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23 June 2008

To: Chairman – Councillor Mrs PS Corney
Vice-Chairman – Councillor RJ Turner
All Members of the Planning Committee - Councillors Mrs PM Bear, BR Burling,
TD Bygott, Mrs JM Guest, Mrs SA Hatton, Mrs CA Hunt, SGM Kindersley,
MB Loynes, CR Nightingale, Mrs DP Roberts, Mrs HM Smith and JF Williams,
and to Councillor NIC Wright (Planning Portfolio Holder)

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, 2 JULY 2008 at 2.00 p.m.**

Yours faithfully
GJ HARLOCK
Chief Executive

The Council is committed to improving, for all members of the community, access to its agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you.

Members of the public and parish councils wishing to speak at this meeting must contact the Democratic Services Officer by no later than noon on Monday before the meeting.
A [public speaking protocol](#) applies.

Planning Applications might be considered in a different order to that published below to assist in the effective management of public speaking. Any revision will appear on the website the day before the meeting.

AGENDA		PAGES
PROCEDURAL ITEMS		
1. Apologies	To receive apologies for absence from committee members.	
2. General Declarations of Interest		1 - 2
3. Planning Sub-Committee	Following the meeting of the Planning Committee on 4 June 2008, to confirm membership of the Planning Sub-Committee as follows:	

Conservative Group members

Chairman of the Planning Committee – Councillor Mrs PS Corney
Vice-Chairman of the Planning Committee – Councillor RJ Turner
Councillor Mrs JM Guest
Councillor CR Nightingale

Liberal Democrat Group members

Councillor SGM Kindersley
Councillor Mrs HM Smith

Independent Group member

Councillor Mrs SA Hatton

4. Minutes of Previous Meeting

To authorise the Chairman to sign the Minutes of the meeting held on 4 June 2008 as a correct record, subject to noting that Minute no. 6 (Temporary Stop Notice as a planning enforcement tool - amendment to the Constitution) should have been a resolution of the Planning Committee rather than a recommendation to Council.

PLANNING APPLICATIONS AND OTHER DECISION ITEMS

- | | | |
|------------|---|----------------|
| 5. | S/0551/08/F – BAR HILL (17 Otter Close) | 3 - 10 |
| 6. | S/0686/08/F – COTTENHAM (Land North of Orchard Close) | 11 - 24 |
| 7. | S/0740/08/F – FOXTON (36 High Street) | 25 - 32 |
| 8. | S/0629/08/F – LITTLE EVERSDEN (At Land Adj 52 Harlton Road) | 33 - 56 |
| 9. | S/0723/08/F – HEYDON (43 Fowlmere Road) | 57 - 66 |
| 10. | S/0632/08/F – SAWSTON (25 Granta Road) | 67 - 70 |
| 11. | S/0654/08/O – WATERBEACH (4, 6, 8, 10, 10a, 12, 14, 16 and 18 Rosemary Road) | 71 - 82 |

INFORMATION ITEMS

The following items are included on the agenda for information and are available in electronic format only (at www.scams.gov.uk/meetings and in the Weekly Bulletin dated 25 June 2008). Should Members have any comments or questions regarding issues raised by the report, they should contact the appropriate officers prior to the meeting.

- | | | |
|------------|--|----------------|
| 12. | Appeals against Planning Decisions and Enforcement Action | 83 - 88 |
| | Summaries of Decisions of interest attached. | |
| | Contact officers: | |
| | Gareth Jones, Corporate Manager (Planning and Sustainable Communities) – Tel: 01954 713155 | |
| | John Koch, Appeals Manager (Special Projects) – Tel: 01954 713268 | |
| 13. | Enforcement Action | 89 - 92 |

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Disturbance by Public

If a member of the public interrupts proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared.

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The law allows Councils to consider a limited range of issues in private session without members of the Press and public being present. Typically, such issues relate to personal details, financial and business affairs, legal privilege and so on. In every case, the public interest in excluding the Press and Public from the meeting room must outweigh the public interest in having the information disclosed to them. The following statement will be proposed, seconded and voted upon.

"I propose that the Press and public be excluded from the meeting during the consideration of the following item number(s) 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(s) of Part 1 of Schedule 12A of the Act."

If exempt (confidential) information has been provided as part of the agenda, the Press and public will not be able to view it. There will be an explanation on the website however as to why the information is exempt.

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).
- (2) The Council considers every planning application on its merits and in the context of national, regional and local planning policy. As part of the Council's customer service standards, Councillors and officers aim to put customers first, deliver outstanding service and provide easy access to services and information. At all times, we will treat customers with respect and will be polite, patient and honest. The Council is also committed to treat everyone fairly and justly, and to promote equality. This applies to all residents and customers, planning applicants and those people against whom the Council is taking, or proposing to take, planning enforcement action. More details can be found on the Council's website under 'Council and Democracy'.

South Cambridgeshire District Council

Planning Committee – 2 July 2008 – Declaration of Interests

Councillor

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:

Reason:

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:

Reason:

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Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Village:

Reason:

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee2nd July 2008**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

**S/0551/08/F – BAR HILL
House at 17 Otter Close for Mr R Assvadian****Recommendation: Delegated Approval****Date for Determination: 18th June 2008****Notes:**

This Application has been reported to the Planning Committee for determination by request of the Local Member and referral from Chairman's Delegation Meeting on 2nd June 2008.

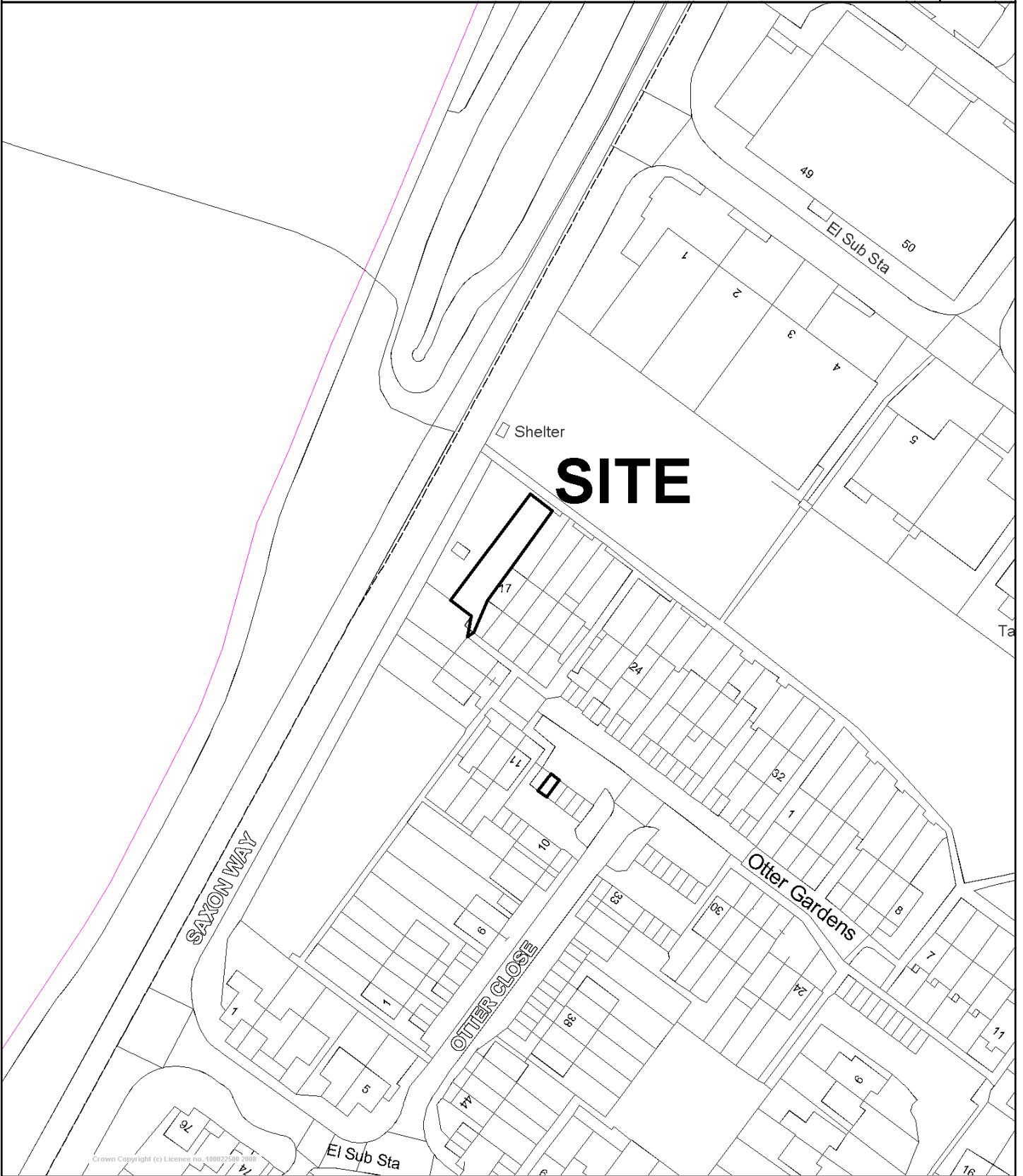
Site and Proposal

1. The application site lies within the Bar Hill village framework, and relates to the side garden area of no. 17 Otter Close. This is the end dwelling in a terrace of five two-storey properties. It is located at the end of the cul-de-sac, and is only directly accessible via foot, given the layout of the road and turning head. The land slopes down northwards across the site, and there is a large change of levels to the estate, with the site set at the bottom of the hill. The land to the north is designated as a Protected Village Amenity Area.
2. The site area is approximately 0.022 hectares. An amended location plan date stamped 24th April 2008 includes a garage within a nearby block within the red line of the application. Another garage is shown in the blue line that would remain in use for the occupiers of no. 17. There is some undesignated parking to the back of the garage block, and the garages themselves are accessed from the south through the courtyard.
3. The terraced dwellings are built into the sloping land. The roof of the houses measures 6m in height from the front elevation, and 6.7m from the rear elevation. The application, received 20th March 2008, proposes the erection of a two bedroom terrace house abutting No. 17. The proposal would continue along the existing terrace line, with the same height and design of roof, and would be the same width and length as no. 17 Otter Close at 4.9m and 9.8m respectively. The density equates to 45 dph.

