and walls streaking the surface and, over time, staining it as a controlled pattern of weathering like an old ruin.
6. The proposal also seeks to erect a barn, to be used for housing the wood chip boiler, to provide drying space for coppiced timber and for agricultural equipment storage, near to the south-western corner of the site, approximately 80 metres back from the road. The barn would be a timber clad building measuring 30.7 metres long x 9.5 metres wide and standing 8.5 metres high.
7. The landscaping proposals include the creation of a lake to the south of the staff cottages and a pond in the eastern field. Willow energy woodland, on a 4 year short rotation coppice, would be planted alongside the main road, on the north-east side of the lake, and in the eastern field. Standard woodland (oak, ash and pine), on a 7 year mid-rotation coppice, would be introduced alongside the main road, the southern boundary of the western field and the eastern boundary of the eastern field. Sweet chestnut woodland, on a 14 year mid-rotation coppice, is proposed south of the willow areas and along the southern boundary of the eastern field. Finally, alder carr woodland would straddle the boundary between the two fields surrounding the pond outflow.
8. Access to the house and staff cottages would be via the existing access point onto Chapel Road. The driveway would be 6 metres wide and would pass the staff accommodation before turning east along the lake, and then turning back on itself to approach the house from the west with the walled gardens to one side and the meadow to the other. A secondary route from the main house would run westwards and exit at the western point of the site onto Chapel Road. This road would be used to transport coppiced willow to and from the storage building as well as an alternative route to the main house.
9. The application has been accompanied by a Design and Access Statement; an Archaeological Desk Based Assessment and Specification of Archaeological Works; and a Flood Risk Assessment. Key points in the Design and Access Statement, including the supporting case for the proposal, are set out in the following section.

Design and Access Statement

10. The design and access statement explains that the site forms part of the West Wrating Park Estate, comprising 2500 acres of arable, woodland, pasture and meadow, around Weston Colville and West Wrating. A Manor House (named Moynes) stood to the east of the site of the derelict farm buildings for around 700 years. It is believed to have been demolished in the early 18th century and to have been a moated building.
11. The statement goes on to explain that, when PPS7 came into effect, the applicant initiated an architectural competition in late 2006 for a new country house at Mines Farm. The competition was organised by the Professor Echenique, the Head of the Department of Architecture at Cambridge University, who invited a shortlist of leading young architects to participate. It was judged by the Professor along with Mr Thompson (Chair of RIBA East), Mr Brown (Landscape Architect) and the applicant, Mr d'Abo. 6a were selected as the winners, with the jury concluding:

“In summary, the whole proposal is beautifully designed and well-placed in the landscape. The prominent presence of the building, with its reminders of historical connections to English country houses, is well achieved. The proposed construction and its response to the environmental imperative of our times are very well judged. The panel thinks that this building will contribute in a distinguished way to 21st century building in the countryside.”
12. In late 2007, a design review was set up with Inspire East, who commented as follows:

“In our view, the point about the tradition is that it has to accommodate change in architectural approach but that the essential relationship of building and landscape is preserved. In our view, it is and we are happy to support this scheme.”
13. It is argued that the proposal would provide a new country house and ancillary buildings of the highest architectural quality; a contemporary interpretation of 18th century informal gardens and parks set within a new sustainable landscape setting. It would provide renewable energy for the new house in the form of coppice woodlands, significant new ecological habitats, sustainable water management and an enhancement of the beauty of the rural landscape. The proposal is considered to offer a new chapter in the long story of the English Country House where sustainability, low energy design and biodiversity form an integral part of a contemporary picturesque landscape. If the country house of the past was central to the economic and political management of the region, the country house of the future could make a contribution to the ecological management of rural landscapes – from the production of biomass fuel to re-introducing biodiversity on former sites of intensive arable farming.

Architecture

14. The architecture of the house itself is a re-interpretation of traditional country house design (eg – Little Moreton Hall in Cheshire and Paycocke House in Essex). The form of the house has been designed to be ambiguous. From some angles, it offers a familiar domestic form of gable and pitched roof, but from other angles, the traditional form has been adjusted and skewed to present a more abstract figure. The house would comprise an exposed oak timber frame, with horizontal, vertical and diagonal members, infilled with lime-based hempcrete. The external appearance of the house would be of soft, low contrasting tones of silvering oak and buff colour infill, a more

subtle appearance than the traditional black and white. From a distance the house will appear solid but, as one approaches, the pattern and texture will emerge. The fenestration pattern is an interpretation of the country house picture gallery wall, with the windows positioned apparently casually across the façade but, internally, positioned precisely to frame landscape views. On the north façade, the windows are fitted flush with the external wall whilst south facing windows are set back to the internal line of the reveal to act as a solar shade. The principles of sustainable construction are applied to the selection of materials for the building structure, using locally sourced materials where possible.

Landscape

15. The landscape strategy aims to achieve a functional relationship between the new buildings, the immediate site and the wider landscape. The local character of arable fields with intervening small copses and settlements is reinforced by the proposed arrangement of new coppice woodlands flanking the house and gardens. The house itself would take advantage of an elevated position but will be screened by modulated landform and woodland to reduce its visual impact upon the landscape. The coppice willow fields will be fringed by permanent woodland to ensure there is no loss of screening during coppicing operations. Much of the site will be planted as new coppice woodland for biomass, biodiversity and screening purposes – 4 coupes of willow plantation, with the cuttings chipped for use in the woodchip boiler and stored in a drying barn. The perimeter of the site and fringes of willow coupes will be planted as mid-rotation coppice, consisting of hazel and sweet chestnut, for biomass and to provide fencing posts. Oak, ash and scots pine will be planted to form a woodland canopy and, in the wet area downstream from the pond, alders will be planted and coppiced as carr woodland. These taller woodland areas will screen and shelter the new development and reduce the visual impact of the short rotation coppice areas. The woodland will be intersected by meadow pastures, mown seasonally to encourage wildflowers. The lower pastures may be used for grazing. The lake fringes will be sown with wet meadow species with the grassland becoming more formal towards the house. Existing landscape features – a large tree, hedgerows and a boundary ditch would be retained. The landscaping would be phased so that the house is set within a landscape that is already becoming established.
16. The landscape treatment would enhance the biodiversity of the site. Coppiced woodland, water, wetland and meadow will replace the intensively farmed arable land. The woodland will provide shelter and nesting opportunities for small animals and birds and habitat for invertebrates. The ditches, reedbeds and lakes will provide new wetland habitat for fish, birds and invertebrates. The fields will be managed as meadows, with native wildflowers and grasses providing habitat for invertebrates and therefore encouraging birds and butterflies.
17. The two public footpaths that run through the site will be retained and improved with the addition of stiles and provision of seats at a point from where a vista of the new house, lake and landscape can be obtained.

Environmental Strategy

18. The development seeks to minimise carbon emissions by reducing the demand for energy (by focussing on passive aspects of building design including orientation, façade performance and insulation), and by incorporating low or zero carbon technologies. The house has been orientated on an east-west axis so that the longer facades face north or south. The hempcrete construction achieves a high level of

thermal insulation and thermal inertia. The south façade has been designed to admit solar gain through the windows in the winter but to exclude it in the summer.

19. Hot water will be generated by a boiler fuelled using short rotation energy crops harvested from the surrounding estate. A crop chipping and drying facility will be located in a separate compound, with the process feeding a woodchip boiler, which will generate hot water that will be pumped to the buildings. Hot water for washing will mainly be heated from solar panels on the roof of the proposed barn. Electrical energy for artificial lighting in the house will be offset by the use of photovoltaic solar panels, to be positioned on the glass house building. The new house and staff accommodation block will be provided with a mechanical whole house heat recovery ventilation system. Drinking water will be from a borehole located on the site. Rainwater will be collected from the roofs of the new dwelling and staff accommodation and stored in underground tanks, to be used for flushing toilets and irrigation.
20. It is argued that the substantial increase in woodland, combined with land drains and new lakes, would make significant improvement to the discharge of rainwater onto Chapel Road and into Weston Green. The Flood Risk Assessment states that current discharges from the site to the local drainage systems will be controlled, such that there will not be an increase in the flood risk either at the site or downstream of it. Interception of rainwater in the wooded areas, the use of runoff for irrigation and the storage effect of the lake will combine to reduce the runoff from the site and to reduce the risk of flooding in the Chapel Road area.

Planning History

21. **S/1472/02/F** – An application for the erection of a country house, staff cottage, stables, together with parkland, landscaping and excavation of lakes was refused in May 2003. The proposal was not considered to demonstrate exceptional quality in the following ways:
 - a) The site lies in rolling countryside with fields, hedges and blocks of woodland that produce an attractive and rural landscape with no intrinsic need for improvement. The proposed country house, due to its proximity to and elevated position above the road, would be visually prominent and, with the associated development of formal gardens, swimming pool and tennis court, would be detrimental to the open and rural character of the landscape and would not therefore accord with the policy guidance for new country houses;
 - b) The reconstruction of former agricultural buildings and the proposed additional dwelling would further erode the open and rural character of the site;
 - c) The proposed house and gardens is not considered to be truly exceptional in terms of the quality and design of its architecture and its landscape design to justify an exception to the normal countryside policies and would not enhance its immediate and wider setting.

The application was subsequently dismissed at appeal. The Inspector commented that, whilst the design reflected the popular image of the English country house, he could find little in the design to suggest that the building would be truly outstanding. In addition, the scheme was considered to contain nothing so original or distinctive as to advance the country house tradition, in terms of the design of the house itself and the landscaping around the dwelling. The proposed landscape treatment (mixed deciduous woodland along Chapel Road, pockets of woodland close to the south-

eastern boundary of the site and along the line of an existing hedgerow, and parkland) was considered to reflect much that is typical of traditional parkland design, but to offer little linkage with the landscape of the surrounding area. The landscaping would provide the house with an attractive domestic setting but would not make a positive contribution to the countryside setting of the development. The Inspector concluded by stating:

“A house of the size and in the position proposed would, in my opinion, draw much from its rural setting but contribute little to it.”

22. **S/0805/83/F** – Planning permission was refused for the extension and conversion of buildings at Mines Farm to a house on the grounds that a house in the countryside was contrary to policy and the buildings were not of sufficient quality to warrant an exception to these policies. An appeal was dismissed.
23. **S/0352/88/F** – Planning permission was refused for conversion of buildings at Mines Farm to a house on the grounds that a house in the countryside was contrary to policy, that the buildings were not of sufficient quality to warrant an exception to those policies and the development substantially represented reconstruction.
24. **S/0373/89/F** – Planning permission was refused for the conversion of the buildings to a house and equestrian centre, on essentially the same grounds with an added reason that access visibility was inadequate.

Planning Policy

25. **Planning Policy Statement 7: Sustainable Development in Rural Areas** states:

“Isolated new houses in the countryside will require special justification for planning permission to be granted.....Very occasionally the exceptional quality and innovative nature of the design of the proposed, isolated new house may provide this special justification for granting planning permission. Such a design should be truly outstanding and ground-breaking, for example, in its use of materials, methods of construction or its contribution to protecting and enhancing the environment, so helping to raise standards of design more generally in rural areas. The value of such a building will be found in its reflection of the highest standards in contemporary architecture, the significant enhancement of its immediate setting and its sensitivity to the defining characteristics of the local area.”
26. **Policy P1/3** of the Cambridgeshire and Peterborough Structure Plan 2003 stresses the need for a high standard of design and a sense of place which corresponds to the local character of the built environment.
27. **Policy DP/1** of the Local Development Framework Development Control Policies 2007 states that development will only be permitted where it is demonstrated that it is consistent with the principles of sustainable development, including, where practicable: use of sustainable building methods and locally sourced materials; minimisation of use of energy and resources; maximisation of use of renewable energy sources; use of water conservation measures and sustainable urban drainage systems; conservation/enhancement of biodiversity of wildlife and natural environment and local landscape character.
28. **Policy DP/2** requires all new development to be of high quality design and to: preserve or enhance the character of the local area; conserve or enhance important environmental assets; include variety and interest within a coherent design; and

include high quality landscaping compatible with the scale and character of the development and its surroundings.

29. **Policy DP/3** states that permission will not be granted for proposals that would have an unacceptable adverse impact on (amongst other issues): residential amenity; from traffic generated; on village character; on the countryside and landscape character; from undue environmental disturbance; on ecological, wildlife and archaeological interests; and on flooding and flood risk.
30. **Policy DP/7** states that outside village frameworks, only development for agriculture and other uses that need to be located in the countryside will be permitted.
31. **Policy HG/9** states that development of a new permanent dwelling for agricultural purposes will only be permitted if it is demonstrated that:
 - a) There is a clear, existing functional need relating to a full time worker or one who is primarily employed in agriculture;
 - b) It relates to a well-established agricultural unit which has been established for at least three years, has been profitable for at least one of them, is currently financially sound, and has a clear prospect of remaining so;
 - c) There are no suitable existing buildings available in the area;
 - d) The conversion of appropriate nearby buildings would not provide suitable accommodation;
 - e) No existing dwelling serving the unit has recently become separated from it.
32. **Policy NE/1** requires development to demonstrate that it would achieve a high degree of measures to increase the energy efficiency of new and converted buildings, and encourages developers to reduce carbon dioxide emissions by 10% compared to the minimum requirement.
33. **Policy NE/4** states that development will only be permitted where it respects and retains or enhances the local character and distinctiveness of the Landscape Character Area in which it is located. The site lies within the South Suffolk and North Essex Claylands which is characterised by undulating high land and large arable fields with woodland and hedgerows.
34. **Policy NE/11** states that, in relation to flood risk, applications will be judged against national policy.
35. **Policy NE/12** requires development to incorporate all practicable water conservation measures.

Consultations

36. **Weston Colville Parish Council Chairman** has made the following interim comments:

“We have a Parish Council meeting on April 24th to discuss the above and we will write to you immediately after this meeting to give you our recommendation. In the meantime I wish to record that a number of residents and the Parish Council are very concerned about flooding in Chapel Road. It appears this is largely caused by run off

of water from the proposed site in times of heavy rain exacerbated by the lack of maintenance of ditches and culverts. Therefore if planning permission is granted for this development then we request it should be subject to the following condition:

- A continuous drainage ditch on the whole of the frontage to Chapel Road should be reinstated [in places to the south west of the site this has been filled in]. Where the ditch needs to be bridged [for access points or because of the land profile] then a pipe with a minimum diameter of 600mm must be provided. The ditch and culverts to be maintained on an annual basis each autumn.”

37. **West Wrattling Parish Council** recommends approval. It comments: “However it contravenes Development Control Policies within the DPD for South Cambs sections 7 - natural environment, objective NE/b and objective NE/j.

Also Policy NE/4 Landscape character areas which advises development only where it respects and retains or enhances the local character and distinctiveness etc“.