Planning History

4. **S/0710/89/F** – House on land adjacent 17 Otter Close, Bar Hill. This application was refused on 15/6/89 on grounds of traffic congestion and parking pressures in the area, along with loss of privacy to the occupiers of no. 16 Otter Close.
5. **S/1658/76/F** – Extension to lounge of 17 Otter Close, Bar Hill. Approved 27/1/77.

S-0551-08-F



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Scale 1/1250 Date 17/6/2008

Centre = 537603 E 263643 N

July 2008 Planning Committee

Planning Policy

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

6. **Policy ST/5 Minor Rural Centres** – Allows residential development up to an indicative maximum scheme of 30 dwellings within village frameworks.

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

7. **Policy DP/1 Sustainable Development** – 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. In particular, it should minimise the need to travel and reduce car dependency.
8. **Policy DP/2 Design of New Development** – All new development must be of high quality design and, as appropriate to the scale and nature of the development, should preserve or enhance the character of the local area.
9. **Policy DP/3 Development Criteria** – Lists the requisites of new development to be provided as appropriate to the nature, scale and economic viability. These include car parking, with provision kept to a minimum, and outdoor play space. Permission would also not be granted for schemes which would have unacceptable adverse impact on residential amenity or from traffic generated.
10. **Policy DP/4 Infrastructure and New Developments** – Planning permission will only be granted for proposals that have made suitable arrangements for the improvement or provision of infrastructure necessary to make the scheme acceptable in planning terms.
11. **Policy DP/7 Development Frameworks** – Development of unallocated land and buildings within development frameworks will be permitted provided that retention of the site in its present state does not form an essential part of the local character, and development would be sensitive to the amenities of neighbours.
12. **Policy SF/10 Outdoor Play Space, Informal Open Space and New Developments**
All residential developments will be required to contribute towards Outdoor Playing Space and Informal Open Space to meet the need generated by the development.
13. **Policy TR/1 Planning for More Sustainable Travel** – 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 modes.
14. **Policy TR/2 Car and Cycle Parking Standards** – Car parking should be provided in accordance with the Council's maximum standards to reduce over-reliance on the car and to promote more sustainable forms of transport. In some locations, such as those with good accessibility to facilities and services, and served by High Quality Public Transport, the Council will seek to reduce the amount of car parking provided.
15. **Policy CH/6 Protected Village Amenity Areas** - Development will not be permitted within or adjacent to PVAA if it would have an adverse impact on the character, amenity, tranquillity or function of the village.

Consultation

16. **Bar Hill Parish Council** – Objection on the grounds of supporting neighbour objections to the new dwelling, and refer to a previous refusal on the same grounds. With regard to the amended location plan, state the objection still stands due to the fact that if a garage has been purchased from another resident, then they will cause parking problems because they will no longer have a garage.
17. **Environmental Health Officer** – No objections in principle to the proposal. Appreciate concerns regarding the adjacent gas station. Unsure if a condition can be added for the applicant to contact the user prior to construction.
18. **Building Control Surveyor** – Nothing in the Building Regulations about the positioning of gas stations in relation to dwellings.
19. **Local Highways Authority** - In principle the Highway Authority has no objection to the proposed development. There is an existing parking problem in the area and the proposal could make this slightly worse, but this would not be grounds for a refusal. The only issue of concern raised by the Area Traffic Engineer is the possibility that, due to the parking problems, the residents might be tempted to park on Saxon Way and use the proposed rear gate. Would there be any practical way to condition any approval to prevent rear access to the garden?

Representations

20. **38 Otter Close** – State the land is already crowded with vans and cars and parking is a problem. Also, concerns voiced regarding delivery lorries and the price of homes in the area likely to reduce as a result.
21. **1 Otter Gardens & 79 West Street, Comberton** – The same letter sent, object on grounds of parking and access for emergency vehicles, safety of the dwelling next to the sub-station, suitability of the ground, lack of space for commercial deliveries, statement in the lease not allowing further building works, and state that it was agreed years ago no more houses were to be built within the ring road.
22. **16 Otter Close** – Object on grounds of proximity to the gas sub-station and potential for an explosion, parking in the area and loss of privacy to the rear of the house and garden. In reply to the amended location plan, do not see a change in the garage space, so views on the parking issue remain the same.

Planning Comments – Key Issues

23. The principle of development is acceptable in terms of the adopted Core Strategy settlement policies. The proposal would continue the terrace of dwellings. The proposal would match the existing lines of the terrace, and would therefore blend into the existing terrace. The application states matching materials would be used. It would have no unacceptable harm to the street scene of Otter Close or Saxon Way to the west. The key issues relating to the scheme are the impact upon parking in the area, impact upon the amenity of the occupiers of neighbouring properties, and the proximity to the gas sub-station.

Impact upon parking in the area

24. The common issue raised by both the Parish Council and neighbouring properties is the level of parking in the area. The proposal shows that a garage would be available

for both dwellings giving one parking space for no. 17 and the proposed dwelling. Otter Close does have a number of cars parked along the road, and parking is made slightly trickier due to the slope on the road, and the surface in some of the garage courts. There is a communal parking area closer to the dwelling, already heavily used and considerable local concern has been raised with regard to increasing congestion levels that would be caused by the development. As for all residential cul-de-sacs of this type, the off-street parking means the demand for spaces is high.

25. I revisited the site following concerns of the local residents. Only taking into account the dwellings along Otter Close and nos. 1-8 and 24-30 Otter Gardens, the road supports 59 dwellings. I have counted a total of 104 off-road parking spaces, including all the communal parking areas, garages and driveways. This represents 1.7 spaces per dwelling. Information regarding ownership of the garage blocks in particular is unknown, so the figure quoted may not show an equal distribution of these spaces to every dwelling. The Council's parking standards are maximum standards, and the above figures do accord with the policy. I note the Local Highways Authority has no objections to the scheme. A condition can be added to ensure the garages are retained for the two dwellings.
26. If the proposed and existing dwelling has one allocated car parking space each, Members must consider the extent of harm that may be caused by the proposal. Bar Hill is classified as a Minor Rural Centre. A good bus service runs to the village from Huntingdon and Cambridge, and the village itself has good facilities and services such as the superstore and mall. The site is also close to the industrial sector of the village, and there are pedestrian routes around the site linking it to other parts of the village. For a dwelling of this size in this location, it is likely that a maximum of just one off street parking space is adequate. Given the number of dwellings served by the cul-de-sac, the increase in numbers of trips generated by the dwelling would not be significant.
27. The previous application on the site (S/0710/89/F) was refused on grounds of lack of parking and traffic congestion caused by the new development. This scheme was for a four-bedroom dwelling. The bulk of the dwelling has been reduced, and although the parking standards do not take into account house size, the proposed two-bedroom scheme would create less demand. I also note comments from the Local Highways Authority regarding any potential condition to prevent rear access to the garden. I do not believe this is reasonable, given existing rear accesses to neighbouring properties. It would also prevent easy access to the village footpath routes.

Impact upon the amenity on the occupiers of neighbouring properties

28. The previous application on the site was also refusal on grounds of impact upon the amenity of the occupiers of no. 16 Otter Close, relating specifically to loss of privacy. This dwelling is set at 90° to the application site, to the south. The proposed dwelling would run parallel with the rear garden of no. 16. It would therefore be clearly visible from the rear garden area, and would measure 5m from this boundary. However, no. 17 is already clearly visible and the proposal is not thought to be overbearing to this property, especially due to the fall in the land. Given the orientation, no loss of light would occur. Initial concerns regarding overlooking to this rear garden from the proposed facing first floor windows have been overcome. These now serve a bathroom and landing. A condition can ensure both are permanently obscure glazed, and no further windows are added. As a result, it is not considered the proposed dwelling would cause any serious harm to the occupiers of no. 16 Otter Close.

29. The rear facing windows from the proposed windows would serve a bedroom. It would allow some acute views into the garden of no. 17 Otter Close. However, this is no different to the relationship no. 17 has with no. 18, and is a relationship commonplace on estate developments. There would be no serious harm to the amenity of the occupiers of no. 17 Otter Close.

Proximity of the gas sub-station

30. I note the concerns from the occupiers of neighbouring properties in relation to the proximity of the gas sub-station located to the west of the proposed site. The Environmental Health Officer has been researching the matter, and information regarding the sub-station is not immediately forthcoming. There is no objection per se from the Environmental Health Officer, subject to clarification from the user. The Building Control Surveyor states there are no relevant building regulations. I have consulted the Health and Safety Executive, and any comments will be relayed verbally at the Committee meeting.

Other issues

31. The site, excluding the garage is approximately 0.022 hectares. A single dwelling represents a density of 45 dwellings per hectare. There is no provision for affordable housing as the application relates to a single dwelling. The land to the north is classified as Protected Village Amenity Area. Given the number of existing dwellings that back on to this land, no harm would be caused to this area.
32. A condition will require provision for outdoor playing space and informal open space in line with Policy SF/10 of the Local Development Framework Development Control Policies 2007.

Recommendation

33. Delegated Approval (as amended by revised location plan 1213/LP1 date stamped 24th April 2008) with conditions, subject to comments from the Health and Safety Executive.

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development which have not been acted upon.)
2. The garages shown on the approved amended location plan shall not be used other than for car parking and thereafter maintained as such.
(Reason – To ensure the continued provision of off-street parking spaces to both dwellings in the interests of highway safety and to safeguard the amenities of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
3. Apart from any top hung vent, the proposed first floor windows in the front (southwest) elevation of the dwelling, hereby permitted, shall both be fitted and permanently glazed with obscure glass.
(Reason - To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions and type of boundary treatment to be erected. The boundary treatment for the dwelling shall be completed before the dwelling is occupied in accordance with the approved details and shall thereafter be retained.
(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the front (southwest) elevation of the dwelling at and above first floor level unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.
(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
6. No development shall begin until details of a scheme for the provision of outdoor sports and playing space and informal open space infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policy SF/10 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.
(Reason - To ensure that the development contributes towards outdoor sports and playing space and informal open space in accordance with the above-mentioned Policy SF/10 and Policy DP/4 of the adopted Local Development Framework 2007.)
7. During construction, no power operated machinery (or other specified machinery) shall be operated on the premises before 08.00 am on weekdays and 08.00 am on Saturdays nor after 18.00 pm on weekdays and 13.00 pm on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing by the Local Planning Authority in accordance with any agreed noise restrictions.
(Reason - To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 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 Local Development Framework (LDF) Development Control Policies, adopted July 2007
- Planning file references – S/0551/08/F and S/0710/89/F

Contact Officer: Paul Derry – Senior Planning Assistant
Telephone: (01954) 713159

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee2nd July 2008**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0686/08/F - COTTENHAM
Erection of Thirteen Dwellings at Land North of Orchard Close
For Kelsey/Dominion Housing Association

Recommendation: Delegated Approval

Date for Determination: 9th July 2008 (Major Application)

Notes:

This Application has been reported to the Planning Committee for determination because it is for affordable housing on an exception site outside the village framework.

Members will visit this site on 2nd July 2008

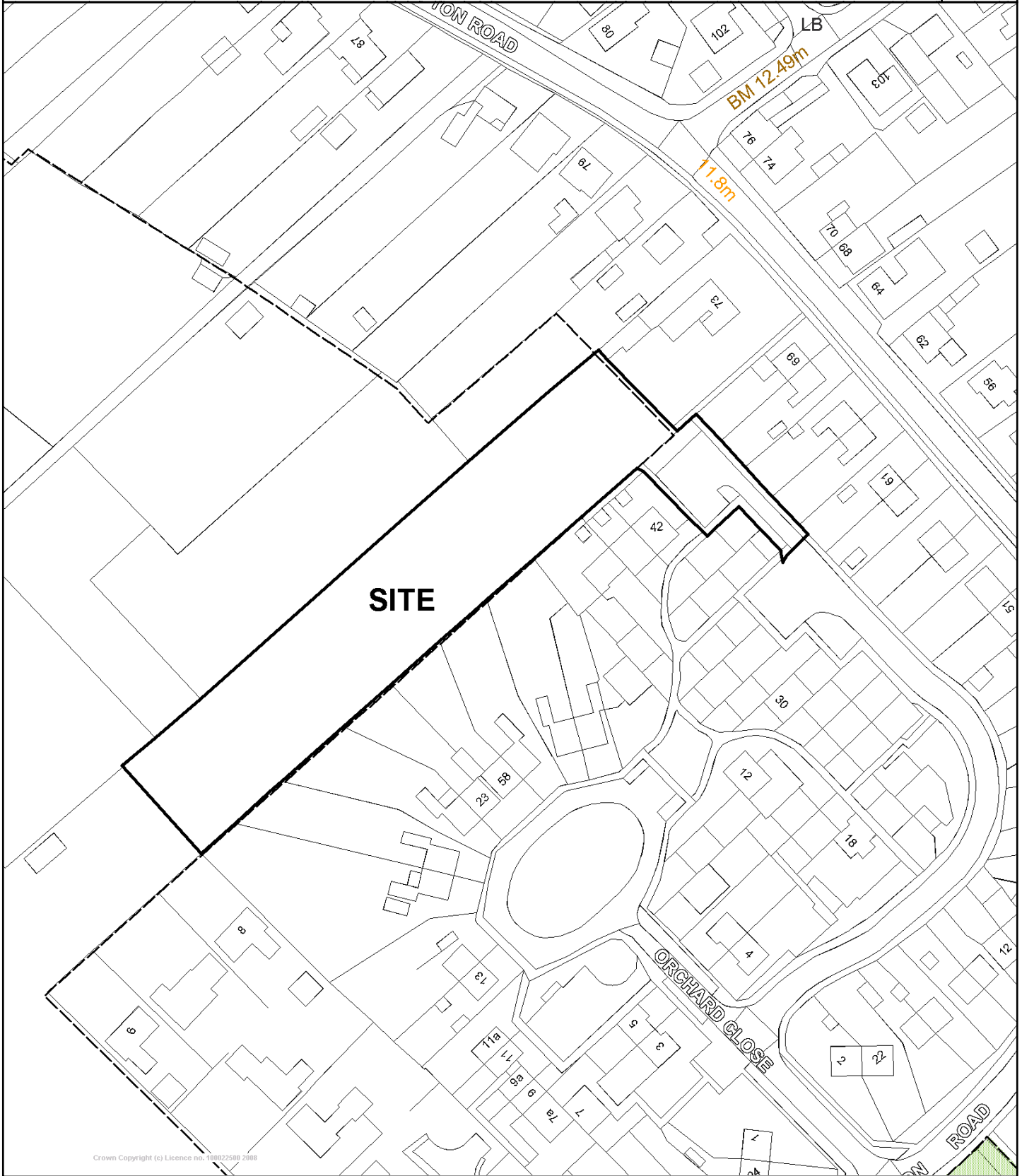
Site and Proposal

1. The application site, measuring 0.46 hectares, is a field to the north of Orchard Close on the western side of the village. It comprises an existing roadway serving a small car parking area and an arable field. There are gardens adjoining to the southeast, northeast and the northwestern end of the site. Orchards and fields beyond the site to the northwest and southwest bound the remainder of the site. The site is accessed via the car parking court off Orchard Close. A small number of trees mark the car park edge and a field hedge to the northwestern boundary. A post and rail fence marks the southwestern boundary.
2. This full planning application received on 9th April 2008 proposes the erection of thirteen affordable homes at a density of 28.26 dwellings per hectare (dph), comprising:
 - 6 no. 2-bedroomed houses;
 - 4 no. 2-bedroomed flats;
 - 2 no. 3-bedroomed houses and;
 - 1 no. 4-bedroomed house.

The application did not specify the mix of rented and/or shared equity. This will depend largely upon the extent of grant funding received and the perceived need for each type of tenure, dependent on the results of the recent village needs survey.

Access will be via the existing point off Orchard Close and will require the alteration of the existing access point and re-provision of 5 resident parking spaces. 25 parking spaces to serve the development are proposed. Two trees (including a Norway maple) would be removed.

S/0686/08/F - Cottenham



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Scale 1/1250 Date 16/6/2008

Centre = 544383 E 267222 N

Planning Committee July 2008

3. The application was discussed at an affordable housing panel on 18th June 2008 and, following this discussion and the submission of representations, will be amended. Members will be updated verbally at committee.
4. The application is accompanied by a Design Statement, Disabled Access Statement, Sustainability Appraisal, Water Conservation Strategy Statement, Health Impact Assessment, Affordable Housing Statement, Renewable Energy Statement and a Tree Report.

Planning History

5. The existing residential development at Orchard Close extended a post-war scheme of housing, approved in the 1970s under planning permission ref. **S/0846/74/O**.