38. **The Conservation Manager** states:

“ I was asked to comment on this proposal in June 2007 at a pre-app stage following the architectural competition. At that time my comments were as follows:

“One of my main concerns over the previous application was that as a piece of pastiche architecture it only added to the number of country houses without adding to the story of their evolution or development. A carefully considered piece of contemporary architecture, such as that now proposed, is a different matter and in that respect Mr d’Abo is to be congratulated on organising a proper architectural competition to seek a quality contemporary proposal.

However, while the resulting winner undoubtedly is of merit, I have some very real concerns as to the impact it will have on its setting. Country Houses are traditional sited within large, landscaped estates, such that the house itself is not visible from beyond the boundaries of the landscaped park. In this proposal the house will be visible, indeed the assessors report sees this as a positive virtue of the scheme but I am not so sure. While in many respect the site is large, in country house terms it is not, and is in quite close proximity to adjacent settlements. The house, along with the new staff accommodation located on the site of the former farm buildings, will add a very significant amount of built form into what is currently an open rural landscape. In his conclusion on the previous appeal the inspector noted; ‘A house of the size and in the position proposed would, in my opinion, draw much from its rural setting but contribute little to it.’ I think the same criticism could be levelled at this current proposal. Had the site been larger, such that the collective impact of the new buildings would be less visible from the road, then I might have been more supportive of this bold architectural proposal, but on balance I believe this erosion of the open countryside outweigh the merits of the design.”

Having now had the opportunity to study the proposal in more detail, including reading the background to the proposal as set out in the Design and Access statement and re-visit the site, I remain concerned that while this may be an interesting piece of contemporary architecture, the site is relatively restricted and the house will not sit back into the landscape, but will be a significant feature in it. The house is sited almost at the highest point of the site and in spite of the new planting it will be a conspicuous feature in the landscape.

In addition to this concern I have 3 other concerns over the proposal:

- a) Planting and adjustments to ground levels. I am aware that the landscape design includes extensive tree planting, including along the boundary to the public highway which will provide a degree of screening of the new house (and with some permanent planting for screening alongside coppice planting that is intended to provide fuel for the woodchip boiler. The Design and Access statement includes a history of the site which lays some significance against the site having previously contained a manor house (Moynes Manor). The presumed site of this manor has been located from an old map and crop marks (indicating the site of a possible moat). This location would appear to be included within the area of new woodland and the roots of the trees will damage any remaining archaeology. The area would also appear to be within/adjacent to new roadside mounding from excavated material, which may also cause further damage to the archaeology and possibly result in the complete loss any remains of the moat. I would have thought that this site should be left open within the planned park and, subject to the views of the County Archaeologist, there may be scope to excavating and reinstating the moat. In English country house architecture there are many precedents for the site or shell of the original house becoming part of the landscaped setting for the new house.
- b) Main House. The house is to include an exposed timber frame structure, with a 'hempcrete' infill. The timber frame sections are relatively modest (125 x 50mm) and, as indicated on the section contained on page 82 of the Design and Access Report, are effectively to be buried in the 'hempcrete'. The way that these timbers are encapsulated in the 'hempcrete' will make the timbers very vulnerable to rot. The 'hempcrete' is likely to shrink back from the timber as it cures, creating a fine gap between the timber and the 'hempcrete' where water will migrate by capillary action, and this trapped water will result in wet rot attack on the timber. I also note that when Inspire East reviewed the design they expressed concern over the lack of an eaves overhang. I would echo this concern, which is in marked contrast to the tradition for timber frame buildings in England (not just Cambridgeshire) – as typified in the photographs of Little Morton Hall included in the Design and Access Statement. I would also observe that the contemporary re-interpretation of a traditional timber-frame would appear to owe more to the square frame and diagonal traditions of Cheshire rather than the vertical, close studded traditions of Cambridgeshire (as seen in buildings such as Queens' College Cambridge, or The Guildhall, Whittlesford).
- c) Staff Accommodation. The Design and Access statement states that: *“These simple traditional forms would be constructed in environmentally friendly white GGBS concrete. A relatively new construction material these monolithic structures would be a pure distillation of the farm building structures; that on first sight would appear traditional but on closer inspection their modernity would be revealed through material and detailing. There will be no gutters or downpipes for rainwater run-off. Instead the surface water will stream down the roof and walls streaking the surface and overtime staining it as a controlled pattern of weathering like an old ruin”.*

I am not familiar with GGBS concrete and, at the very least, would like to have the opportunity to view a structure built in this material. I have very real concerns over the medium to long term appearance of these buildings, which are to be left to weather without the benefit of gutters or, apparently, drip moulds. The result will not appear as some romantic stone ruin but more like a wartime bunker, or a

brutalist piece of 1970s architecture.....The white GGBS concrete roofs will also not appear 'traditional' as suggested in the description.

- d) Maintenance Shed. The proposal includes a sizable maintenance shed which is to be located within woodland. However, this is again sited in a very prominent location and given its height of approx 8.5m to the ridge it will be very visible from the road. I cannot see the logic behind siting the shed in this location and believe a more sensitive location could be found on the lower part of the site.
- e) Lake. The scheme includes a lake, but this is to be sited halfway up a hillside. Lakes are normally sited in valley bottoms and in my opinion the proposed lake will look rather incongruous and artificial.

Conclusion:

As I noted in my comments last year, Mr d'Abo is to be congratulated on undertaking an architectural competition to find an appropriate contemporary design for a country house in the 21st century. However I believe the current design has a number of shortcomings including ones that will result in the scheme not standing the test of time and I doubt that it will 'grow old gracefully'. The scheme also fails to adequately acknowledge the history of the site and in particular the location of the former Moyne's Hall. Therefore, if the proposal is found acceptable in planning policy terms, I believe further refinements are required before the scheme can be granted planning permission."

- 39. The comments of **The Landscape Design Officer** will be reported verbally at the meeting.
- 40. The comments of **The Ecology Officer** will be reported verbally at the meeting
- 41. **The Commission for Architecture and the Built Environment** makes no comment, stating that it does not have the resources to be able to consider the application.
- 42. **The Environment Agency** objects to the application as it does not satisfactorily demonstrate that the development will neither cause nor exacerbate flooding to existing property. In addition, a scheme for long term maintenance of the surface water drainage system must be agreed prior to commencement of development.
- 43. **The Definitive Map Officer** raises no objections, but points out that public footpaths Nos. 11 and 12 run through the site. Points of law relating to the footpaths should be drawn to the applicant's attention through informatives.
- 44. **The Ramblers Association** states that the application includes no detail as to how the two public footpaths Weston Colville 11 and 12 are to be treated. In the short term, there is concern about the disruption to the individual paths. Will they need to be diverted during construction, how long will any disruption last, how will walkers be kept informed of changes, and how will reasonable walking surfaces be maintained during construction? In the longer term, the Ramblers Association would be likely to object to any proposal for permanent diversion of either footpath, as the current routes are simple and direct.
- 45. **The County Archaeologist** commented before the application was formally registered and stated that the site should be subject to an archaeological evaluation, to be carried out prior to the granting of planning permission. The evaluation results should allow for the fuller consideration of the presence/absence, nature, extent, quality and survival of archaeological remains within the development area. An

informed judgement can then be made as to whether any planning consent will need to include provisions for the recording and, more importantly, the preservation of important archaeological remains in situ. The desktop assessment and project specification have been forwarded to the County Archaeologist and any further comments will be reported verbally at the Committee meeting.

Representations

Letters of Objection

46. Letters of objection have been received from No. 59 and East View in Common Road, Weston Colville; and from Nos. 14, 29, 31, 37, 47 and 49 The Common, West Wrating. The main points raised are:
- a) No in principle objections to a country house in this general location (29, 47 The Common, East View);
 - b) The southern boundary hedge is thin and open, reaching 5-7 feet in height with slow growing trees set at intervals which are between 20 and 30 feet in height. This does not provide the type or scale of screening suggested in the photomontages presented with the application;
 - c) The proposed dwelling, due to its height, would be extremely prominent in the rural landscape, including from public footpaths, and visible over a considerable distance;
 - d) The development would destroy this large area of attractive landscape;
 - e) The barn would be extremely conspicuous in the open landscape due to its height (8.5 metres) and the fact it would be positioned on the highest part of the site. It should be relocated nearer to Chapel Road;
 - f) Normally, the concept of a country house within a parkland estate is to centre the property within the parkland landscape and not within a few metres of one edge;
 - g) Country houses are normally discreet and the proposed dwelling does not achieve this;
 - h) The building should be considerably lower, as the dwelling height, together with the mounding, total 16 metres is extreme;
 - i) The house has no overall concept guiding its design and hence has no integrity in appearance. There is a mish-mash of unrelated window sizes and positions, the roof has a lack of consistency in the pitch employed, and the wall structure provides a fussy appearance;
 - j) The design is over engineered resulting in the use of more oak than would be needed with a more refined layout, which would relate the scale of the panels better to the size of the building;
 - k) The appearance is similar to a warehouse or research and development building rather than a fine domestic residence;
 - l) The access roads would be excessively long. A relocation to the centre of the site would reduce vehicle journey lengths and the visual impact of the development;

- m) The reuse of the Mines Farm buildings for the staff accommodation would be a good use of this piece of land;
- n) How will the large lake affect the water table locally?
- o) Residents of The Common, West Wrattling would be most affected by the development;
- p) The building would disrupt the views from properties within The Common, West Wrattling;
- q) The proposed dwelling is not aesthetically pleasing to the eye and its design is not truly outstanding;
- r) The development does not result in a significant enhancement of its immediate setting;
- s) The use of biomass as a significant contributor towards energy provision is questioned;
- t) The proposed staff dwellings may not be used for that purpose. They would almost certainly not meet the criteria in Annex A of PPS7;
- u) The development would contravene planning policies that seek to protect the character and appearance of the landscape and natural heritage;
- v) The development would be contrary to sustainability objectives;
- w) Why does the proposed barn have such a tall chimney?

Letters of Support

- 47. 9 The Common, West Wrattling; and Peacehaven & 4 Church End in Weston Colville all support the application. The latter, in particular, points out that the architect presented the proposal at the Parish Council meeting and the majority of those attending the meeting appeared to be in favour of the proposal. The proposed woodland and water features are considered to be a positive benefit.
- 48. Weston House in Chapel Road, Weston Colville, the property sited almost opposite the development, states that the proposed tree planting and meadow format for the land restores the landscape to a more appropriate environment. The addition of water via the proposed lake/ponds can only be of benefit to wildlife and to walkers using the footpath. This is a marked improvement to the current use of the land which reflects an aggressive agricultural system with little habitat for wildlife. The design of the house appears aggressively modern but this is a matter of individual taste. As the house, staff accommodation and barn will be nestling in beautifully planted woodland, the occupier of this property is very much in favour of the development.
- 49. The Architecture Foundation, an independent organisation that is dedicated to communicating the best in contemporary architecture to a wide public, states that the proposal will lead to an exceptional work of architecture that will enhance and enrich its location. The design is thoughtful and creative in its approach to its site, its brief and to issues of sustainability. It is particularly impressive for the way building and landscape

work together, in a contemporary version of a strong tradition in English country house design. This is the sort of proposal that should be supported under PPS7.

50. Mark Girouard, author of *Life in the English Country House*, states that he is impressed by the proposal. Country houses should be distinguished from other domestic buildings in the countryside by having 'importance' in some way and, to achieve this, architects have either produced versions of old country house formulas or contemporary designs that are eccentric in form or have an over-emphasis in detail. This proposal is less assertive and more subtle in its approach. It takes familiar historic themes as a starting point (the gabled roof, the half timbered wall and the 18th century concept of combining country house, outbuildings, woodland, water and open space into an integrated whole of generous scale) but develops them in an outstandingly creative way, with a contemporary feeling for abstract form and pattern and a contemporary emphasis on getting the whole property working together to provide biodiversity, an integrated water and energy strategy and minimum carbon imprint. The half-timber construction is very interesting and, when combined with the carefully modelled mass of the house, should produce the architecture of simple form with subtle and delicate surfaces that the architects are aiming for. In general, both the house and setting are designed with a feeling for the Cambridgeshire landscape.
51. Penoyre & Prasad Architects commend the design of the house, stating that it is a sophisticated combination of modern and traditional, and sets new standards in sustainable and zero carbon design. It will be regarded as a good addition to our country's heritage in years to come.
52. Wilkinson Eyre Architects state that the proposals are of high quality and show how a house can be integrated into the landscape and how the principles of sustainable development can permeate every aspect of the proposals. The house demonstrates exceptional ingenuity in combining these aspects into the design but is architecturally sensitive and appropriate. It is just this sort of approach that should be encouraged.

Representations by the applicant

53. In response to comments made by the Conservation Officer, the applicant states that, since his initial observations at the pre-application stage, the woodland layout has been revised to provide more perimeter screening along Chapel Road, leaving only one open section of woodland to the north east of the site. The one view of the house from Chapel Road, framed by woodland on each side, will make a positive contribution to the environment. The mound forming the base of the house has been lowered and the basement now half buried in the ground. The 'openness of today's site is relatively recent and the strategy returns the site to a more gentle land use pattern.
54. In response to the comment that country houses are traditionally sited in large landscaped estates, the applicant argues that the history of the country house is extremely varied, and that the scale of houses and their sites varies a great deal. Mines Farm is modest by country house standards but continues a tradition of engagement between house and surroundings. The proposal is very much concerned with contemporary issues of design, landscape and sustainability, but is connected to many notions central to the long evolution of the country house. The claim that the buildings will not grow old gracefully is refuted.