Planning Policy

South Cambridgeshire Local Development Framework 2007

6. **Policy ST/5 – Minor Rural Centres** identifies Cottenham and states development and re-development of up to thirty dwellings will be permitted within village frameworks. For larger schemes of 9 or more houses, a Section 106 agreement may be used to secure contributions towards appropriate village services.
7. **Policy DP/1 - Sustainable Development** states development will only be permitted where it is demonstrated that it is consistent with the principles of sustainable development, as appropriate to its location, scale and form.
8. **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. **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. **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.
11. **Policy 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.
12. **Policy HG/2 - Housing Mix** - Affordable housing should be of an appropriate mix to respond to identified needs at the time of the development in accordance with HG/3.
13. **Policy HG/3 - Affordable Housing** occupation will be limited to people in housing need and must be available over the long-term. The appropriate mix in terms of housing tenures and house sizes of affordable housing will be determined by local circumstances at the time of planning permission, including housing need and the achievement of mixed and balanced communities. In order to ensure sustainable

communities, affordable housing will be distributed through the development in small groups or clusters.

14. **Policy HG/5 - Exceptions Sites for Affordable Housing** states:

1. As an exception to the normal operation of the policies of this plan, planning permission may be granted for schemes of 100% affordable housing designed to meet identified local housing needs on small sites within or adjoining villages. The following criteria will all have to be met:
 - (a) The development proposal includes secure arrangements for ensuring that all the dwellings within the scheme provide affordable housing in perpetuity for those in housing need;
 - (b) The number, size, design, mix and tenure of the dwellings are all confined to, and appropriate to, the strict extent of the identified local need;
 - (c) The site of the proposal is well related to the built-up area of the settlement and the scale of the scheme is appropriate to the size and character of the village;
 - (d) The site is well related to facilities and services within the village;
 - (e) The development does not damage the character of the village or the rural landscape.

15. **Policy SF/6 - Public Art and New Development** states in determining planning applications the District Council will encourage the provision or commissioning of publicly accessible art, craft and design works. The Policy will apply to residential developments comprising 10 or more dwellings.

16. **Policy SF/10 - Outdoor Play Space, Informal Open Space and New Developments** states 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**.

17. **Policy SF/11 - Open Space Standards** states the minimum standard for outdoor play space and informal open space is 2.8ha per 1000 people, comprising:

- (a) Outdoor sport 1.6ha per 1000 people.
- (b) Children's Playspace - 0.8ha per 1000 people.
- (c) Informal Open Space - 0.4ha per 1000 people.

18. **Policy NE/1 - Energy Efficiency** states development will be required to demonstrate that it would achieve a high degree of measures to increase the energy efficiency of new buildings, for example through location, layout, orientation, aspect and external design.

19. **Policy NE/3 - Renewable Energy Technologies in New Development** states all development proposals greater than 10 dwellings will include technology for renewable energy to provide at least 10% of their predicted energy requirement.

20. **Policy NE/6 - Biodiversity** requires new developments to aim to maintain, enhance, restore or add to biodiversity. The District Council will refuse development that would have an adverse significant impact on the population or conservation status of protected species, priority species or habitat, unless the impact can be adequately mitigated by measures secured by planning conditions. Previously developed land will not be considered to be devoid of biodiversity. The re-use of such sites must be undertaken carefully with regard to existing features of biodiversity interest. Development proposals will be expected to include measures that maintain and enhance important features whilst incorporating them within any development of the site.
21. **Policy NE/9 - Water and Drainage Infrastructure** indicates that planning permission will not be granted where there are inadequate water supply, sewerage or land drainage systems to meet the demands of the development unless there is an agreed phasing agreement between the developer and the relevant service provider to ensure the provision of necessary infrastructure.
22. **Policy NE/12 - Water Conservation** states that development of more than 1000m² or more than 10 houses will be required to submit a water conservation strategy prior to the commencement of the development to demonstrate how this is to be achieved.
23. **Policy TR/1 - Planning for More Sustainable Travel** states planning permission will not be granted for developments likely to give rise to a material increase in travel demands unless the site has a sufficient standard of accessibility to offer an appropriate choice of travel by public transport or other non-car travel modes. The amount of car parking provision in new developments should be minimised, compatible with their location. Developments should be designed from the outset with permeable layouts to facilitate and encourage short distance trips by cycle and walking. Safe and secure cycle parking shall be provided.
24. **Policy TR/2 - Car and Cycle Parking Standards** states car parking should be provided in accordance with the Council's maximum standards, to reduce over reliance on the car and to promote more sustainable forms of transport.
25. **Policy TR/4 - Non-motorised Modes** states the District Council will use its planning powers by ensuring that all new developments are designed at the outset to facilitate and encourage short distance trips between home, work, schools and for leisure.

Consultation

26. **Cottenham Parish Council** – recommend refusal. It lists as its concerns:
 - (a) Potential adverse impact upon the amenities of Rampton Road properties due to the location of the access road to the rear causing noise and disturbance by vehicular movements.
 - (b) Plot 1 will be sited 12 metres from 73 Rampton Road – the bulk and mass will result in loss of light and privacy. It notes a similar relationship to no. 75 Rampton Road. It will therefore be contrary to Policy DP/3 of the Local Development Framework.
 - (c) Impact on mixed hedge (not just hawthorn) along the garden boundary of no. 75 Rampton Road with the site.
 - (d) Proximity to nos. 38, 40, 42, and 46 Orchard Close, resulting in an adverse impact upon the amenities of Rampton Road properties due to the location of

the access road to the rear, causing noise and disturbance by vehicular movements.

- (e) Loss of parking for existing residents, including removal of dropped kerb for a disabled person at 42 Orchard Close.
- (f) The site is known to frequently have standing water on it.
- (g) The narrow width of 3.5m for the access road adjacent to 38 and 40 Orchard Close is below the 5 metre standards acceptable carriageway. This is totally inadequate and unacceptable.
- (h) Lack of footway beyond 38 and 40 Orchard Close – residents will have to share the same space as the vehicular traffic.
- (i) The access arrangements will be harmful to the amenities of occupiers of the existing and proposed dwellings and will compromise highway safety, contrary to Policy DP/3 of the Local Development Framework.
- (j) Lack of infrastructure provision required under policies DP/4, SF/10 and SF/11 (these relate to public open space).

27. **Environmental Health Officer** – recommends conditions relating to the hours of use for power driven machinery during construction, location of extraction equipment and pile driven foundations. An informative relating to bonfires during construction is also suggested. Concern that the parking layout relies on double parking, which is likely to increase incidents and resentment between neighbours that may manifest themselves in complaints is also raised.

28. **Trees and Landscape Officer** – “has met the occupiers of 73 Cottenham Road in respect to:

“The Maple which is at the proposed access to the site is significant when viewed from the rear of 73 Cottenham Road. While it is unrealistic to retain the tree, this rear boundary will require significant screening to buffer the new development.

In the rear garden/ boundary of 73 Cottenham Road there are two young Oak trees with the potential to grow into mature specimens. Plot 1 is very close to the boundary of 73 to accommodate the future growth of these trees. I would like to see the footprint of Plot 1 moved further away from this boundary and/or reduced in size with details of any proposed driveway and foundations designed to accommodate the future growth of these trees. The visual impact of the gable end will require screening and I would suggest a line of pleached hornbeams, which would provide a narrow green screen.

75 Cottenham Road shares a part of the north western boundary of the proposed development site. This rear boundary encroaches into the site significantly; details of the boundary treatment to be considered and submitted as to reduce the hedge back to the boundary will potentially be detrimental to the existing hedge.

While I have no objections to the proposal, areas that need to be reconsidered due to their impact on the neighbouring properties and trees are:

- (a) Size and Location of Plot 1, including screening; and
- (b) North western boundary treatment.”

29. **Ecology Officer** – “I wish to place a holding objection to request further investigation of the arable plants upon this site. I believe that I have observed:
- (a) Pheasants eye - Nationally rare; species of conservation concern and UKK BAP priority species
 - (b) A penny cress - species have varying distribution from widespread to nationally rare
 - (c) Rough poppy - local distribution
 - (d) Prickly poppy - local distribution
 - (e) Corn marigold - widespread

This site needs urgent investigation by an experienced botanist”.

30. **Landscape Design Officer** – “I have no objections to these proposals. I should like to see a landscape plan in due course”.

31. **Local Highway Authority** – No objection raised and requests conditions relating to:

- (a) The development shall not be occupied until the car parking area indicated on the approved plans (the vehicular hardstandings shall have minimum dimensions of 2.5metres x 5metres) including any parking spaces for the mobility impaired has been hard surfaced (the vehicular hardstandings shall have minimum dimensions of 3.5 metres x 5metres) sealed and marked out in parking bays. The car parking area shall be retained in this form at all times. The car park shall not be used for any purpose other than the parking of vehicles that are related to the use of the development.
- (b) Two 2.0 x 2.0 metres visibility splays be provided and shown on the drawings. The splays are to be included within the curtilage of each new car parking space that is to exit directly onto the proposed adopted public highway. 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. Please also show the splays for each parking space or block thereof. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.
- (c) No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.
- (d) The access shall be laid to a gradient not exceeding 4% for the first 6 metres from the highway boundary and not exceeding 8% thereafter.
- (e) Prior to commencement of the development details shall be approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained at all times.
- (f) The carriageway of the proposed estate road shall be constructed up to and including at least road base level, prior to the commencement of the erection of any dwelling intended to take access. The carriageways and footways shall be constructed up to and including binder course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced carriageway and footway, between the dwelling and the existing highway. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or bordering the footway.

It requests an amended drawing showing the above requirements be forwarded to the Highway Authority for approval prior to determination of the application.

An informative regarding works within the public highway is also requested.

32. **Cambridgeshire Archaeology (Cambridgeshire County Council)** – Notes that the site lies within an area of high archaeological potential. An archaeological evaluation of the site is required prior to determination of the application.
33. **Cambridgeshire County Council** – If all the houses are affordable the County Council will not require any education contributions.
34. **Arts Development Officer** – “The development fails under the scope of the public art policy. As the development is small and art interventions limited, [the] developers may prefer to contribute a sum – no less than £6,500 – to a public art scheme within the village through the work of the local arts Development Manager based at Cottenham Village College”.
35. **Building Control Surveyor** – There are no flood risks for this site.
36. **Architectural Liaison Officer (Cambridgeshire Constabulary)** – Recommends:
 - (a) To better facilitate surveillance of the road into the site, re-orientate plots 2 and 3 through 90° with frontages and front doors onto the road and swap flats (plots 4-7) with the houses (plots 12-13).
 - (b) Where sheds are close to boundaries (plots 9-11) they should be moved away to prevent climbing.
 - (c) Rear boundary fences should be 1.8m high fences/walls topped with trellis to provide additional security.
 - (d) Lighting to the road should be by way of column mounted downlighters to BS 5489: Code of practice for outdoor lighting.
 - (e) Utility meter cupboards should be sited externally, on or as close as possible to, the front elevations and where they can be overlooked from public viewpoints.

Representations

37. **Cottenham Village Design Group** – “This is an edge of village location where it will be important to protect and enhance the external view of the village. We support the intention to include a native hedgerow/buffer on boundaries exposed to open farmland although find the application lacking details of this planting and note that no drawing showing this external elevation has been provided.

We find the proposed buildings acceptable in this location although feel that more could be done to acknowledge their Cottenham context.

A development of this size will have some impact on the local community; consideration should be given to providing some contribution to local infrastructure costs.”

38. **Councillor Bolitho (Local Member)** – “I represent Cottenham as a District Councillor and OPPOSE this development for the following reasons:

- (a) The development takes advantage of SCDC access land marked with a red grid on the map. It seems to be vital to the project as it is the only available access. Yet it seems that SCDC will receive no remuneration whatsoever for allowing use of this access area. SCDC land is a valuable commodity and should not be given away for nothing. This is a ransom strip that has to be paid for. The last ransom strip sold off in Cottenham that I know about was sold for £500,000;
- (b) The site abuts a potential 700 house development. This site was one of 140 exemption sites viewed by two inspectors between November and March. In a letter dated 25 April 2008 to Mr Miles, SCDC Planning Policy Manager, the inspectors specifically stated that none of the 140 sites should be deleted. The land at Orchard Close should not be developed because existing house owners and occupiers need a green gap/lung between themselves and the mega development coming. If the proposed development is built on, the land north of Orchard Close will become one of the biggest housing estates in South Cambridgeshire;
- (c) I support the building of affordable housing. As affordable housing can be built outside the village framework or envelope, I suggest that houses be built on the pony paddock the other side of the line of poplar trees along Oakington Road. The site is well back from the road and, like both the Orchard Close site and the mega site is not, as far as I am aware, on green belt land.
- (d) I also propose that the builder of any development which increases traffic along Oakington Road (between Cottenham and Oakington) should be responsible for introducing and paying for robust traffic calming measures along that road. It is an extremely dangerous road already and will become more dangerous if more vehicles access it from new developments. Most of the road is flat and straight and I am sure that speeds well in excess of 100mph are possible with no traffic calming until the very edge of the village.

39. Letters of objection have been received from 15 local residents at:

- (a) 18, 38 and 46 Orchard Close
- (b) 55, 67, 69, 73, 75, 83 and 101 Rampton Road
- (c) 1, 2, 4, 5 and 8 The Rowells.

They raise as their concerns:

- (a) Additional traffic to the rear of properties on Orchard Close (nos. 18).
- (b) Children use the access road to play on, as all other areas have been planted up with plants and shrubs.
- (c) The road will become a race track and unsafe for older residents on Orchard Close.
- (d) The road is very narrow and not designed for use as a proper road.
- (e) The road is too narrow for two cars to pass each other.
- (f) Noise and pollution from extra traffic.
- (g) Use of Orchard Close to access properties on Rampton Road.

- (h) Loss of Greenfield land, further eroding the boundary between Cottenham and the new town at Northstowe.
- (i) The density is too high.
- (j) The development will back onto a very attractive double fronted period property on Rampton Road.
- (k) The services in Cottenham are already stretched.
- (l) The positioning, access and size of the parcel of land itself are ill suited to the development proposed.
- (m) Risk of increased flooding to the Rowells due to building on surrounding land and inadequate drainage provision.
- (n) Water stands on this field and does not drain away easily.
- (o) Increased traffic on Oakington Road – increased highway danger due to it being a busy, narrow and fast road.
- (p) Vehicular parking on Orchard Road blocks the narrow road and causes hold-ups, particularly on bin days.
- (q) Issues of HGVs accessing the site.
- (r) Several residents of Orchard Close use the road for mobility vehicles as the pavements get parked on.
- (s) Increased traffic on Rampton Road and loss of the only safe route.
- (t) Ownership of the access road – there may be a need for agreement of additional land owners who adjoin the road.
- (u) Potential loss of a fine Norwegian Maple and subsequent loss of bird habitat.
- (v) Increased pedestrian traffic past elderly persons' homes – noise and disturbance, fear of strangers.
- (w) Loss of 50% of resident parking spaces, especially a disabled space reserved for a disabled resident.
- (x) Loss of mature trees.
- (y) Noise and disturbance from car doors and comings and goings.
- (z) Increased traffic on Oakington Road due to Northstowe.
- (aa) Loss of peaceful countryside feel to the area that is currently enjoyed by residents.
- (bb) Loss of views due to erection of 1.8m boundary fence to existing gardens.
- (cc) Plots 1 and 3 overlook the garden of no. 75, resulting in loss of privacy.
- (dd) Loss of light to the garden of no. 75 Rampton Road.
- (ee) Overlooking from first floor windows of no. 75 Rampton Road's garden.
- (ff) The scale, form, massing and appearance would physically dominate much of the rear of the property at 75 Rampton Road.
- (gg) The thorn hedge to be cut back is in fact plum trees within the garden of 75 Rampton Road that form an important feature.
- (hh) Two trees shown for removal are the property of 75 Rampton Road.
- (ii) Concern that 75 Rampton Road is not shown on the site layout plans.
- (jj) A young walnut tree with the garden of 75 Rampton Road will be impacted.

- (kk) Inadequate access for emergency vehicles.
 - (ll) Lack of provision for play facilities – notes removal of green play area due to problems and to provide car parking.
 - (mm) Lack of visitor car parking within the scheme, increasing car parking problems.
 - (nn) Overlooking of The Rowells.
 - (oo) Inadequate soakaways mean that The Rowells are often boggy and insect filled.
 - (pp) Overlooking and proximity to 8 The Rowells, plus noise and light pollution.
 - (qq) Concern that bedroom windows may face 8 The Rowells.
 - (rr) Loss of light and visual intrusion to properties on Rampton Road.
 - (ss) Overlooking of 73 Rampton Road.
 - (tt) Development beyond the village edge, which is designed to protect the village from sprawl.
40. A petition signed by 36 local residents objecting to the development has been received. No reasons are put forward.

Planning Comments – Key Issues

41. The key issues in determining this planning application are: affordable housing provision; layout and design; neighbouring amenities; trees, landscaping and ecology; highways and car parking; public open space; drainage; and archaeology.

Affordable housing provision

42. An Affordable Housing Panel meeting was held on the 18th June 2008. The key points arising **from** the discussion were:
- (a) The need and tenure (50% social rented/50% shared equity) were discussed and agreed as acceptable.
 - (b) Plots 2 and 3 should be no more than one and a half storeys. Plot 1 should be single storey if developed.
 - (c) Could the acer tree in the verge of the existing car park be moved or the road layout re-adjusted to accommodate its retention, as it is a valued specimen?
 - (d) Is the access to the site i.e. Orchard Close public highway or privately owned? This could require notice being served on all affected land owners.
 - (e) There should be a wall to the rear boundaries adjoining the access road.
 - (f) Soakaways will have to be verified if they are to work, as the site is known to have standing water on it frequently?
 - (g) Anglian Water should be consulted to check if it is possible to connect to the main foul drain, as this is known to be inadequate as it is?
 - (h) A gate should be provided to the existing path that provides access to the rear gardens of nos. 42, 44 and 46 Orchard Close?
 - (i) The Parish Council's preference is, ideally, for the scheme to be reduced to twelve and dwellings moved further away from the boundary with properties on Rampton Road.

43. The mix and tenure will be secured through a condition requiring a scheme to be submitted (usually a Section 106 agreement). As an exception site the dwellings will be occupied by families with a tie to Cottenham and not to meet the wider, district, need.

Layout and design

44. The layout is dictated to a degree by the shape of the site, being long and narrow. Amendments have, however, been requested to address a number of issues in relation to the layout and design and a verbal update will be given to Members at the meeting. It is **anticipated** that these will address the points raised at the Affordable Housing Panel.