Planning Comments – Key Issues

55. The key issues to consider in the determination of this application are:

- a) Whether the design of the dwelling is truly exceptional and innovative;
 - b) Impact of the proposal upon the countryside and upon the landscape character of the area;
 - c) Need for staff accommodation;
 - d) Flood risk.
56. The proposed development would be sited outside the defined village framework and within the countryside and therefore represents a departure from policies in the development plan. It is therefore necessary to consider whether the proposal can be justified as an exception to normal restrictive countryside policies, using the criteria set out within paragraph 11 of PPS7 – namely that the design must be of an exceptional quality and innovative nature, and must be truly outstanding and ground breaking. As PPS7 states – the value of the building will be found not only in the use of the highest standards of contemporary architecture but also in the significant enhancement of the immediate setting.
57. As stated within the history section, above, an application for a country house has previously been refused and dismissed at appeal on this site. At that time, the application was considered against PPG7. This has now been superseded by PPS7, which has a reduced emphasis on landscape design and a leaning towards contemporary architecture as opposed to reinterpretations of historic forms. The Conservation Manager has stated that the previous application, for a piece of pastiche architecture, only added to the number of country houses without adding to the story of their evolution or development. He acknowledges that the current application differs from the previous scheme in this respect in that it proposes a carefully considered piece of contemporary architecture, with the design being of some merit.
58. It is generally agreed that the proposal is innovative in nature and offers a carefully thought out contemporary approach to the country house tradition. Whether or not the design of the house itself can be said to be truly outstanding and exceptional, however, is more of a subjective matter and opinions on this issue have diverged markedly. The support for the development amongst responses received from architectural professionals is unanimous. The Architecture Foundation considers the scheme 'will lead to an exceptional work of architecture that will enhance and enrich its location' whilst the author of *Life in the English Country House* is of the view that the proposal, in terms of the design of the house and the way the scheme encompasses contemporary issues such as sustainability and biodiversity, develops the country house tradition in an 'outstandingly creative way'. The competition jury considered the whole proposal to be 'beautifully designed and well-placed in the landscape' whilst Inspire East also expressed support for the scheme.
59. Local support has tended to focus more on the environmental and wildlife improvements offered by the scheme, which are generally considered to outweigh any perceived harm caused by the buildings. Opposition to the proposal has been received mainly from residents of The Common, West Wrattling to the south of the development. In some of these cases, no in principle objections have been raised to the erection of a country house on the site, but strong concerns have been expressed about the design of the building which is considered by one resident to lack integrity, to be over engineered and to be similar in appearance to an industrial building rather than a fine residence.

60. A number of concerns about the detail of the development have been raised by the Conservation Manager - the longevity of the design of the house and whether its appearance would stand the test of time; the design of the timber frame being unrepresentative of Cambridgeshire traditions; and the landscaping scheme failing to take account of the historical position of Moyne's Hall. These factors could, however, be addressed through amendments and refinements to the scheme if it was considered that the proposal could be supported in principle.
61. The overwhelming serious concern about the proposal relates to the impact the development would have upon the landscape. The existing landscape between Weston Colville and West Wrattling is attractive rolling countryside with no intrinsic need for improvement. As stated by the Conservation Manager, country houses are traditionally sited in large landscaped estates such that the house is not visible from beyond the boundaries of the landscaped park. When visiting the site, it was apparent that the proposal is on a much more intimate and smaller scale than expected from initially observing the plans. The proposed house would be almost 13 metres high and would occupy an elevated position (almost at the highest point of the land), well above Chapel Road, from which it would only be set back by about 200 metres. Given its scale, elevated position above the road level and proximity to the road, the building would not sit back into the landscape but would be an extremely dominant feature in it and would add a significant amount of built form into what is currently an open rural landscape. In spite of the new planting, the scale of which is modest (the landscape design officer advised on site that the roadside planting would take some 20 years to reach a similar height to nearby trees sited alongside the road), the building would be a conspicuous feature within the landscape. It would be prominent from Chapel Road itself, from dwellings sited on The Common, and from the public footpaths that run near to the site of the proposed house. In the appeal decision relating to the previous application, the Inspector considered that a house of the size and in the position proposed would draw much from its rural setting but contribute little to it, and it is considered that the same criticism applies to the current proposal.
62. The visual impact of the development upon the landscape was referred to by the competition panel, which stated:
- “The proposed design has enormous presence in the landscape and establishes itself as a prominent exemplar of a country house for the 21st century. This is not a scheme which seeks to ‘disappear’ in the landscape. It is confidently assertive through the manner in which it adopts a traditional approach. Whilst this may represent a ‘risk’ in planning terms, we believe the design will gain strong architectural support.”
63. In addition, Inspire East expressed reservations about the siting of the house on the high point of the land and stated that the tree screening and views of the house would need consideration.
64. Although the design of the house is innovative and contemporary and could be argued to be exceptional, the proposal is not considered to result in a significant enhancement of its immediate setting, as stipulated within PPS7. As such, the proposal is not considered to be so exceptional as to justify the scheme contrary to normal settlement policies.
65. Whilst the country house seeks to satisfy the requirements of PPS7, the proposed staff cottages do not fall within this category of development, and need to be considered against the criteria set out within Policies DP/7 and HG/9. The latter permits the erection of dwellings in countryside locations only if they can be justified as essential to serve the needs of an agricultural holding. No justification for these

dwellings, and very little information about their use, has been put forward as part of this application. It is assumed that the cottages would accommodate staff employed at the country house, but there is a staff flat contained within the basement of the country house itself. Given the small scale of the overall site, I would very much doubt there is sufficient need for two full time members of staff to manage the house and its grounds and for these staff to be permanently accommodated on the site rather than being housed in nearby villages. If required in association with the wider running of the West Wratting Park Estate, again no justification has been put forward on the grounds of agricultural need, and support cannot therefore be given for these properties. Notwithstanding these in principle concerns, the design of the cottages, notably the use of white concrete for the walls and roofs, is considered to be inappropriate and harmful to the character of the landscape.

66. The proposed barn, given its height and proximity to the road, would be very visible until the new woodland around it grows and would add to the visual harm caused by the development as a whole upon the landscape.
67. Finally, the Environment Agency has objected to the proposal on the grounds that the application fails to demonstrate that the development will not cause or exacerbate flooding to existing properties in the area.

Recommendation

68. Refusal, for the following reasons (in summary):
 - a) The proposed country house, due to its height, scale and proximity to and elevated position above the road, would be visually prominent and, together with the associated development of staff cottages and the barn, would be detrimental to the open and rural character of the landscape. The scheme as a whole would not result in a significant enhancement of its immediate setting and the proposal cannot therefore be justified as an exception to Policy DP/7 of the LDF which restricts development outside village frameworks. The proposal would be contrary to Policies DP/2, which requires new development to preserve or enhance the character of the area and DP/3 which states permission will not be granted for proposals that would have an unacceptable adverse impact on the countryside and landscape character;
 - b) In the absence of sufficient justification on the grounds of agricultural need, the proposed staff cottages contravene Policy DP/7 of the LDF which states that, outside village frameworks, only development for agriculture and other uses that need to be located in the countryside will be permitted.
 - c) The application fails to satisfactorily demonstrate that the development will neither cause nor exacerbate flooding to existing property. Consequently, the proposal contravenes Policy NE/11 of the LDF, which requires proposals to adequately consider the issue of flood risk.

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

- Planning Policy Statement 7 – Sustainable Development in Rural Areas;
- South Cambridgeshire Local Development Framework (LDF) 2007;
- Cambridgeshire and Peterborough Structure Plan 2003;
- Planning application references: S/0376/08/F, S/1472/02/F, S/0373/89/F, S/0352/88/F and S/0805/83/F.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee7th May 2008**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/1201/07/F - Bourn
**Part Change of Use of Runway for Use of Siting of Storage Containers,
HGV Trailers and Associated Equipment at
Site of Former Runway, Bourn Airfield for R Taylor and Sons**

Recommendation: Approval
Date for Determination: 12th December 2007 (Major Application)

Notes:

This application has been reported to the Planning Committee for determination because the officer's recommendation conflicts with the recommendation of the Parish Council.

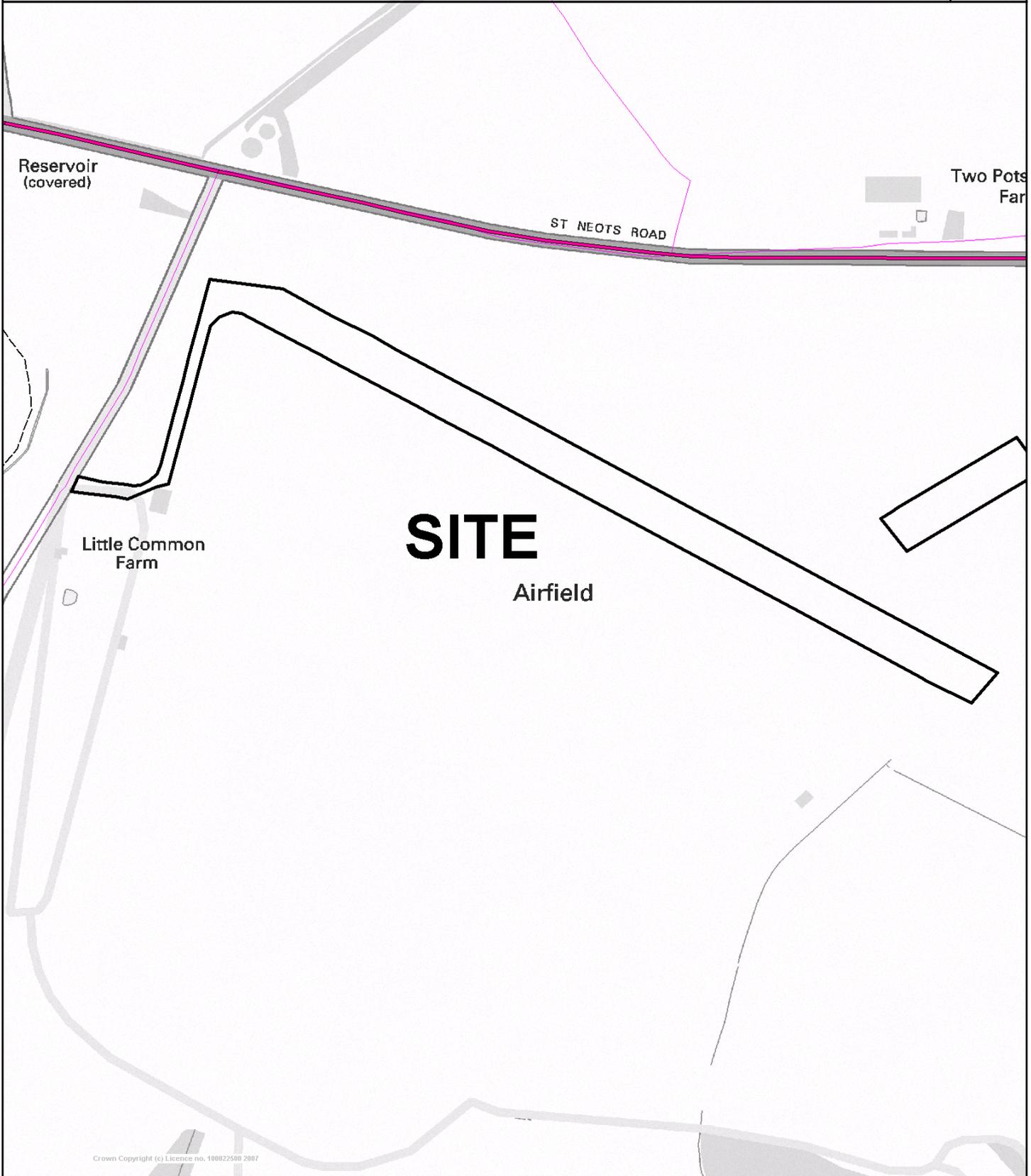
Site and Proposal

1. The 0.8 hectare site lies south of the A428 and forms part of the SE-NW runway at Bourn Airfield. It is largely open in character and accessed from Broadway via an existing access to the airfield.
2. The full planning application, received 18th June 2007 proposes the change of use of part of this land (180m x 45m) to the siting of storage containers, HGV trailers and associated equipment. The number of typical daily vehicle movements is given as 50. Hours are proposed to be variable and therefore potentially 24 hours a day 7 days a week. There are to be no employees on site and no buildings or structures are proposed.
3. The site lies within flood zone 1 and outside of village frameworks.

Relevant Recent History

4. In April 1996 permission was granted for part of the runways for change of use for vehicle storage – ref. **S/0105/96/F**.
5. In September 1991 permission was granted for part of the runway for the outdoor storage of plastic pipes – ref. **S/0759/91/F**.
6. In April 1998 permission was granted for part of the runway for the open storage of dies (automotive press panel dies) – ref. **S/0225/98/F**.
7. In April 1998 permission was granted for part of the runway for Variation of Condition 1 to Allow for Storage of Timber Poles and Associated Equipment and Removal of Condition 3 (Personal Condition) of Planning Permission S/0759/91/F – ref. **S/0295/98/F**.

S-1201-07-F



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November 2007 Planning Committee

Planning Policy

8. **Policy P1/3** of the Cambridgeshire and Peterborough Structure Plan 2003 (sustainable design in built development) states (in part):

A high standard of design and sustainability for all new development will be required which:

minimises the need to travel and reduces car dependency by providing:

- a) An appropriate mix of land uses and accessible services and facilities;
- b) Direct walking and cycle routes;
- c) Good access by public transport;
- d) Managed access for the private car and other motor vehicles.

9. **Policy DP/1** of the South Cambridgeshire Local Development Framework Development Control Policies Development Framework Document July 2007 (LDFDCP) - Sustainable Development states in part:

1. Development will only be permitted where it is demonstrated that it is consistent with the principles of sustainable development, as appropriate to its location, scale and form. It should:

Minimise the need to travel and reduce car dependency;

Make efficient and effective use of land by giving priority to the use of brownfield sites and achieve adaptable, compact forms of development through the use of higher densities;

Conserve and wherever possible enhance local landscape character.

10. **Policy DP/3** of the LDFDCP - Development Criteria states in part:

1. All development proposals should provide, as appropriate to the nature, scale and economic viability:

Appropriate access from the highway network that does not compromise safety, enhanced public and community transport and cycling and pedestrian infrastructure;

Safe and convenient access for all to public buildings and spaces, and to public transport, including those with limited mobility or those with other impairment such as of sight or hearing;

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

On residential amenity;

From traffic generated;

On village character;

On the countryside, and landscape character;

From undue environmental disturbance such as noise, lighting, vibration, odour, noxious emissions or dust;

11. **Policy TR/3** - of the LDFDCP – Mitigating Travel Impact states, in part:

“New developments will be required to mitigate their travel impact, including their environmental impact, such as noise, pollution and impact on amenity and health.”

Consultation

12. **Bourn Parish Council** recommends refusal It states:

“The Parish Council re-iterate its previous concerns regarding lorries that lose their way and end up in the village of Bourn.

If the Planning Officer is minded to approve the application it needs the following conditions:

- Development to fund traffic calming/road narrowing at appropriate places.
- Needs entrance from A428 roundabout only.
- This will require effective signing”.

13. **Caldecote Parish Council** recommends refusal. It states:

“Traffic noise disturbance to residents, including reversing beepers.

Lack of facilities for drivers.

Visual impact in a rural location.

Increase in traffic using village roads to access the site.

It would be impossible to prevent overnight stops.

Light pollution from headlights and the possibility of increased fixed lighting on the airfield.

If the application should be approved, conditions should be applied to prevent stacking of containers”.

14. **Local Highway Authority** states:

“The revised drawing clearly demonstrates that it is possible for heavy goods vehicles to use the existing access.