Neighbouring amenities

45. A number of concerns relating to neighbouring amenity have been raised. While the scheme is generally considered to be acceptable in terms of amenity, revised plans should address the relation of plot 1 to nos. 73 and 75 Rampton Road; the impact on short rear **gardens** to nos. 42, 44 and 46 Orchard Close is to be minimised by providing a greater landscaped buffer to the boundary with these and a boundary wall. It is suggested that plots 2 and 3 be replaced by single or one and a half storey dwellings to reduce the visual impact upon these dwellings. The access road, for the majority of its length runs to the end of long rear gardens and noise and disturbance from its use is considered to be minimal subject to appropriate boundary treatment.

Trees, landscaping and ecology

46. Generally the scheme is acceptable, however a detailed survey of the site by an ecologist is required and consideration given to the retention of boundary trees and acer. A verbal update will be given on these matters.

Highways and car parking

47. The road has been designed, having sought pre-application advice from the Local Highway Authority. Subject to the consideration of the access in the area of the acer this is considered to be acceptable. The layout has been designed to reduce traffic speeds and to ensure that the access is safe for pedestrians and vehicle users. A car parking space will be allocated to an existing disabled tenant and a reduced number of parking spaces re-provided. The scheme is provided with 25 car parking spaces, 3 of which are reserved for visitors. The revisions will address the crime prevention officer's comments and more car parking will be provided in small courts rather than on plot. The level of parking equates to 1.9 spaces per dwelling.

Public open space

48. The site layout currently does not provide on-site open space. The agent accepts the requirement for public open space and is to confirm how it is intended to provide play space i.e. on site or off-site. A verbal update will be given.

Drainage

49. The area is not in an area of high or medium flood risk. Soakaways are proposed. However the suitability of these is yet to be confirmed. Building Control has not flagged this as a concern, although further clarification on this issue will be sought. Anglian Water will be consulted regarding the suitability of connection to the main foul sewer. These matters could be addressed through planning conditions requiring detailed schemes to be submitted.

Archaeology

50. The agent has been advised of the County Council's requirements for pre-determination assessment of the site. This could delay the issue of a decision beyond the statutory 13-week period. A verbal update on this matter will be given.

Other matters

51. The adjacent objection site (No. 15) for housing is not a material planning consideration in determining this application. It is to be assessed on its planning merits against the adopted local development framework as part of the site specific policies.

Recommendation

52. Delegated approval is sought subject to the satisfactory resolution of outstanding issues set out in the report above, no new material planning considerations arising from consultation on amended plans, appropriate safeguarding conditions, including schemes to secure the affordable housing provision and public open space infrastructure provision.

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

- South Cambridgeshire Local Development Framework Core Strategy 2007
- South Cambridgeshire Development Control Policies DPD 2007
- Planning File Refs: S/0686/08/F and S/0846/74/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 Committee2nd July 2008**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

**S/0740/08/F – FOXTON
Extension at 36 High Street for Dr K Beardsall****Recommendation: Approval****Date for Determination: 10th June 2008****Notes:**

This Application has been reported to the Planning Committee for determination by request of the Local Member and referral from Chairman's Delegation Meeting 11th June 2008.

Members will visit this site on 2nd July 2008.

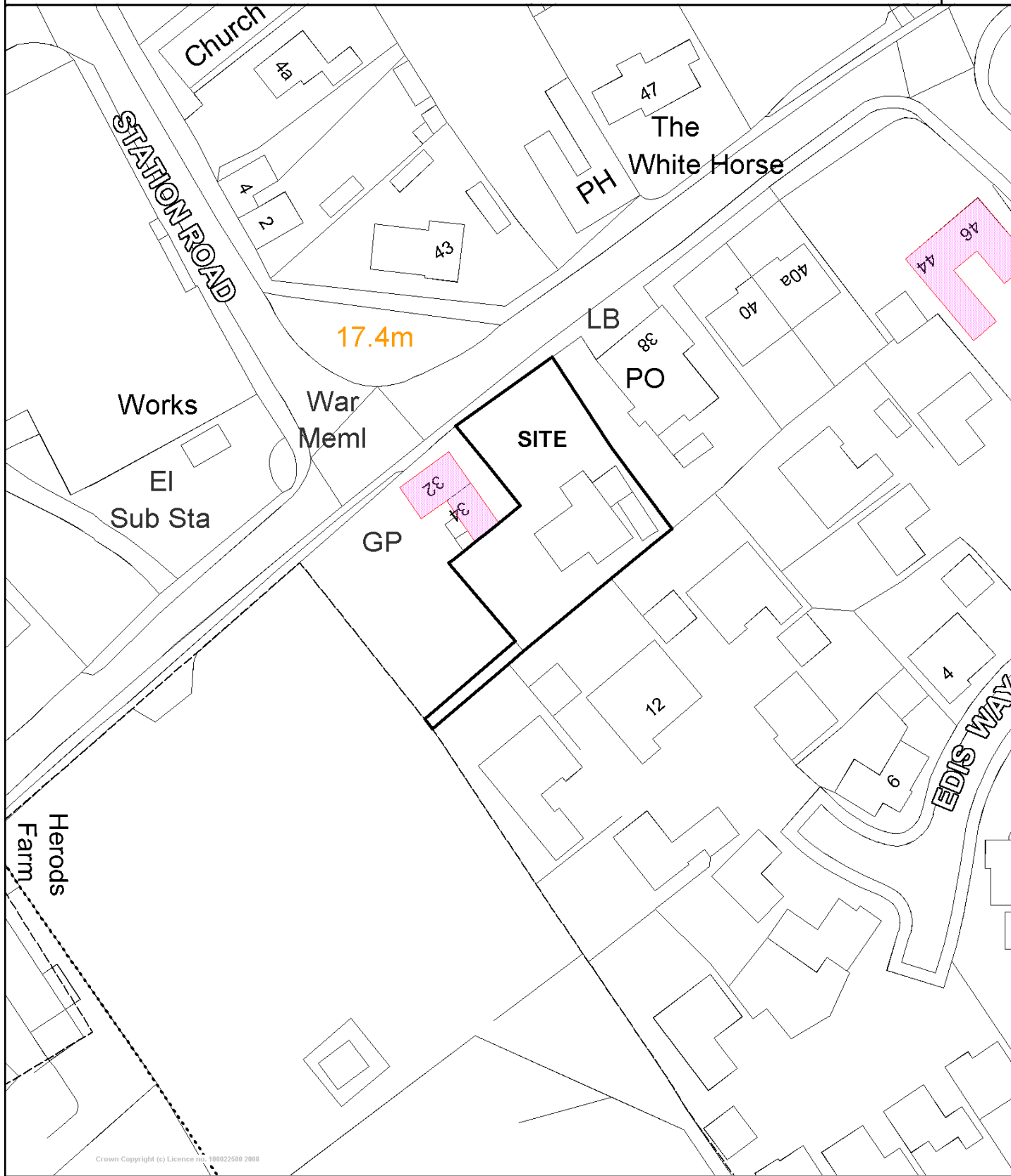
Site and Proposal

1. The application site is a chalet style bungalow with slim dormer windows in the main roof. It has a single storey, pitched roof element to the North east side attached to which is a flat roof car port. The property is constructed in brick and has a tile roof. On the West side of the property there is a Grade II Listed cottage with a thatched roof, which has been divided into two smaller properties. To the North East side of the property there is the village shop, which also has living accommodation to the rear and in the roof space. It has pediment windows in the roof which face the application site. To the rear of the application site there are three bungalows, built after the application property. The application property has an existing rear facing dormer window which creates the opportunity for serious overlooking of the bungalows to the rear. This dormer window was in existence prior to the construction of the bungalows. The application site is set back from the High Street and is well behind the building line created by the front of the properties on either side. The rear wall of the single storey element of the application property is approximately 2.5 metres from the rear boundary. The land levels on site are relatively flat, although the neighbouring property to the North East appears to be sited slightly lower than the application site.
2. The application, received 8th April 2008, proposes the erection of a first floor extension above the existing ground floor element on the North East side of the property. The proposed extension has a bathroom window and a landing window in the North East elevation, a bedroom window in the South West facing elevation looking across the front of the property and three high level roof windows in the South West facing elevation facing across the back of the property. The application is a revision of a scheme refused planning permission in 2007 (S/0439/07/F – see below).

Planning History

3. **S/0439/07/F** – Erection of first floor extension above ground floor on North East side. Proposed extension had a window in South East elevation looking across rear of

S-0740-08-F



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Planning Committee July 2008

property and the roof of the extension was higher than that of the main house. Permission was refused for the following reason:

The proposed first floor extension, by virtue of its mass and close proximity to the southeast boundary, would appear unduly dominant and overbearing to the rear gardens of No. 10 and 12 Edis Way. The proposal would also increase the degree of overlooking of the rear garden of No. 12 Edis Way, by virtue of the window in the side elevation of the proposed extension. The rear garden of No. 12 Edis Way is already overlooked by an existing dormer window on the rear elevation of 36 High Street and the additional window on the side elevation would further seriously harm privacy of that property. The proposal is contrary to Policy HG12 of the South Cambridgeshire Local Plan 2004, which states that extensions will be refused if they result in the serious harm to the amenities of neighbours by being overbearing in terms of their mass and if there would be undue loss of privacy.