However, in order to prevent unintended use of Bourn Village as a through route the Highway Authority requests that a Section 106 Agreement be entered into to provide the following:

1. That the developer will fully fund a traffic regulation order that prevents vehicles from turning left out of the site towards the village of Bourn and right into the site from the road to Bourn. The Agreement is to include all legal and committee requirements and signing on site.
2. The redesign of the existing access so that the existing radii on the southern side of the junction is reduced to approximately 6m which will reinforce

physically the no left turn without preventing heavy goods vehicles from entering and leaving the site to and from the north.

15. **Landscape Design Officer** comments:

Although the site is largely screened from the new A428 by bunding and existing planting it is clearly visible from the new elevated section of the Broadway that connects with the old A428. The eye is carried down the line of the runway when travelling from north to south. To ameliorate this exposed landscape and to block views down the runway, masking the proposed storage function, I would like to see new tree planting at 5m intervals to develop into standards, starting 10m from the electricity pole, next to the existing hedge along the line of the old Broadway. In addition there should be a new hedge with standards along the fence line that crosses the end of the runway that was cut off by the new A428 road works. There appears to be a ditch running along this line but I am not sure whether this is intended to function or is incidental to the construction of the new embankment. It would be necessary to agree the precise location on site as the maps have not yet been properly updated. The species choice in this exposed location should be based on 50% *Acer campestre* and 50% *Crataegus monogyna* randomly mixed, with ash and field maple to form the standards at 10-15m intervals. Once established I should like to see the hedge fairly freely grown so that it provides screening and shelter”.

16. **Environment Agency** has no comments to make.

17. **Corporate Manager - Health & Environmental Services** comments:

- a) “I have received and studied the Noise Impact Assessment that was carried out by acoustic consultants for the applicant. I have no disagreement with the methodology and assessment criteria used in the noise impact assessment. I would recommend that if the application is successful the following conditions be applied to any consent granted:
- b) Sc27 - 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 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.
- c) Details of noise levels of vehicles proposed that will have access to the site.
- d) Sc34 - Details of any external lighting including flood lighting shall be submitted to and approved by the local Planning Authority before construction commences.
- e) One effective and enforceable way to control noise emissions is to impose a condition requiring the submission of a noise management scheme, to be approved and then implemented and maintained in accordance with the details of written approval. Written approval can itself be made subject to conditions, for example the scheme of measures put forward could be approved for a period of 3 years to enable their review.

- f) A noise management scheme has the advantage of covering operational and engineering issues. An informative can set out the kind of issues that should be incorporated in order to obtain approval.
- g) Where engineering works can improve the layout of the site to reduce or mitigate noise impact it follows that less control is required. For example, optimize the use of any natural topography or buildings between noise sources and any receiver such as a residential property.

Proposed measures for inclusion in the Noise Management Scheme

- a) Restrictions on the movement of Fork Lift Trucks (FLT's), HGVs or 7.5 tonne gross laden weight vehicles such that their movement is limited to daytime hours (0700-2300hrs) and at no time on Sundays or Bank Holidays.
- b) The noise management scheme shall set out what equipment the final occupier would use on the site and any restrictions on operating times that may be appropriate.
- c) Areas for parking and lorry loading to be restricted and identified by lines / areas within the site and located to optimize the distance between any source of loading and potential receivers such as residential properties.”

Representations

- 18. Five letters of objection have been received from the occupiers of 3, 5 The Willows, 8, 14a West Drive and 105 Jeavons Lane. The following points of objection were made:
 - a) Noise disturbance to residents through lorry movements, loading and reversing beepers. This will exacerbate the current noise problems associated with the TKA plant.
 - b) Light nuisance – lighting will be required, particularly in the winter.
 - c) There are no facilities for drivers so this will lead to building work in the future.
 - d) Security will lead to fencing which will be visually harmful.
 - e) Visual impact of the storage of containers.
 - f) Use during unsociable hours – night-time, Saturdays, Sundays and Bank Holidays.
 - g) The Broadway junction to St Neots Road is not to the improved A428 but the old road and would result in heavy lorries using the old road between Hardwick and Cambourne.
 - h) If approved, hours of working should be restricted to normal daytime working hours, Saturday morning only and no working on Sundays or Bank Holidays.
 - i) If approved landscaping will be necessary to screen views of the site, particularly from the A428.

Planning Comments - Key Issues

19. The key issues are:

Highway safety
Location and sustainability
Neighbour amenity
Visual impact

Highway safety

20. I note the comments of the Local Highway Authority. It has no objections subject to no vehicles turning left out of the site to access the A428 and no vehicles turning right into the site from the village of Bourn. This will prevent vehicles from travelling through the village. To achieve this physical works to the access are necessary to reinforce the restrictions. All to be achieved through a S106 agreement and planning conditions.

Location and sustainability

21. The site does not lie in a sustainable location with regard to the availability of modes of transport other than the car. However, the nature of the proposed use for the siting of storage containers, HGV trailers and associated equipment is such that these facilities need to be located close to the major road network. The proximity of the site to the A428 trunk road is therefore an ideal location in this regard and I am satisfied that these facilities, such as they are needed, are best located outside of village centres in close proximity to the major road network. The proposed use is therefore acceptable with regard to sustainability concerns.

Neighbour impact

22. I am mindful of the significant objections to this proposal, particularly with regard to the potential the use could have to cause harm to the amenities of nearby residents.
23. Of particular concern is noise. Although the nearest dwellings are approximately 700m away from the main storage area, HGV loading/unloading, reversing beepers and the like have the potential to be a nuisance. In response to this a Noise Impact Assessment has been undertaken by the applicants and assessed by the Corporate Manager – Health and Environmental Services. The conclusions are detailed above. Essentially the proposal is found to be acceptable subject to conditions to control the details of the location and type of any power driven plant or equipment, details of noise levels of vehicles that will have access to the site, details of external lighting and the submission of a noise management scheme. The noise management scheme can include provision of regular assessment periods, ongoing monitoring programmes and detailed hours of operation.

Visual impact

24. There are no facilities proposed for drivers at this stage. These may not be required but any future proposal for such facilities will be considered on its merits if submitted.
25. Security is likely to be an issue, fencing may be required. The detail of which can be sought through a condition.

26. The storage containers if not stacked should not cause undue visual harm to the countryside provided such a limitation is imposed and landscaping is achieved. In this regard I am also mindful of the setting of the site. There are other storage uses at the airfield and a considerable area of hard standing. The site is very open and will need to be carefully landscaped. I note the comments of the Landscape Design Officer who is proposing that planting of a hedge and trees in specific locations will be required to help assimilate the development into its surroundings, particularly from long distance views.

Other matters

27. A scheme of signage will be required in order to ensure that drivers of vehicles wishing to access the site understand the route in and out in order that drivers do not get lost and end up driving through the villages of Bourn or Caldecote.
28. For a considerable length, the access to the storage area is some 50m in width. If all of this land were to be used virtually the entire runway would be available for storage. The visual impact would therefore be greater as it will not be possible to provide screening for such a large area. As such it will be necessary to agree that only that area shown in solid red on the revised site plan be used. For the avoidance of doubt this can be confirmed through the submission of a further revised plan secured by condition.

Recommendation

29. Subject to the prior signing of a Section 106 Agreement re traffic works to prevent HGV vehicles turning left out of, and right into, the site, Approval, as amended and subject to conditions to secure a noise management scheme, details of landscaping, boundary treatment, lighting, location and type of any power driven plant or equipment, noise levels of vehicles accessing the site, a scheme of signage, a plan showing the area to be used for storage – no storage outside of this area, and a restriction on storage heights to single storage containers only.

Background Papers:

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007
- Planning Application File Ref S/1201/07/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee7th May 2008**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

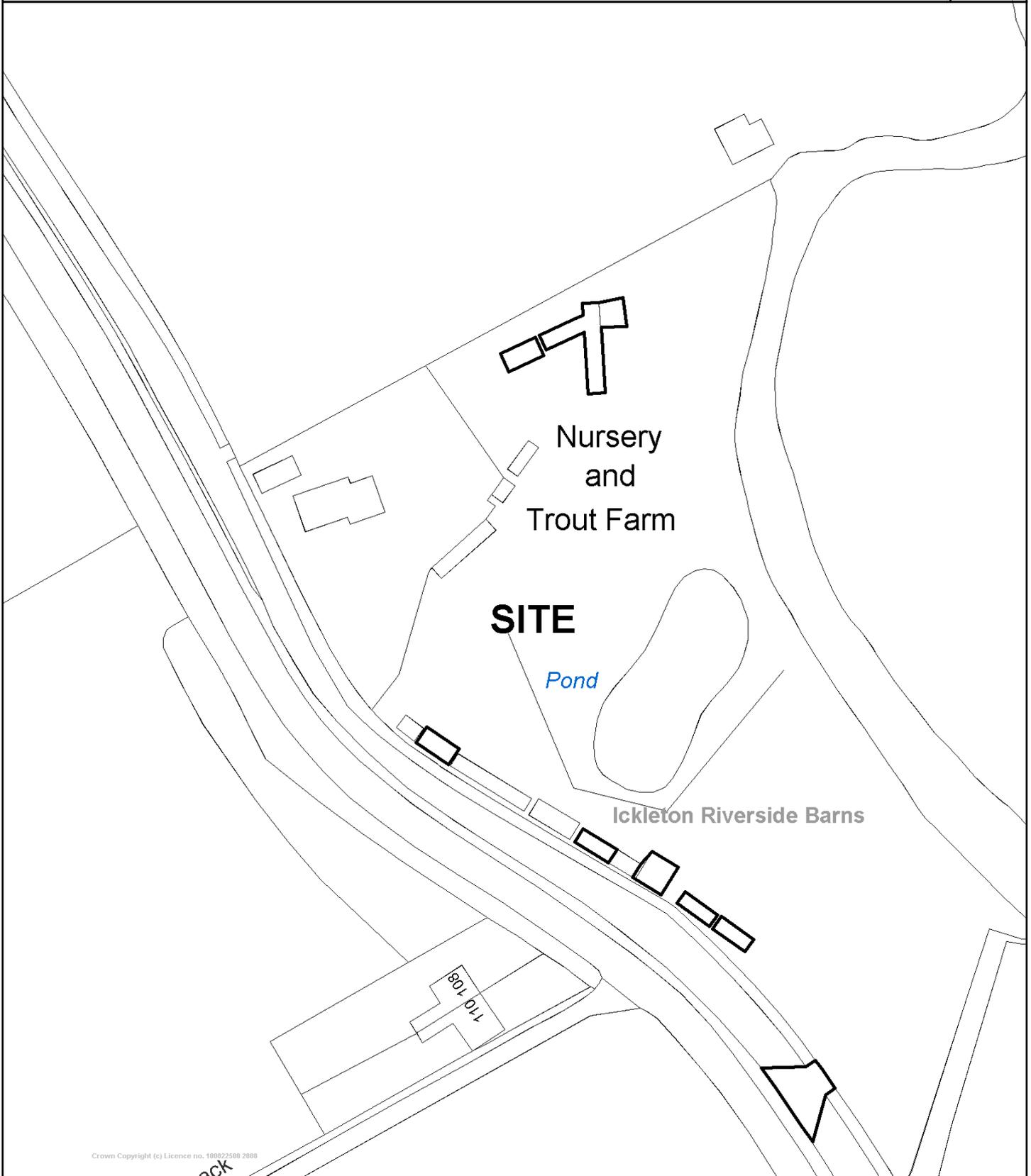
S/0330/08/F - ICKLETON**Erection of 7 Retail Units and Café (Retrospective) at Ickleton River Barns,
111 Frogge Street, for Mr and Mrs T London****Recommendation: Refusal****Date for Determination: 23rd April 2008**

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

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 445sq 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 15th February 2008, seeks retrospective planning permission for seven retail units (numbered 1, 2, 4, 9, 17, 18 and 19 on the layout plan) and a café, amounting to 218sq m.
4. The site is provided with 40 car parking spaces and 37 cycle spaces. The applicant estimates that during a normal working day 18 employee's vehicles will be attracted by the authorised units and 11 by the unauthorised units, totalling 29 trips. The applicant has advised that visitor numbers to the site are seasonal and can fluctuate depending on these number of units in use. Recently, has been in the order of 4 or 5 cars a day during the week, and between 40 and 50 cars a day at weekends. In May 2006, on the other hand, the agent at that time advised that the site attracted between 30 and 40 visitors a day during the week and up to 100 a day at weekends. The employment level for the authorised units is 24 employees and for the unauthorised units 17 employees, totalling 41 people full-time when all units are operational. The hours of opening are 0900-1700 hours Tuesdays to Saturdays and 1000-1600 hours on Sundays.

S-0330-08-F ICKLETON



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May 2008 Planning Committee

5. The application is supported by an Access Appraisal. This includes proposals for improvements to the existing site access with Frogge Street by increasing the width of the driveway from 4.6m to 6.0m, and providing 10m radius kerbs. The access is to be re-graded to maximum 1:10 for 10m from the existing carriageway edge. Vehicle speed surveys were undertaken on Frogge Street to ascertain appropriate visibility requirements. The visibility provided to the north west of the access is 4.5m x 120m and to the south east 4.5m x 120m, with 2.4m x 160m being achievable in this direction. The access has been designed on the basis of generic data which is suitable for retail premises in village centres, which would be subject to routinely higher traffic visits.
6. 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

7. Planning permission for the erection of 7 retail units and a café (retrospective) and the erection of 4 additional retail units was considered by Members at Planning Committee in August 2007 (**S/1077/06/F**). Following a site visit Members resolved to refuse the application and authorised enforcement action against the breach of Planning control which had taken place. The reasons for refusal (in summary) were:
 - a) Sporadic retail development for which there was no evidence of an essential need to be in the countryside;
 - b) The site was not in a sustainable location where convenient access by public transport could be achieved;
 - c) The erection of additional retail units resulted to harm to the countryside and landscape character area;
 - d) The proposal would result in highway dangers because of inadequate visibility and dangerous manoeuvring of vehicles in Frogge Street in the vicinity of the access.
8. 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 Class A1 of the Use Classes Order 1987 was granted on 15th November 2005 (**S/1267/05/LDC**).
9. 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

10. 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"), the Cambridgeshire and Peterborough Structure Plan (2003) ("County Structure Plan"), and emerging Regional Strategy East of England Plan.
11. DCP Policy **DP/7** (Development Frameworks) states 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.

12. 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 East of England Draft Policy **SS1** (Achieving Sustainable Development).
13. 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).
14. Development should provide safe means of access, as indicated in DCP Policy **DP/3** (Development Criteria).
15. 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).
16. 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).
17. 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.
18. 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.
19. 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.
20. 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

21. **Ickleton Parish Council** - recommends refusal. The Parish Council is concerned at incorrect information contained within the application documents. These include a statement made to the Parish Council by the applicants to the effect that there were no employees at all; that the gas compound is still in operation and has not ceased as stated by the Agent; lack of clarity about the floor area of the unauthorised buildings; lack of definition of “food outlet”; confusion about the dimension of the radius curving required by the Highway Authority - 6m or 10m?