4. **S/0422/77/F** – Planning permission was granted for the erection of the chalet bungalow, which is the subject of this current application, on land adjacent to the post office.

Planning Policy

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

5. **Policy DP/1 Sustainable Development** – 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. In particular, it should minimise the need to travel and reduce car dependency
6. **Policy DP/2 Design of New Development** – All new development must be of high quality design and, as appropriate to the scale and nature of the development, should preserve or enhance the character of the local area.
7. **Policy DP/3 Development Criteria** – Lists the requisites of new development to be provided as appropriate to the nature, scale and economic viability. Permission would not be granted for schemes which would have unacceptable adverse impact on residential amenity, from traffic generated or on village character.
8. **CH/4 – Development Within the Curtilage or Setting of a Listed Building** – Planning permission would not be granted for development which would adversely affect the curtilage or wider setting of a Listed Building.

Consultation

9. **Foxton Parish Council** – has recommended refusal on the grounds that the amendments have not resolved the problems of overbearing mass and consequent loss of light, or the loss of privacy which would result from remaining windows which would impact on more than one neighbouring property.
10. **Conservation Manager** – has no objection to the proposed development, although it was requested that the three roof windows be changed to one section of patent glazing. It was also noted that the design could have been further improved by the installation of a steeper roof pitch, but that the scheme was an improvement over the original application as the roof is lower.

Representations

11. Owner of 10 Edis Way – The extension would impact on their property and the view from it. The increase in height from single storey to two storey would enclose their garden and impact on an otherwise unobstructed view. The increase in height would not be in keeping with the surrounding single storey properties. The proposed roof lights would provide an intrusive view into the garden of 10 Edis Way. Their understanding was that the bungalows on Edis Way were required to be single storey to ensure the privacy of the application site. They note that the land registry plan submitted with the application is out of date and does not show the properties which now back onto the site.
12. Owner of 38 High Street – The proposed extension would result in a loss of light to the their lounge, dining room and two West facing bedrooms, particularly because their property is situated on lower ground than the application site. Because their property is built perpendicular to the road, the extension will face the front of their house and will be closer than is acceptable. The two windows in the North East side of the proposed extension would cause a loss of privacy to their house and garden, and given that they run the local shop which is attached to the front of the house and live on the site their privacy is very important to them.
13. The owners of No. 4 Hardman Road and No. 12 Edis Way also telephoned the case officer to express their concern about the application. At the time of preparing this report no written comments have been received from these neighbours. The case officer subsequently visited each of the four properties who had expressed concern, to see the application site from their properties. The statutory consultation period has expired.

Planning Comments

14. The main planning considerations in this case are the impact on the setting of the Listed Building, impact on the streetscene and impact on the residential amenity of neighbours.
15. **Impact on the setting of the Listed Building** – As the proposed extension is sited on the opposite side of the host property from the Listed Building, and is no higher than the roof of the existing dwelling, it is considered that the proposed extension would have a limited impact on the setting of the Listed Building. It was requested by the Conservation Manager that the three individual rooflights be amended to one single section of patent glazing, and the design of an appropriate roof window would be achieved by the application of a planning condition requiring further details.
16. **Impact on the streetscene** – The proposed extension is considered to be in scale and character with the existing property. The ridge of the roof on the extension is at the same height as that of the main house and the roof pitch replicates that of the existing single storey element on which it would be erected. The fenestration of the proposed windows is in keeping with the windows on the existing property. The proposed extension is therefore considered to be acceptable in terms of its impact on the streetscene and is not considered to cause any harm to the visual appearance of the area.
17. **Impact on residential amenity** – The proposed development would be seen primarily from the three bungalows to the rear of the application site Nos. 10, 12 and 14 Edis Way, from No. 4 Hardman Road to the East and from No. 38 High Street to the North East.
18. The first issue in terms of neighbouring amenity is the additional impact of the first floor above the existing ground floor. Whilst it is accepted that the proposed extension would be more prominent when viewed from the neighbouring properties to the rear, it is not

considered that it would have any significant impact on the residential amenity they currently enjoy. The eaves of the proposed extension would be approximately 2 metres higher than those on the existing single storey element and would be 500mm below the level of its ridge. As the roof on the proposed extension is hipped away from the boundary, whereas the existing extension has a flat gable end, the additional massing of the extension close to the rear boundary is not considered to be particularly visually intrusive or overbearing. The proposed extension would be approximately 11 metres from the rear building line of No. 10 and 13 metres from No. 12, however as the application site is on the Northern side of the bungalows it is not considered that it would cause any overshadowing or loss of light to the bungalows. The additional height of the extension would obscure some sky from view from the bungalows, but this is not considered to unacceptably enclose the gardens or to significantly affect the level of amenity enjoyed by the properties.

19. The impact of the additional height and massing on No. 38 High Street to the North East has been assessed and, on balance, it is not considered that it would cause a significant loss of light, overshadowing or visual intrusion to the habitable room windows or garden of the property. The application site is to the South West of No. 38, and is situated on slightly higher ground and is therefore in a location where a direct overshadowing and loss of light in the afternoon and evening is a concern. However, the proposed extension would be 5 metres from the boundary and pitched away from the boundary so the ridge would be in excess of 7.5 metres from the boundary and over 13 metres from the windows of No. 38 High Street. Although the proposed extension would result in the loss of the view of some sky and might result in some loss of light, on balance it is not considered that this would be so serious as to warrant refusal. The impact of the development is also mitigated by the fact that the existing trees between the properties, on both sides of the boundary, mean that ambient light levels are relatively low, and any additional impact of the extension would therefore be less noticeable.
20. The second issue in terms of the amenity of neighbouring properties is that of overlooking from windows in the proposed development. Although, the windows facing North East would serve a bathroom and landing rather than primary living accommodation it is considered that some level of overlooking of No. 38 High Street, No. 4 Hardman Road and No. 10 Edis Way would be possible and that this overlooking would be significant enough to adversely affect the privacy they currently enjoy. It is therefore considered necessary to mitigate the impact of the overlooking by conditioning obscure, non opening glazing in both the windows facing North East, and also the removal of permitted development rights which would allow further windows to be inserted. This is considered sufficient to mitigate the impact of the windows.
21. The impact of the rooflight(s) facing South West across the back of the property and the impact of the windows facing South West across the front of the property is considered to be acceptable. The rooflight(s) would be positioned in excess of 1.7 metres above the finished floor levels which means that no overlooking of the gardens of Nos. 12 or 14 Edis Way would be possible. This would be ensured by the imposition of an appropriate planning condition, and again, the permitted development rights allowing insertion of further windows in the elevations facing both South West and South East would be removed by condition. The window facing South West across the front of the property would not create the opportunity for any significant overlooking of the Listed Building to the West as the windows in the Listed Building are very small and towards the front of the elevation and there would be a relatively oblique angle between them and the proposed window. In addition, the main bulk of the application property, would screen the garden to the rear of the Listed Building from view. As a result it is not considered necessary to condition any obscure glazing to this window.

22. On balance therefore, the proposed development is considered to be acceptable in terms of its impact on residential amenity, subject to the application of relevant planning conditions.

Recommendation

23. Approve subject to:

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development which have not been acted upon.)
2. No development shall take place until details of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority.
Development shall be carried out in accordance with the approved details.
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
3. The proposed windows in the North East facing elevation of the extension hereby permitted, shall be non-opening and shall be fitted with obscure glass and permanently maintained as such.
(Reason - To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
4. Notwithstanding the plans hereby approved, no development shall take place until full details showing redesigned roof window(s) in the South West elevation have been submitted to and approved in writing by the Local Planning Authority.
(Reason –To ensure that the development has an acceptable impact on the adjacent Listed Building in accordance with Policy CH/4 of the adopted Local Development Framework 2007.)
5. The roof window(s) inserted into the South West facing elevation of the extension, shall have a lower cill height not less than 1.7 metres above the finished floor levels and be permanently retained as such.
(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the South West, South East or North East facing elevations of the dwelling at or above first floor level unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.
(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

7. During construction, no power operated machinery (or other specified machinery) shall be operated on the premises before 08.00 am on weekdays and 08.00 am on Saturdays nor after 18.00 pm on weekdays and 13.00 pm on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing by the Local Planning Authority in accordance with any agreed noise restrictions.