A second letter has been received from the Parish Council recommending that, in the event of planning permission being granted, conditions be attached to limit the use of the units to art and craft only. The Parish Council believes that unsuitable business uses have been taking place on the site, for example, car boot sales, car wash, machinery hire and others.

22. **Uttlesford District Council** – In respect of the earlier application Uttlesford District Council raised objection to the proposals. The Council had concerns regarding the principle of a retail use in the countryside for which there was no justification, and the proposed intensification of such a use. The site was not in a sustainable location, and was likely to give rise to car borne traffic movements despite being close to Great Chesterford railway station. The Council commented that, whilst the site was well

screened by the motorway embankment, the access was poor, and it was sited in an area where the road was 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.

23. **Corporate Manager (Health and Environmental Services)** – Considers there to be no significant impacts from the environmental health standpoint.
24. **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.
25. **Local Highway Authority** – recommends approval. The LHA states “Following detailed investigation of available visibility, and geometry of the existing access, the Highway Authority is satisfied that adequate visibility is available at the existing access point and would not object to the proposal provided that the access improvements detailed in the report are carried out. Otherwise the proposal should have no significant impact on the public highway.” The LHA makes recommendations for conditions and informatives.
26. **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

27. 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 is concerned about the application on that grounds that:
 - a) The development is in a rural area well outside of the settlement limits for Ickleton and Great Chesterford. It does not even have a tenuous connection with agriculture any longer. The units are now being occupied by retail businesses more appropriate to villages such as Sawston.
 - b) The Access Appraisal suggests that traffic movements will be limited and that the gas storage compound has gone. This information may be misleading, as the gas service business is operating and advertisements in the local papers have referred to car boot sales and a car rallying point on the site. These are not niche businesses and they may take business away from other local centres, and are likely to generate more traffic than has been estimated in the Appraisal.
 - c) Despite the access improvements, the Society believes that there would still be significant highway dangers particularly as a result of the gradient of the access, the radii at the entrance being less than suggested by the Highways and the likely underestimate of the number of vehicle movements.
 - d) Inappropriate signage cluttering the roadside which is unsightly and adds to traffic hazards.

- e) If the application was granted there may be little control over future usage of the units which could potentially generate more traffic, more highway dangers, undermine existing local services, or be even less appropriate to a rural setting.
 - f) In the event of the application being refused, the Society recommends prompt enforcement action to secure the removal of the unauthorised buildings.
28. The previous application, S/1077/06/F had 9 individual letters of support and a petition in support signed by 208 customers at the site. No such representations have been received in respect of the current application.

Planning Comments

Scale and Location

29. 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 445sq m, or 95%. This is a significant intensification of the authorised use, which should be considered in the context of development plan policies. The application is retrospective, but this should not influence the assessment of the planning merits of the case.
30. 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.
31. The site is not located in a sustainable location. I acknowledge that a public bus service (Citi7) passes the site and stops in Ickleton on an hourly basis linking to Saffron Walden and Sawston/Cambridge. Moreover, the railway station at Great Chesterford is located 1.3 km to the south, and the site is readily accessible to cyclists. However, it is likely to attract car-borne visitors for the most part, which is indicated by the over-provision of car parking spaces on site which comfortably exceeds the standard requirement. The proposal is, in my opinion, contrary to sustainability Policies in the development plan DCP Policies DP/1 (Sustainable Development), TR/1 (Planning for More Sustainable Travel), and Core Strategy DPD strategic objective ST/b.

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). This has consolidated the development, to the progressive loss of the character of the countryside and views out of the site. The uniformity of design and external materials have 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).

33. The proposal includes significant enlargement of the access to cater for increased traffic movements to the satisfaction of the Local Highway Authority. This will entail the loss of an area of grass verge and 3.0 m of hedgerow along the road frontage. Balanced against this is the material consideration of improvement to highway safety which would be necessary, and I acknowledge that opportunity would exist for partial replacement planting of hedgerow on the frontage. In my opinion, given the balanced nature of this aspect I do not consider that a refusal of planning permission on this ground would be warranted.

Highway safety

34. The Local Highway Authority has indicated acceptance of the proposed improvements to the access, which could only be secured as a benefit to the scheme by the granting of planning permission. Refusal of planning permission would not secure this improvement.

Enforcement

35. Members authorised Officers on 1st August 2007 to take appropriate enforcement action with a compliance period of 3 months. In the event that planning permission being approved, I recommend that no enforcement action be instigated against breaches of planning control on the site.

Recommendation

36. **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).
2. The site does not lie in a sustainable location where convenient access by public transport, and walking 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 P1/3 (Sustainable Design in Building) of the Cambridgeshire and Peterborough Structure Plan (2003).
3. The proposed development 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 represents an undesirable visual consolidation of buildings on the site and has had an unacceptable adverse visual impact on the appearance of 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).

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
- The Draft Regional Strategy East of England Plan (2007)
- Planning Files refs: S/0330/08/F, S/1077/06/F, S/1267/05/LDC and S/1774/97/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 7th May 2008
AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0297/08/F - GIRTON
Extensions at Hotel Felix, Whitehouse Lane for Cassel Hotels Ltd

Recommendation: Minded to approve

Date for Determination: 14th April 2008

Notes:

This Application has been reported to the Planning Committee for determination because the proposal is a departure to Policy GB/1 of the South Cambridgeshire Local Development Framework 2007;

Members will visit this site on 7th May 2008

Departure Application

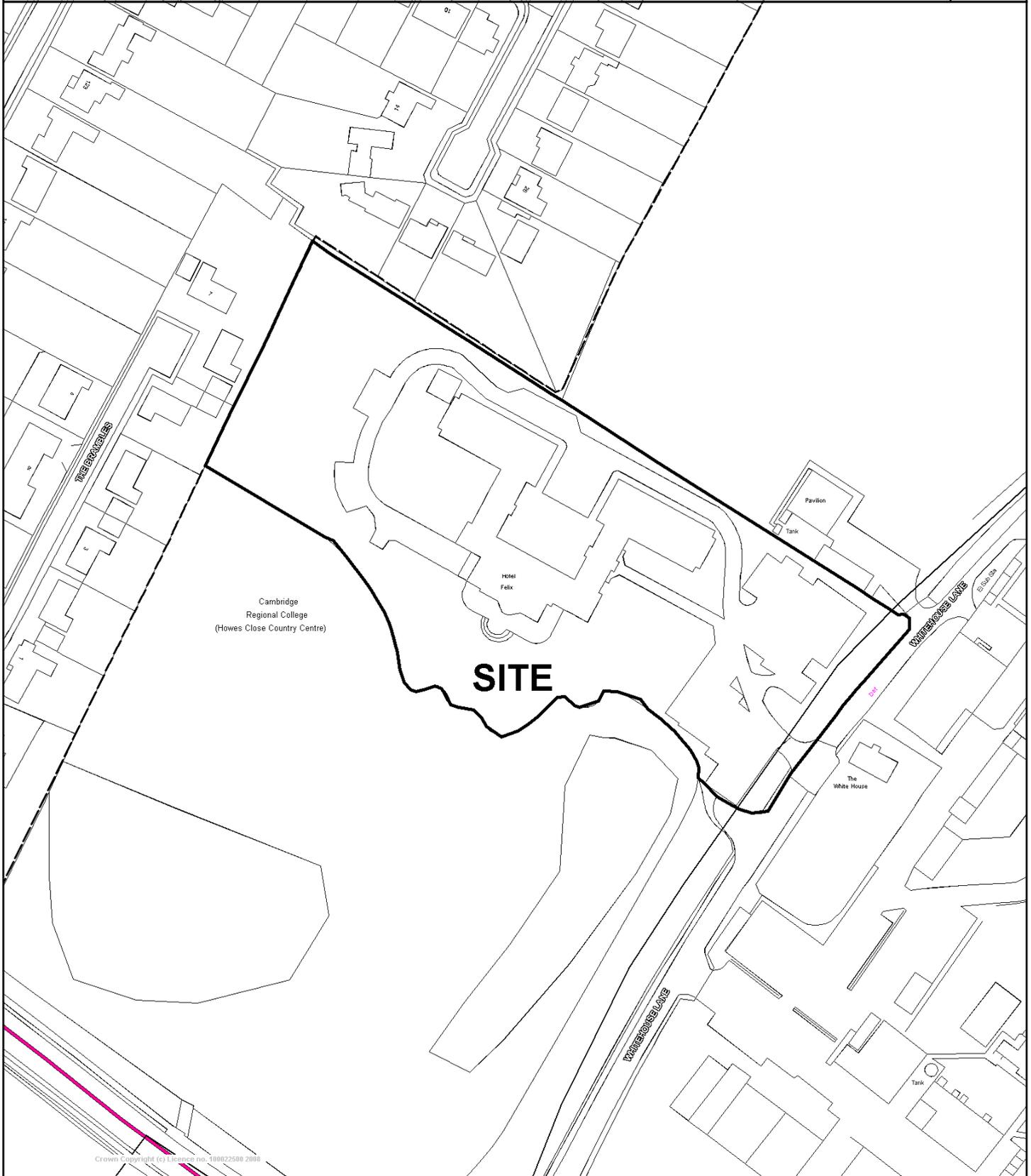
Site and Proposal

1. The Hotel Felix is a hotel complex located within the Cambridge Green Belt which lies between the Girton village framework and the Cambridge City boundary. The site abuts the residential street The Brambles to the northwest and Thornton Close to the north-east. The site is accessible via White House Lane, which is located off the Huntingdon Road.
2. The application, received 18th February, proposes a single storey function room, which would be located on the north-western corner of the hotel. This will create a courtyard between the northern wing of the hotel and the proposed function room. This room will serve a host of annual functions. Its external dimensions are approximately 20m length by 13m width.
3. Also proposed is a conservatory (approximately 11.5m x 6m) on the south-east corner of the Hotel. The proposals include the demolition of a two storey house (footprint approximately 53 sq.m.).

Planning History

4. Planning application **S/0817/00/F** for the conversion, part demolition and extensions to form 48-bedroom hotel, subject to a Section 106 agreement was approved.
5. Planning application **S/0307/05/F** for the construction of a kitchen yard was approved;
6. Planning Applications **S/0718/06/O** and **S/0719/06/O** for extensions to form function room and additional accommodation were refused on grounds of being inappropriate development in the Green Belt, noise and visual intrusion to neighbouring residents and an unsatisfactory design in relation to the historic part of the hotel.

S/0297/08/F Girton



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7th May Planning Committee

Planning Policy

South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007:

7. **Policy DP/1 “Sustainable Development”** only permits development where it is demonstrated that it is consistent with the principles of sustainable development. The policy lists the main considerations in assessing whether development meets this requirement.
8. **Policy DP/2 “Design of New Development”** requires all new development to be of a high quality design and indicates the specific elements to be achieved where appropriate. It also sets out the requirements for Design and Access Statements.
9. **Policy DP/3 “Development Criteria”** sets out what all new development should provide, as appropriate to its nature, scale and economic viability and clearly sets out circumstances where development will not be granted on grounds of an unacceptable adverse impact e.g. residential amenity and traffic generation.
10. **Policy GB/1 “Green Belt”** states that there is a presumption against inappropriate development in the Green Belt, as defined in section 3 of PPG2: Green Belts.
11. **Policy GB/2 “Mitigating the Impact of Development in the Green Belt”** requires appropriate development in the Green Belt to be located and designed so that it does not have an adverse effect on its rural character and openness and subject to appropriate landscaping.
12. **Policy ET/5 “Development for the Expansion of Firms”** states that expansions will be permitted within village frameworks, or previously developed sites next to or very close to village frameworks.
13. **Policy ET/10 “Tourist Facilities and Visitor Accommodation”** requires that outside of development frameworks, development to provide overnight visitor accommodation, will only be permitted through appropriate replacement of buildings not requiring large extension, or by appropriately modest extensions to existing facilities.
14. **Policy NE/6 “Biodiversity”** aims to maintain, enhance, restore or add to biodiversity. Opportunities should be taken to achieve positive gain through the form and design of development. Where appropriate, measures may include creating, enhancing and managing wildlife habitats and natural landscape. The built environment should be viewed as an opportunity to fully integrate biodiversity within new development through innovation.
15. **Policy NE/15 “Noise Pollution”** states that planning permission will not be granted for development, which has an unacceptable adverse impact on countryside areas of tranquillity or on the indoor and outdoor acoustic environment of existing or planned development.
16. **Policy TR/1 “Planning for More Sustainable Travel”** states that planning permission will not be granted for developments likely to give rise to a material increase in travel demands unless the site has (or will attain) a sufficient standard of accessibility to offer an appropriate choice of travel by public transport or other non-car travel mode(s). Opportunities to increase integration of travel modes and

accessibility to non-motorised modes by appropriate measures will be taken into consideration. The Local Transport Plan road user hierarchy will also be taken into account in the determination of planning applications to ensure adequate emphasis has been placed on the relevant modes, although no modes should be promoted to the exclusion of others.

17. **Policy “TR/2 Car and Cycle Parking Standards”** identifies maximum parking standards to reduce over-reliance of the car and to promote more sustainable forms of transport. Cycle parking should be provided in accordance with minimum standards.

The Cambridgeshire and Peterborough Structure Plan 2003:

18. **Policy P1/3 “Sustainable Design”** 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 Local Development Framework 2007.
19. **Policy P9/2a - Green Belt** defines the extent to which urban growth around Cambridge will be limited in order to preserve the character of Cambridge, maintain and enhance the quality of its setting, and to prevent communities merging into one another and the city. In the Green Belt development is limited to appropriate rural uses such as for agriculture.

Consultation

20. **Girton Parish Council** – recommends Approval
21. **Local Highway Authority** – The proposal does not provide sufficient details of likely traffic impact of the proposal. A more detailed transport statement is required to clarify such issues as parking demand and provision, frequency of use and who will be using the proposed function room. (Highway comments in response to additional information to be expressed verbally at Committee.)
22. **Conservation Officer comments:**

“The original Victorian building at the core of the Felix Hotel is not a listed building, but is a building of some local interest. The design of the recently constructed bedroom wings respects the symmetry of the overall design of the house, but are architecturally weak and rather disappointing. The proposed new function room will avoid the need to erect temporary (and unsightly) marquees for functions on the ground to the side of the hotel and will allow the opportunity to create a more controlled environment to reduce disturbance of neighbours. The design of the function room is restrained, so as not to detract from the original dwelling, but to complement it. In some respects this approach might be regarded as a bit of a lost opportunity, but it is an acceptable solution that will site comfortably in its context.

On the assumption that the case for exceptional circumstances justifying development in the Green Belt is accepted, then I would not object to this proposed development.

In the event that the application is approved I would wish to see a condition requiring the removal of the old property before the new function room can be used. Similarly I would wish to see appropriate controls put in place (Section 106) to prevent the continued use or siting of a marquee on the site. Samples of all external materials to also be agreed by condition”.

23. **Corporate Manager (Health and Environmental Services)** – There are no objections in principle, however if the application is successful, it is recommended that the following conditions be applied to any consent granted:

- a) 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 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.
- b) If it is necessary to install subsequent plant and equipment following completion of the development for which consent is currently being sought, the additional equipment shall be subject to a condition that seeks to restrict the impact that it can have on nearby residential property.
- c) During the period of construction no power operated machinery shall be operated on the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the local Planning Authority in accordance with any agreed noise restrictions.
- d) Details of any external lighting including flood lighting shall be submitted to and approved by the local Planning Authority before construction commences.
- e) The rating level of noise emitted from the development hereby permitted shall not at any time exceed the existing background noise level determined to be 41 dB LA90. The noise levels shall be determined at the nearest noise sensitive dwelling. The measurements and assessment shall be in accordance with BS4142: 1990.
- f) To enable fine-tuning of music levels and to ensure that the hotel operates within the design parameters of the function room, an electronic limiter shall be installed to control music levels inside the function room. A competent person shall install the noise-limiting device.

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

24. **Landscape Design Officer** has no objections but would like to see an additional evergreen tree (Holm Oak) in the area of grass between the west wing of the Hotel and the roadway. This would provide a foreground feature to the extension when viewed from the houses to the north west.

Representations

25. Two letters of representation have been received from the occupiers of Nos. 4 and 6, The Brambles. They outline the following concerns:

The guests attending events should not be permitted on the garden areas adjacent to the back gardens of the houses in The Brambles or Thornton Close.

There are 10 existing parking spaces on the service road to the kitchen area. On the proposed plans it appears that five of these have been removed to improve access to the kitchen. However, it does not appear clear whether these spaces would remain or be removed. No further parking spaces should be allowed on this part of the service road. These parking spaces are mainly used by staff, with shifts ending late at night causing the main disturbance.

Light pollution from the site at night is already significant, so it is hoped that steps will be taken to ensure that the proposed extensions will not make this any worse.

One of the residents also comments:

“The proposals have several merits, namely that the function room fits in aesthetically with the adjacent bedroom block and with the demolition of the old caretakers house. This building has always been an eyesore. The proposed soundproofing should resolve the serious issues with noise”.

Planning Comments – Key Issues

Green Belt

26. Planning Policy Guidance Note 2: Green Belts (PPG2) includes a presumption against inappropriate development in the Green Belt. This presumption, as defined in PPG2, is applied in relation to the Cambridge Green Belt by Policy GB/1 in the South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document (DCP). PPG2 indicates that the construction of new buildings inside a Green Belt is inappropriate unless it is for a limited range of uses.

By definition the proposed function room extension and conservatory would both constitute inappropriate development within the Green Belt. They would not preserve the openness and character of the Green Belt. To a limited extent the proposal would also result in further encroachment into the countryside and in that regard would be contrary to the purposes of the Green Belt.

Noise

27. The two identified main sources of noise that emanate from the site are those from the emptying of bins within the kitchen storage yard and functions that are held within the hotel grounds. The kitchen yard does have permission, but its enclosure has yet to be implemented. Furthermore, the holding of functions is deemed an integral part of the hotel's business and although the hotel does provide small function rooms, up to 20 larger events are carried out every year making use of a marquee within the hotel grounds. It is these large outdoor functions that have resulted in further noise and disturbance to the amenities of the surrounding neighbours, with a marquee offering no sound attenuation and it being difficult to control guests spilling out within the hotel grounds.

28. The proposed function room has been specifically designed to accommodate all types of functions for the hotel with acoustic attenuation in mind. The building is designed to be sound proof with no windows or doors opening onto the grounds to the northwest, to alleviate the possibility of noise disturbance to the neighbouring residential properties within the Brambles and Thornton Close. It is also proposed that the function room would contain a sound limiting device, which, when activated, would trip the power to all equipment. The building would also contain plant and machinery within the roof space in order to cool and heat the room as necessary without the need for opening fenestration. It has also been agreed by the applicant that, should planning permission be granted, they would enter into a legal agreement to prohibit the use of a marquee within the hotel grounds.

Visual Amenity

29. At present the site has two approved development proposals, which are yet to be implemented. They consist of a conservatory to the southeast wing of the hotel and the construction of an enclosed kitchen-service and yard to the northwest corner of the hotel. There is also an existing two-storey detached former dwelling upon the northern wing of the hotel, which is currently used as ancillary office accommodation. The cumulative floor space of the unimplemented development and the dwelling is approximately 160 square metres. If the current proposals for a function room and conservatory were granted then the current un-implemented consents could not be built and the applicant would agree to a condition for the existing dwelling to be demolished before any work on site was carried out.
30. The existing dwelling on site is an unsightly building of no architectural merit that bears no resemblance to the vernacular architecture of the hotel or the existing Victorian villa. The building is located upon the northern edge of the hotel within close proximity to the residential properties within Thornton Close. Its loss would not only be an improvement upon the visual appearance of the existing buildings and site as a whole but it would also break down the built form between the hotel buildings and the adjacent village framework, thus increasing the visual break between the two, which offers more openness to this part of the site.
31. The proposed function room has been specifically designed to be non-visually prominent and sound attenuated. The building would be built using materials to match that of the existing hotel and would be subservient in its built form to the existing hotel. The building envelope would not project any further west than the existing northern wing of the hotel and would create an open courtyard between the two. It is my opinion that this building would not interrupt existing views across the site from the south, west or north.
32. The building would be energy conscious in its design and built form as well as its use. It is proposed that it will be insulated with low energy fittings where appropriate. It will be heated through the use of a ground source heat pump and cooled through a ground source loop system. There has already been some minor landscaping carried out to the bund, which separates the hotel grounds and the residential properties within the Brambles. However, given the nature of this development, there would be further scope for a more comprehensive hard and soft landscaping scheme, which could be controlled by condition.

Traffic Impact

33. The site at present has 92 car parking spaces with 6 cycle spaces and 1 disabled space. The proposed development would result in the loss of 5 standard spaces. The design and access statement makes reference to the fact that, during the history of the site, there has been no highway problem through traffic congestion or incidents. The flow of traffic to the site is usually staggered with large numbers of guest travelling by public transport or private taxi. It is argued within this statement that the proposed extensions would not have a greater impact upon the existing car parking or traffic movements to the site as the proposed extension would replace the use of temporary buildings. Under the Council's maximum parking standards the existing site would require a maximum threshold of 127 spaces. The proposed extensions would see a net increase in floor space of approximately 283 square metres, which would require a maximum provision of 140 spaces. The proposed parking provision of 87 spaces is in my opinion deemed acceptable for this site given its close proximity to the village of Girton and the Cambridge City fringe. I acknowledge that those frequenting the function room will in most cases be guests of the hotel or part of larger parties such as weddings or conferences, which would arrive by various modes, including car, coach or private taxi's if not public transport. The 5 car park spaces, which are to be removed are adjacent to the residential properties within the Brambles and Thornton Close and would therefore aid in the alleviation of noise and disturbance upon these residents.

Other Considerations

34. It is necessary to consider whether there are other considerations that would clearly outweigh the harm by reason of inappropriateness in the Green Belt. In this regard the applicant indicates that:

"Planning approval was granted for the creation of the hotel because it provided an opportunity to improve upon the 'openness' of the site by demolishing the inappropriate and sprawling extension that had been built and replace them with carefully designed and sited extensions, further away from the houses.

The hotel is allowed to erect a temporary structure for a number of days each year and, as outlined elsewhere the use of these has caused problems for some of the neighbours. The proposed creation of a permanent function room to replace these temporary structures, which when viewed from any location around the site can either not be seen or being lower than the existing buildings, will have the existing buildings as a silhouetted backdrop.

The proposed conservatory, located partially on the site of the existing Victorian conservatory is likewise located where it can either not be seen or will be silhouetted against the existing buildings".

35. Moreover there will be improved protection of residential amenity through the design and use of a sustainable soundproof building. Furthermore, the applicant has agreed to a condition to demolish the dwelling before work commences.
36. The existing unattractive two-storey detached dwelling (currently being used as an ancillary office) will be removed. Furthermore, the site still has permission to build a conservatory and kitchen yard, which have yet to be implemented. These extensions will not be able to be built if the permission is granted for the conservatory and function room. Floorspace will, therefore, be lost.

37. In my opinion, the cumulative impact of these considerations represent special circumstances, which would outweigh the harm by reason of inappropriateness in the Green Belt.
38. Applications for inappropriate development are treated as Departures from the Development Plan. However, very special circumstances have been identified to justify this development. Having regard to the provisions of The Town and Country Planning (Green Belt) Direction 2005, I consider that, if the Committee is minded to approve the application, it be referred to the Secretary of State, by reason of the narrowness of the Green Belt in this locality, its proximity to residential development and the nature and location of the proposal.

Recommendation

That the Committee be minded to approve the application and that it be referred to the Secretary of State in accordance with The Town and Country Planning (Green Belt) Direction 2005. In the event that the Secretary of State does not call the application in for her decision, approval be issued subject to the following conditions:

39. Approve

Conditions

1. SCA – RCA.
2. SC5a Materials - (RC5a)
3. No further windows, doors or openings of any kind shall be inserted in any elevation of the function room, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf. (Reason - To minimise noise disturbance to occupiers of the adjoining properties.)
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 measures for their protection in the course of development. (Reason - To enhance the quality of the development and to assimilate it within the area.)
5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. (Reason - To enhance the quality of the development and to assimilate it within the area.)
6. 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 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 minimise noise disturbance to adjoining properties).

7. During the period of construction no power operated machinery shall be operated on the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the local Planning Authority in accordance with any agreed noise restrictions. (Reason - To minimise noise disturbance to adjoining properties).
8. No external lighting including flood lighting shall be installed other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. (Reason - To minimise light pollution).
9. The rating level of noise emitted from the development hereby permitted shall not at any time exceed the existing background noise level determined to be 41 dB LA90. The noise levels shall be determined at the nearest noise sensitive dwelling. The measurements and assessment shall be in accordance with BS4142: 1990. (Reason - To minimise noise disturbance to adjoining properties).
10. The use of the function room, hereby permitted, shall not commence until an electronic limiter shall be installed to control music levels inside the function room, hereby permitted, shall not commence until an electronic limiter has been installed to control music levels; thereafter the function room shall not be used unless the electronic limiter continues to be operational. (Reason - To minimize noise disturbance to adjoining residents).
11. No development shall commence until the existing two-storey dwelling, shown on Drawing No. 530-G2K, as "House Removed" shall be demolished. (Reason - To ensure the protection of the openness and character of the Green Belt.)
12. Notwithstanding the provisions of Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order without modification) no marquee or other temporary structure shall be erected or used within the application site for purposes of functions or for any other purpose connected with any hotel business or any other use falling within the Use Class C1 of the Town and Country Planning (Use Classes) Order 1987 as may be conducted from the site. (Reason - To ensure the protection of the openness and character of the Green Belt.)
13. No development shall commence until details of secure and covered cycle storage 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 provision of travel modes other than the motorised car in accordance with Policy TR/1 of the South Cambridgeshire Local Development Framework 2007.)

Informatives

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

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

- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Files Ref: S/0297/08/F, S/0817/00/F, S/0307/05/F, S/0718/06/O and S/0719/06/O
- 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 Committee7th May 2008**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0307/08/F - HISTON**Erection of 4 Residential Units (Following Demolition of Existing Buildings) and the Rationalisation of the Rear Gardens of Nos. 51, 53 and 55 Station Road On Land at Bishops Cycles, 49 Station Road and Land R/O 51- 55 Station Road for The Strategic Land Partnership****Recommendation: Delegated Approval****Date for Determination: 16th April 2008****Notes:**

This Application has been reported to the Planning Committee for determination because it is a departure from adopted policy to which objections on material planning grounds have been received.

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

1. The site is located on the eastern side of Station Road and near to the centre of the village. The application site is made up of land which currently accommodates 49 Station Road, the adjacent vacant Bishops Cycles which is a retail unit that extends beyond the rear of 51-55 Station Road and these abutting three terraced properties. The site is located within a predominantly residential area however there are commercial uses, including a nursery and surgery, interspersed. To the south of the site is a row of three terraced residential properties. However the majority of properties within the area are detached dwellings set within their own plots. To the rear of No 49 Station Road is a large beech tree which is protected by a Tree Protection Order. The site falls within the Conservation Area of Histon. The total site area is 0.16ha.
2. The full application received 20th February 2008 proposes the erection of 4 no. two and a half storey 4 bedroom residential properties accessed from Station Road with parking for them provided in a carport structure to the southern edge of the site. Conservation Area Consent has already been granted for the demolition of Bishops Cycles and No. 49 Station Road. A section 106 for an education contribution of £10,000 accompanies the application. The density equates to 44 dwellings per hectare, inclusive of Nos. 51-55 (odd) Station Road, which will be retained.

Planning History

3. **S/0163/07/F** – Erection of 4 residential units following demolition of existing buildings and rationalisation of rear gardens of Nos. 51, 53 and 55 Land was refused against Officer's recommendation at the 7th November 2007 Planning Committee for the following reason:

"The proposed scheme fails to achieve a high standard of design, in particular due to the form of window openings within timber boarded panels. The scheme fails to have sufficient regard to its context and as a consequence does not preserve or enhance the character and appearance of this part of the Conservation Area contrary to PPG15 and Policies DP/2 and CH/5 of the South Cambridgeshire Local Development Framework, Development Control Policies 2007".

This application is currently the subject of an informal hearing appeal.

4. **S/1113/07/CAC** – Total demolition of dwelling at 49 Station Road – Approved 25th July 2007.
5. **S/0164/07/CAC** – Total Demolition Of Dwelling – Refused 14th March 2007.
6. **S/2111/06/F** – Erection of 7 dwellings and 2 retail units – Refused 22nd December 2006 and appeal dismissed (APP/W0530/E/07/2035990/NWF).
7. **S/2090/06/CAC** – Demolition of 49 Station Road - Refused 22nd December 2006 and appeal dismissed (APP/W0530/A07/2035986).
8. **S/1007/06/F** – Erection of 4 dwellings and garages following demolition of existing cycle shop together with the provision for gardens for 51-55 Station Road – Refused and appeal dismissed (APP/W0530/A/06/2028714).
9. **S/0124/06/F** – Erection of 4 dwellings and garages following demolition of existing cycle shop together with the provision of gardens for 51 – 55 Station Road – Refused 21st March 2006.
10. **S/0584/05/F** – Demolition of cycle shop and erection of 2 terraced dwellings and 1 bungalow – Refused 16th May 2005.
11. **S/0583/05/CAC** – Total demolition of cycle shop – approved 26th May 2005.
12. **S/1260/04/F** – Residential development – withdrawn 13th August 2004.
13. **S/0911/02/F** – Residential development – Refused 8th July 2002 and appeal dismissed (APP/W0530/A/02/1096855).

Planning Policy

South Cambridgeshire Local Development Framework 2007

14. **ST/3 Re-Using Previously Developed Land and Buildings** establishes the target of at least 37% of new dwellings to be located on previously developed land or utilise existing buildings, in accordance with PPG3.
15. **ST/4 Rural Centres** includes Histon and as such development or re-development without any limit on individual scheme size will be permitted within the village framework provided that adequate services, facilities and infrastructure are available or can be made available.
16. **DP/1 Sustainable Development** only permits development where it is demonstrated that it is consistent with the principles of sustainable development. The Policy lists the main considerations in assessing whether development meets this requirement.

17. **DP/2 Design of New Development** requires all new development to be of a high quality design and indicates the specific elements to be achieved where appropriate. It also sets out the requirements for Design and Access Statements.
18. **DP/3 Development Criteria** sets out what all new development should provide, as appropriate to its nature, scale and economic viability and clearly sets out circumstances where development will not be granted on grounds of an unacceptable adverse impact e.g. residential amenity and traffic generation.
19. **DP/4 Infrastructure and New Developments** requires that development proposals should include suitable arrangements for the improvement or provision of infrastructure necessary to make the scheme acceptable in planning terms. It identifies circumstances where contributions may be required e.g. affordable housing and education.
20. **DP/7 Development Frameworks** permits development within village frameworks provided that retention of the site in its present state does not form an essential part of the local character; it would be sensitive to the character of the location, local features of landscape, ecological or historic importance, and the amenities of neighbours; there is the necessary infrastructure capacity to support the development; and it would not result in the loss of local employment, or a local service or facility.
21. **HG/1 Housing Density** is set at a minimum of 30 dph unless there are exceptional local circumstances that require a different treatment in order to make best use of land. Higher densities of 40 dph will be sought in the most sustainable locations.
22. **HG/2 Housing Mix** sets a mix of at least 40% of homes with 1 or 2 bedrooms, approximately 25% 3 bedrooms and approximately 25% 4 or more bedrooms for housing developments of less than 10 dwellings. Accommodation should also provide a range of types, sizes and affordability to meet local needs.
23. **HG/3 Affordable Housing** at a level of 40% of all new dwellings on developments on two or more units is required to meet housing need. The exact proportion, type and mix will be subject to the individual location and the subject of negotiation. Affordable housing should be distributed in small groups or clusters. Financial contributions will be accepted in exceptional circumstances.
24. **SF/1 Protection of Village Services and Facilities** permission will be refused for proposals which would result in the loss of a village service, pub or shop where it would cause an unacceptable reduction in the level of service provision in the locality.
25. **NE/1 Energy Efficiency** requires development to demonstrate that it would achieve a high degree of measures to increase the energy efficiency of new and converted buildings. Developers are encouraged to reduce the amount of CO₂ m³ / year emitted by 10%.
26. **CH/5 Conservation Areas** requires that planning applications for development proposals 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.
27. **TR/1 Planning for More Sustainable Travel** states that planning permission will not be granted for developments likely to give rise to a material increase in travel demands unless the site has (or will attain) a sufficient standard of accessibility to offer an appropriate choice of travel by public transport or other non-car travel mode(s). Opportunities to increase integration of travel modes and accessibility to non-motorised modes by appropriate measures will be taken into consideration. The Local Transport Plan road user

hierarchy will also be taken into account in the determination of planning applications to ensure adequate emphasis has been placed on the relevant modes, although no modes should be promoted to the exclusion of others.

Cambridgeshire and Peterborough Structure Plan 2003

28. **P1/3 Sustainable Design in Built Development** requires a high standard of design and sustainability for all new development, providing a sense of place appropriate to the location, efficient use of energy and resources and account to be taken of community requirements.

Consultation

29. **Histon Parish Council** - recommends refusal commenting:

- a) The only difference between this and the refused scheme is the façade to the road.
- b) As a designated Rural Centre, the infrastructure should be retained and grown as necessary and should include retail provision. It objects to the loss of retail, although the current retail buildings have been left to deteriorate.
- c) The proposed new dormer windows in the roof and the bay windows at street level on this narrow road add to the massing effect, which will detract from the current character of the area, where houses are on two storeys not three, noting especially the proximity of units 3 and 4 to the road, which adds to the problems.
- d) Units 3 or 4 should be moved back from the roadway 2-3 feet or the bays should be removed, so the frontage lines up with the terraced cottages and the façade retains a simpler elevation.

30. **Conservation Officer** – Observations:

“Earlier this year Members voted to refuse planning permission for a similar proposal (contrary to officer advice) due to the contemporary appearance of the proposed elevations. This fresh application attempts to address these concerns by adopting a traditional approach to the design, which draws on the Victorian traditions found nearby. I had pre-app discussions on the proposals and advised the applicant that a proposal along these lines would be regarded as enhancing the Conservation Area, since it would be a significant improvement on the appearance of the existing Bishops Cycle building. As such it would accord with PPG 15 and Policy CH/5 of the LDF Development Control Policies (though would be contrary to the affordable housing and housing mix policies).

Recommendations:

No objection. In the event that the application is approved I would wish to see conditions requiring agreement of samples of all external materials prior to construction commencing. I would also wish to see permitted development rights for alterations to the external appearance of the buildings removed so as to protect the Conservation Area”.

31. **Tree and Landscape Officer** – Comments:

- a) The works specified for the Beech tree must be submitted on a colour photograph/digital colour copy to show the extent of the 10 -15% reduction.
- b) Clarification of 4.16 stating the use of 'No Dig¹ construction for rear access, this proposed area is not clearly marked on any plan.

- c) Permitted development rights to be removed, as previously discussed.
32. **Landscape Design Officer** – Has no objections to the proposals subject to:
- a) The proposed low timber fence in front of units 3 and 4 being replaced with a low brick wall, two courses high plus brick on edge capping with a hedge planted behind. The capping should be a frost resistant but not engineering brick. This will continue the hedged frontage to this part of the street. She suggests yew hedging, as it is low maintenance and can be brought back to size if it gets too large over time.
 - b) A landscape plan to show this and the planting adjacent to the rear access to the car park.
33. **Corporate Manager (Health and Environmental Services)** – No comment received. However on the previous application he had recommend conditions relating to restricted hours of use of power driven machinery during construction and an informative relating to foundations and bonfires.
34. **County Archaeologist** – The site is in an area of archaeological interest and recommends a condition requiring investigation be carried out prior to development commencing.
35. **Local Highways Authority** – requires the following:
- a) The applicant must show the dimensions for the proposed car parking spaces, which should be 2.4m x 4.8m with a 6m reversing, space.
 - b) The applicant must dimension the vehicular visibility splays on the submitted drawings.
 - c) If, following provision of the above, the Highway Authority is satisfied that the proposal will have no significant adverse effect upon the public highway, the following conditions and informatives should be added to any permission issued in regard to this application.

Conditions

- a) Two 2.0 x 2.0 metres visibility splays be provided as shown on the drawings. The splays are to be included within the curtilage of the new dwelling. One visibility splay is required on each side of the access, measured to either side of the access, with a setback of two metres from the highway boundary along each side of the access. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.
- b) The manoeuvring area as shown on the drawings is maintained so that it is free of any obstruction that would prevent a domestic vehicle from being able to manoeuvre with ease so it may enter and leave the property in a forward gear.
- c) The access be provided as shown on the approved drawings and a width of access of 5 metres provided for a minimum distance of ten metres from the highway boundary and retained free of obstruction.

Informatives:

- (a) The granting of a 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.
 - (b) The developer should contact the Highway Authority, or its Agent, to arrange construction of any works within, or disturbance of, or interference with, the Public Highway, and that all costs associated with such works shall be borne by the Developer; and an informative to the effect that the Developer will neither be permitted to drain roof water over the public highway, nor across it in a surface channel, but must make arrangements to install a piped drainage connexion; and an informative to the effect that no window nor door will be allowed to open over a highway, and no foundation nor footing for the structure will be allowed to encroach under the Public Highway.
36. **Environment Agency** – No comments have been received. However, it noted in relation to the previous application that the site falls within Flood Zone 1 and it was considered that there were no other Agency related issues.

Representations

37. One letter of support has been received from the occupier of No. 55 Station Road commenting:
- a) Support for development of brownfield land to provide additional houses.
 - b) Provision of safer access to the rear of 55 Station Road.
38. Two Histon/Impington residents (44 Station Road and 24 Percheron Close) have written letters of objection, summarised as follows:
- a) The application should not be determined until the current appeal has been concluded.
 - b) Loss of a retail unit in an area historically of mixed commercial and residential uses.
 - c) Property has been poorly maintained to discourage potential commercial occupiers.
 - d) Impact on the Conservation Area if commercial use is not retained.
 - e) It is unnecessary to demolish no. 49 as this has always been occupied.
 - f) Replacement dwellings should be like-for-like to preserve the character and nature of the Conservation Area.
 - g) Noise and disturbance from the takeaway opposite on future occupants.
 - h) Loss of on-street car parking due to the development due to additional dropped kerb.
 - i) Impact of up to 8 additional cars requiring car parking and on-street car parking.

Planning Comments – Key Issues

39. The key considerations in determining this application are housing mix, public open space, education provision, affordable housing, conservation area, protected trees, landscaping, access, car parking, loss of retail use, residential amenity and demolition of no. 49 Station Road.

Demolition of 49 Station Road

40. The issue of the demolition of the unlisted No. 49 Station Road was fully explored at appeal (Ref. APP/W0530/A07/2035986). The Inspector concluded that, whilst the house indicates one period of growth of the settlement, the house itself does not make a positive contribution to the character and appearance of the area in that it appears to have no particular architectural or historic interest. In addition, it has been unsympathetically extended. Following this letter demolition consent was granted subject to a condition which precluded demolition from being undertaken until planning permission for the redevelopment of the site has been granted together with a contract of work for redevelopment completed (ref S/1113/07/CAC).

Loss of Retail

41. The loss of a retail unit was also fully explored at appeal (ref. APP/W0530/A/06/2028714). The Inspector concluded that the loss has not been significant in relation to the level of retail provision available in the village. The residential redevelopment would not have been contrary to the local plan policy. The 2004 local plan has largely been replaced by the Development Control Policies document 2007 however Policy SF/1 is similar to the previous Policy SH6.

Access and car parking

42. The Local Highway Authority has requested a plan of the full visibility splays. This has been requested. However it has been demonstrated as part of the earlier application that this access design can provide adequate splays.
43. 8 parking spaces, incorporating the necessary reversing space, are to be provided to the rear of Nos 51- 57 Station Road under a carport. This will be parallel to the rear garden of No. 57 Station Road. The car parking standard is 1.5 per dwelling. With 4 residential units there is a maximum provision of 6 spaces. The proposal has therefore an over-provision of 2 spaces. There are no highway authority objections on this issue.
44. There will not be a loss of on-street car parking as a consequence of this scheme. An existing access point serving no. 49 exists and the access now proposed is approximately 2m wider than this. This is not of significant consequence in terms of on-street parking, being less than half a car parking space in length.

Impact on Character and Appearance of the Conservation Area

45. Members may recall that the previous scheme was of a modern design. It was determined that, in particular the fenestration would not preserve or enhance the character and appearance of the Conservation Area. This revised scheme is of an identical form but has sought to provide a design that reflects the, largely, Victorian and Edwardian development in the area. It has again been the subject of pre-application discussion with both Planning and Conservation Officers. Officers consider the revised design to be of sufficient quality to ensure that it will now enhance and preserve the character and appearance of the Conservation Area.

46. The Parish Council's comments are noted regarding the bay windows and dormers, however these are well proportioned and are a familiar element within the vernacular architecture. Although the development is in effect 3 storeys (the second floor being within the roof), the street scene drawing submitted as part of the application demonstrates that the buildings will not be significantly higher than the neighbouring properties. The Design and Access Statement notes that the scheme's eaves height will be 250mm above that of the existing row of terraced cottages, and the ridge some 720mm higher. It should also be noted that an earlier scheme within a design matching the terrace to the south was refused. Although the bay windows project 600mm beyond the front of nos. 51-55, this element provides visual interest within the façade and does not unduly obscure views of the front of these dwellings when viewed from the street. I do not consider that the amendments requested by the Parish Council would result in an improved scheme.

Protected tree and landscaping

47. Subject to receiving the details of works to be carried out to the protected tree to the rear of the proposed terrace and requiring details of landscaping and boundary treatments by condition, the scheme will be appropriately landscaped and the protected tree preserved.

Other Matters

48. A Section 106 Agreement to secure a financial contribution of £10,000 for education has been entered into with the County Council.
49. The applicant has agreed to make a financial contribution towards the off-site provision of Public Open Space to meet the needs arising from the development.
50. Prior to the submission of this application, a viability assessment was submitted to the Housing Development Team. A copy of an email from the Housing Development Officer has been submitted with the application accepting that it would be unviable to provide an element of affordable housing either on or off-site as a consequence of this proposal. An independent consultant has verified this on the Council's behalf. The scheme is therefore, not in conflict with Policy HG/3, which provides for viability considerations to be taken into account. Moreover, the refusal of application ref S/0163/07/F did not cite lack of affordable housing as a reason.
51. Issues relating to residential amenity have been addressed and there will be no significant harm to residential amenity.

Departure

52. It is noted that, with the adoption of the Core Strategy and Development Control Policies Development Plan Documents, a mix of housing sizes and types in order to meet the requirements of Policy HG/2 of the LDF are required. This was not raised as an issue in the previous application either in the Committee report, discussion of the item, the reasons for refusal or, following the refusal of that application in pre-application discussions with Officers. Due to this it is considered unreasonable to now require a mix that accords with the policy. The applicants have written to state that they made this application, having carefully followed Officers' advice and to address the previous single reason of refusal.

53. It is considered that the scheme does not significantly harm the objectives of the Development Plan and as such does not need to be referred to the Secretary of State in accordance with the Town and Country Planning (Development Plans and Consultation) Departures Directions 1999.

Recommendation

54. Delegated approval of the application, subject to the signing of a section 106 agreement for a financial contribution towards public open space, submission of details relating to the full visibility splays and tree works, and the following planning conditions:
1. Standard Condition A – Reason A (standard time limit).
 2. No development shall commence until details of:
 - (a) The samples of the materials to be used for the external wall(s) and roof(s).
 - (b) Materials to be used for hard surfaced areas within the site including roads and car parking areas.
 - (c) Drawings of the dormer windows at large scale (1:20 minimum) have been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved details shall be implemented.
(Reason - To ensure that the development enhances the character and appearance of the Conservation Area in accordance with Policy CH/5 of the adopted Local Development Framework 2007).
 3. All windows and doors in the development hereby approved shall be constructed of timber. (Reason - To ensure details are appropriate to the Conservation Area in accordance with Policy CH/5 of the adopted Local Development Framework 2007).
 4. No development shall take place on the application site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. (Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains).
 5. During the period of demolition and construction no power operated machinery (or other specified machinery) shall be operated on the premises before 8.00 am on weekdays and 8.00 am on Saturdays nor after 6.00 pm on weekdays and 1.00 pm on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions. (Reason - To minimise noise disturbance to adjoining residents).
 6. Notwithstanding the submitted plans of the boundary treatments, details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted. Thereafter the approved scheme shall be implemented. (Reason - In the interest of residential amenity and preserving and enhancing the character and appearance of the Conservation Area in accordance with Policy CH/5 of the adopted Local Development Framework 2007).
 7. The boundary treatments to units 1 and 2 shall be constructed using a hand dig method. (Reason - To ensure the maximum protection of the roots area of the protected Beech tree).

8. 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 measures for their protection in the course of development. (Reason - To enhance the quality of the development and to assimilate it within the area).
9. SC52 – RC52 (Implementation of landscaping).
10. Prior to the works specified for the Beech tree being carried out there shall be submitted a colour photograph / digital colour copy showing the extent of the 10 - 15% reduction. (Reason - To ensure that the works to the Protected beech tree are necessary and do not harm the appearance or form of the tree).
11. No demolition, site clearance or building operations will commence on site until a plan has been submitted to and approved in writing by the Local Planning Authority of the area in which the use of a 'No Dig' construction method for the rear access is to be carried out. (Reason - To ensure that tree roots of the protected beech tree on site are not damaged as a result of the development hereby approved).
12. No demolition, site clearance or building operations shall commence until chestnut pale fencing (or other type of fencing approved by the Local Planning Authority) of a height not less than 1.3 metres shall have been erected around the Beech Tree to be retained on site at a radius from the trunk of not less than 3.6 metres or the extent of the crown spread plus one metre, whichever is the greater of the two. Such fencing shall be maintained to the satisfaction of the Local Planning Authority during the course of the development operations. Any tree removed without consent or dying or being severely damaged or becoming seriously diseased during the period of development operations shall be replaced in the next planting season with a tree of such size and species as shall have been previously agreed in writing with the Local Planning Authority. (Reason - To protect trees which are to be retained in order to enhance the development and the visual amenities of the area).
13. SC58 (Retention of existing hedge). (Reason - To protect the hedge which is of sufficient quality to warrant its retention and to safeguard the character of the area).
14. Before the dwellings are occupied, the access from the existing highway, car parking area and turning area shall be laid out and constructed in accordance with the approved plans. Thereafter the car parking area shall be retained at all times and shall not be used for any other purpose. (Reason - To ensure satisfactory access from the public highway, parking and turning).
15. Visibility splays shall be provided on either side of the junction of the proposed access road with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4 metres measured along the centre line of the proposed access road from its junction with the channel line of the public highway, and 45 metres measured along the channel line of the public highway from the centre line of the proposed access road. (Reason - In the interest of highway safety).
16. Visibility splays shall be provided on both sides of the access and shall be maintained free from any obstruction over a height of 600mm within an area of 2.0 metres x 2.0 metres measured from and along respectively the highway boundary. (Reason - In the interest of highway safety).

17. 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 dwellings hereby permitted unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf:-

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

(b) PART 2, (Minor development, Class A).

(Reason - To safeguard the character of the Conservation Area and to ensure that works carried out will not harm the protected tree that is within the site).

18. No windows, doors or openings of any kind shall be inserted at first and second floors in the side elevations of the development, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf. (Reason - To safeguard the privacy of occupiers of the adjoining properties.)

Informatives

General

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

Environment Agency

1. The development is situated within Zone 1 of the Environment Agency's groundwater protection policy.
2. All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.
3. Where soakaways are proposed for the disposal of uncontaminated surface water, percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or CIRIA Report 156), and to the satisfaction of the Local Authority. The maximum acceptable depth for soakaways is 2 metres below existing ground level. Soakaways must not be located in contaminated areas. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted.
4. Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.

Local Highway Authority

1. The granting of a 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. The developer should contact the Highway Authority, or its Agent, to arrange construction of any works within, or disturbance of, or interference with, the Public

Highway, and that all costs associated with such works shall be borne by the Developer; and an informative to the effect that the Developer will neither be permitted to drain roof water over the public highway, nor across it in a surface channel, but must make arrangements to install a piped drainage connexion.

3. No window or door should open over a highway, and no foundation nor footing for the structure should encroach under the Public Highway.

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

- South Cambridgeshire Local Development Framework 2007
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file refs. S/1113/07/CAC, S/0163/07/F, S/0164/07/CAC, S/2111/06/F, S/2090/06/CAC, S/1007/06/F, S/0124/06/F, S/0584/05/F, S/0583/05/CAC, S/1260/04/F, S/0911/02/F and S/0307/08/F.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 May 2008

AUTHOR/S: Chief Executive / Democratic Services Manager

PUBLIC SPEAKING AT PLANNING COMMITTEE

Purpose

1. To review public speaking at meetings of the Planning Committee and the protocol introduced at the meeting in August 2007.

Background

2. At its meeting on 24 May 2007, Council resolved that public speaking at Planning Committee be introduced, and that the Planning Committee be authorised to review and amend the scheme at its discretion, Part 4 of the Constitution being amended accordingly.

Considerations

3. Public speaking at Planning Committee meetings, which includes contributions from local Members not on the Committee and members of parish councils, has been well received generally, and has allowed applicants, their agents, and objectors to take a greater part in the planning application process.
4. However, since August last year, circumstances have arisen which were not envisaged when the original protocol was agreed. In consultation with the Planning Services Portfolio Holder and the Chairman and Vice-Chairman of the Planning Committee, officers have drawn up a revised protocol to address these issues, attached to the report at **Appendix A** on the Council's website. This revision tries to reflect some of the lessons learnt so far. The main amendments are as follows:
 - (a) **NEW** Index – hyperlinked for ease of navigation online
 - (b) **CLARIFICATION** Public speaking should be allowed in respect of all planning applications and other **decision** items. Public speaking on information items (other than by local Members) will only be allowed with the agreement of the Chairman.
 - (c) **REQUEST** To assist in the effective management of the scheme, local Members not on the Committee should inform the Democratic Services Officer, before noon on the Monday before the meeting, of their intention to speak. The agenda order will be changed after that time so that items with public speaking are all dealt with before those without any public speaking.
 - (d) **CLARIFICATION** The term 'parish council representative' is replaced by 'parish council member' (either elected or co-opted). As before, the preference is that the member should be the Chairman, but the clarification makes it clear that parish council clerks cannot address the Committee.

- (e) **NEW** With the consent of the Chairman, local Members and parish councils for wards neighbouring the ward in which the application site is located will be allowed to speak.
- (f) **CLARIFICATION** Questions to public speakers prior to the Committee debate should be brief, and must be limited to seeking clarification on points already made, rather than introducing brand new elements or inducing statements that were not originally volunteered.
- (g) **NEW** A section relating to behaviour, relating specifically to
 - The interruption by the public of proceedings, such as entering the area where Councillors sit, shouting or gesticulating, and distributing papers or photographs without the Chairman's permission and other than via a Council officer.
 - The Chairman's right to clear that part of the meeting room in which there is a disturbance
 - The prohibition of any banner, placard, poster or other similar item. The Chairman may require any to be removed.
 - The prohibition, unless specifically authorised by resolution, of audio and / or visual or photographic recording equipment in any format

Options

- 5. The Committee has the option to approve the protocol attached at **Appendix A**, either in whole or in part or as amended, or continue with the existing protocol.

Implications

6.	Financial	None specific
	Legal	
	Staffing	
	Risk Management	
	Equal Opportunities	

Consultations

- 7. Consultations have taken place with the Planning Services Portfolio Holder, the Chairman and Vice-Chairman of the Planning Committee and the Development Control Manager.

Effect on Corporate Objectives and Service Priorities

8.	Work in partnership to manage growth to benefit everyone in South Cambridgeshire now and in the future
	None specific

Deliver high quality services that represent best value and are accessible to all our community
The introduction of, and subsequent agreement of improvements to, the public speaking scheme, enables effective engagement by residents and parish councils with the decision-making process.
Enhance quality of life and build a sustainable South Cambridgeshire where everyone is proud to live and work
None specific

Conclusions/Summary

- 9. To be effective, any system of public speaking must, to some extent, be self-policing. It must be seen to be fair to everyone, and members of the Planning Committee should adhere to its general principles. A system of customer feedback is in place.

Recommendations

- 10. It is recommended that the Planning Committee adopt the revised public speaking protocol.

Background Papers: the following background papers were used in the preparation of this report: None

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee7th May 2008**AUTHOR/S:** 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**Circle Anglia – 76 affordable dwellings – Land off Cambridge Road, Great Shelford – Appeal dismissed.**

2. This was a major appeal involving an inquiry lasting 5 days. A group of local residents, a representative of the Rugby Club and Cllr Nightingale all spoke at the inquiry. Following the receipt of amended plans shortly before the inquiry, the main issues were the impact on the Green Belt; the effect on the character and appearance of the area; whether there was an acceptable mix of housing; whether the location would promote accessibility to services and facilities other than by use of the private car; impact on the adjoining rugby club; car parking provision; living conditions of nearby residents; and if the development was inappropriate development in the Green Belt, there were very special circumstances to justify the development.

Green Belt

3. The appellant referred to several Green Belt studies and the potential of the site for development. The Council pointed out these were studies aimed at informing reviews of the Green Belt and the site was still part of the Green Belt.. The site was being promoted as a rural exception site. Policy HG/5 and PPS3 allow for 100% affordable housing on "small" sites. The inspector was required to consider whether the development would amount to "limited" development in the Green Belt and agreed with the Council that the determining factor was the impact on the Green Belt itself and not the village. The fact there may be a need for this number of houses in the village did not make this limited development. The development was found to be inappropriate within the Green Belt.
4. The site is an undeveloped field. As such, the size and scale would significantly reduce the openness of this part of the Green Belt. The inspector also accepted that the proposals would result in further consolidation of development in depth between Shelford and Trumpington. The existing rugby club building, floodlights and telecommunications mast do not provide containment of the site. The development would therefore result in further encroachment into the countryside contrary to the purposes of the Green Belt.

Character and appearance

5. It was agreed that the character and appearance of the area is a mix of different types and styles of frontage residential property. There would be no harm to wider landscape objectives. While there are isolated examples of three-storey dwellings along Cambridge Road, the proposed three-storey element of the scheme was in a prominent position and would be out of keeping with the more suburban character of local surroundings. Objections to the possible impact on trees alongside the proposed access road could be overcome and protected through an appropriate condition.

Mix of development

6. The Council considered that 76 affordable dwellings in one place did not provide an appropriate mix of housing and would not create a sustainable community. Nonetheless, the proposal would provide for a range of 1, 2, 3 and 4 bedroom properties and the number, size, tenure and mix of dwellings reflected the currently identified need for the village. The inspector found the development would accommodate a range of different households and there would not be an unusual concentration of socially disadvantaged residents. The units were to be offered to village residents by way of a legal undertaking and this would result in a scheme that was not detrimental to the maintenance of a successful mixed community.

Accessibility to services and facilities

7. The inspector was satisfied that provision for cyclists was satisfactory and that it would be well served by bus. The Council's primary concern was that the site was too remote from services and facilities in the centre of the village such that people would not be encouraged to walk. The inspector accepted this and concluded that the site's location would encourage shorter trips by car. The site could not therefore be described as well related to local services in this respect. Neither was the route into the village entirely attractive, given that the section of road over the railway bridge had no verge and was exposed.

Rugby Club

8. The inspector agreed that the rugby club is a valuable amenity for the local community. The continued use of floodlights was important to the club and there was concern that future residents would complain about their impact. The proposed development was likely to require street lighting and given that the floodlights could be adjusted to reduce the glare they currently cause, the amenities of future residents would not be harmed.
9. Due to the limited parking available, this often takes place off site when larger events are held. Nonetheless, even if the proposed development did not take place, the club would still have to find alternative car parking at times of peak demand. The proposals would not make the situation any worse. In addition, the inspector was not persuaded that future residents would need to complain about noise.

Car parking

10. The total of 92 of car parking spaces would be less than the Council's average maximum of 118. The Council was concerned that existing and future residents would suffer a loss of amenity as a result. PPG13 states that developers should not provide more parking spaces than they themselves wish and taking into account the

likely car ownership rates for future residents and within the village as a whole, the inspector was satisfied that adequate parking provision had been made.

Overlooking

11. Concern had been expressed in respect of the relationship of new dwellings to the rear of two properties in Westfield Road. Although the Council's custom and practice back-to-back distances would not be met, the inspector was satisfied that in this case neither property would suffer an unacceptable loss of privacy.

Other considerations

12. The Council did not dispute the need for the development based on a 2004 housing needs assessment. Local needs could be properly met through the proposed unilateral undertaking. The appellants had contended that there were no other alternative appropriate sites in the village. Both main parties had assessed a number of possible alternative sites and the Council had disagreed. Having considered the alternatives, the inspector concluded that the constraints surrounding each site were not so significant that they would preclude development in principle of sites sufficient to provide the numbers of affordable housing needed.
13. Part of the appellant's argument was that none of these sites could be developed quickly and thus meet the identified need. However, the inspector was not convinced that the appellants could develop their site quickly enough so that the development was available for occupation by 2009 (the period of the housing needs survey). In view of this uncertainty, the advantages of developing the appeal site over other possible alternative sites were not so substantial that significant weight should be attached.
14. Overall, the benefits of the proposal did not clearly outweigh the harm that had been identified in other respects and the appeal should be dismissed.
15. Local residents had also raised other concerns, particularly those relating to highway safety. The inspector did not find the proposals unacceptable in this respect.

Comment:

The success in defending this appeal owes much to the efforts of all those who appeared at the inquiry. Local residents provided well-structured opposition using their time well at the inquiry. The decision is important in confirming that just because a site provides 100% affordable housing, this does not mean that it should automatically be considered a rural exception site within the meaning of Policy HG/6. Where such sites lie within the Green Belt, these considerations may ultimately prove to be the most important. The decision also confirms that while Great Shelford may be one of our more sustainable settlements, it is still important that sites are well related to the services and facilities it has to offer.

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