(Reason - To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007
- Planning file references – S/0439/07/F, S/0422/77/F and S/0740/08/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee2nd July 2008**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0629/08/F – LITTLE EVERSDEN**Erection of 10 Affordable Dwellings together with New Access
At Land Adj 52 Harlton Road, Little Eversden for Beechdale Homes****Recommendation: Delegated Approval****Date for Determination: 1st July 2008 (Major Application)****Notes:**

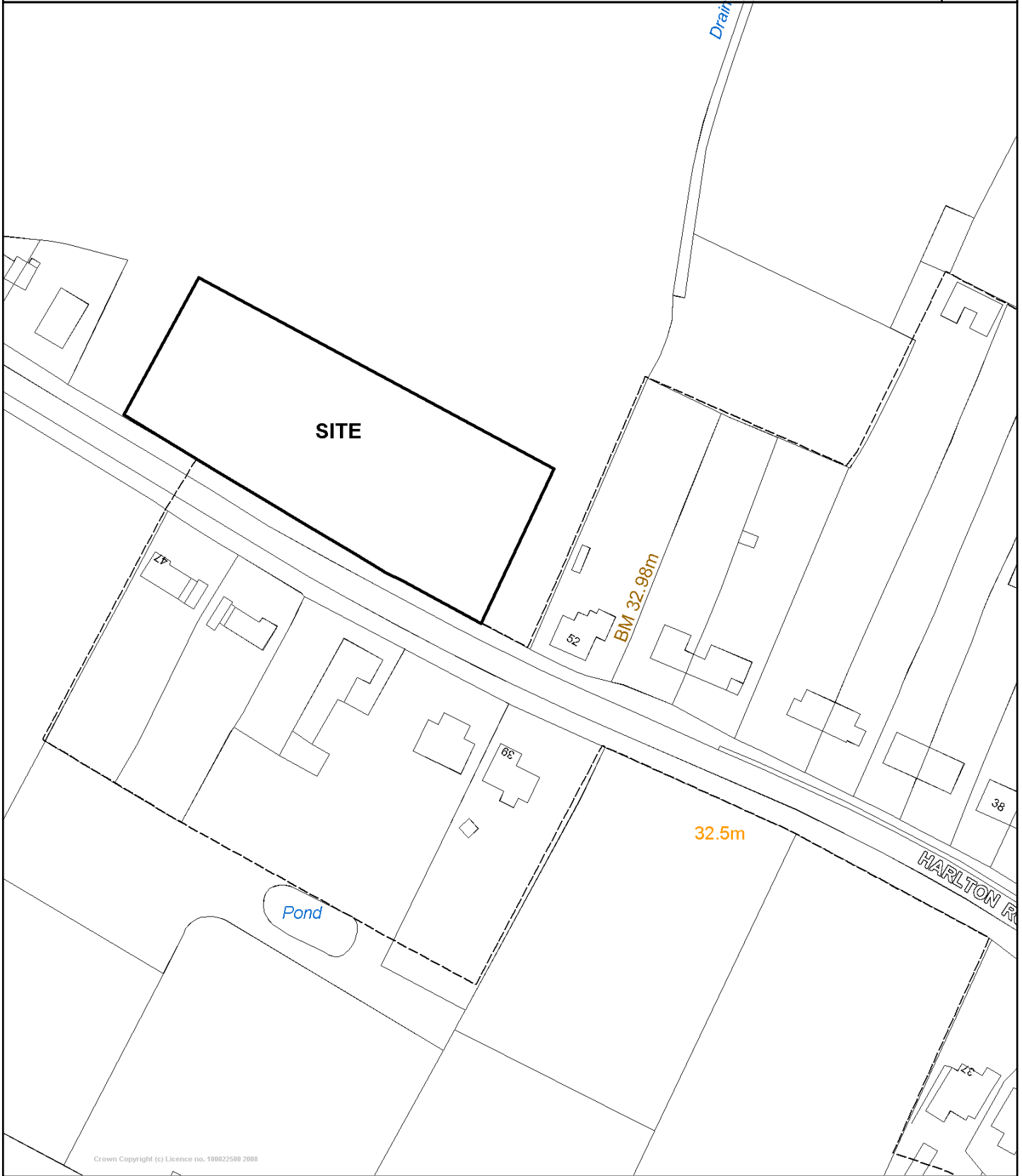
This Application has been reported to the Planning Committee for determination as the application is for affordable housing as an exception to the normal operation of the policies of the Local Development Framework

Members will visit this site on Wednesday 2nd July 2008

Site and Proposal

1. This application, as amended by drawings received on 18th June 2008 and 20th May 2008 proposes the erection of 10 affordable dwellings on a 0.42ha of agricultural land between Nos. 52 and 54 Harlton Road, Little Eversden.
2. As amended the application comprises one 2-bedroom bungalow, five 2-bedroom houses and four 3-bedroom houses. The detached bungalow is located at the north east end of the site. A 4-bedroom house that was contained in the original submission at the south west end of the site has been replaced by a 3-bedroom house, which is now one of a terrace of three properties. The remaining six units are semi-detached. The exact tenure of the units is to be agreed but will be a split of shared ownership and rental accommodation.
3. The site, which is part of a larger area of agricultural land, has a mature hedgerow with tree planting along Harlton Road. As amended the application proposes a single point of access towards the north west end of the site and a 2m wide pedestrian access towards the south east end of the site. The layout comprises a line of properties parallel to the road, set approximately 20m into the site, behind an access roadway. The frontage hedgerow is retained except at the point of access. (In the original submission the vehicular access was located in the centre of the site).
4. The site, as amended, has a frontage to Harlton Road of approximately 108m. There is a 11m strip of land left between the north west boundary of the site and the adjacent property, and a 15m strip at the south east end.
5. Each unit is provided with one parking space within its curtilage with a further 10 spaces being provided in small groups of two or three between the new access roadway and the frontage hedge. The provision includes 2 disabled spaces.

S-0629-08-F



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Planning Committee July 2008

6. The maximum height to the ridge of the two storey units is 8.3m. The site is set one metre below the level of Harlton Road and rises to the north west.
7. To the north west of the site are two detached bungalows. No 54 Harlton Road which is closest to the site has a conservatory attached to the elevation facing the site, along with other ground floor openings. To the south east is a detached house with several openings in the elevation facing the application site. Opposite the site are residential properties and agricultural land.
8. The proposed density is 24 dwellings per hectare.
9. The application is accompanied by a Design and Access Statement.
10. The site is outside the Village Framework and in the Cambridge Green Belt.

Planning History

11. There is no relevant planning history for the application site.

Planning Policy

Cambridgeshire Structure Plan 2003

12. **Policy P6/1 - Development Related Provision** states development will only be permitted where the additional infrastructure and community requirements generated by the proposals can be secured.
13. **Policy P9/8 - Infrastructure Provision** identifies a coordinated approach to securing infrastructure improvements required to support development for the Cambridge sub-region. A programme encompassing for example, transport, affordable housing and education, amongst others is identified.

South Cambridgeshire Local Development Framework 2007

14. **Policy ST/7 – Infill Villages** identifies Little Eversden as an Infill-Only Village and states that residential development and redevelopment within the village framework will be restricted to not more than two dwellings.

In very exceptional circumstances a slightly larger development (not more than about 8 dwellings) may be permitted where this would lead to the sustainable recycling of a brownfield site bringing positive overall benefit to the village. Development may exceptionally consist of up to about 15 dwellings where this would make the best use of a single brownfield site.

15. **Policy GB/1 – Development in the Green Belt** states that there is a presumption against inappropriate development in the Cambridge Green Belt as defined on the Proposals Map.
16. **Policy GB/2 – Mitigating the Impact of Development in the Green Belt** states that any development considered appropriate within the Green Belt must be located and designed so that it does not have an adverse effect on the rural character and openness of the Green Belt. Where development is permitted, landscaping conditions, together with a requirement that any planting is adequately

maintained, will be attached to any planning permission in order to ensure that the impact on the Green Belt is mitigated.

17. **Policy DP/1 - Sustainable Development** states development will only be permitted where it is demonstrated that it is consistent with the principles of sustainable development, as appropriate to its location, scale and form.
18. **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.
19. **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.
20. **Policy 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.
21. **Policy DP/7 - Development Frameworks** states outside urban and village frameworks, only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted.
22. **Policy 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.
23. **Policy HG/2 - Housing Mix** Affordable housing should be of an appropriate mix to respond to identified needs at the time of the development in accordance with HG/3.
24. **Policy HG/3 - Affordable Housing** occupation will be limited to people in housing need and must be available over the long-term. The appropriate mix in terms of housing tenures and house sizes of affordable housing will be determined by local circumstances at the time of planning permission, including housing need and the achievement of mixed and balanced communities. In order to ensure sustainable communities, affordable housing will be distributed through the development in small groups or clusters.
25. **Policy HG/5 - Exceptions Sites for Affordable Housing** states
 1. As an exception to the normal operation of the policies of this plan, planning permission may be granted for schemes of 100% affordable housing designed to meet identified local housing needs on small sites within or adjoining villages. The following criteria will all have to be met:
 - (a) The development proposal includes secure arrangements for ensuring that all the dwellings within the scheme provide affordable housing in perpetuity for those in housing need;

- (b) The number, size, design, mix and tenure of the dwellings are all confined to, and appropriate to, the strict extent of the identified local need;
 - (c) The site of the proposal is well related to the built-up area of the settlement and the scale of the scheme is appropriate to the size and character of the village;
 - (d) The site is well related to facilities and services within the village;
 - (e) The development does not damage the character of the village or the rural landscape.
2. In the case of sites within the Cambridge Green Belt, before planning permission is granted for such development, the District Council will have to be assured that no alternative appropriate sites can be found for the scale and type of development proposed and that the scheme fulfils all the criteria set out in the Council's policies, including those relating to the impact of new development on local surroundings.
26. **Policy SF/8** states that within the 'Lords Bridge Restricted Area' planning permission will only be granted for development that would not result in any risk of interference to the Mullard Radio Astronomy Observatory at Lord's Bridge
27. **Policy NE/1 - Energy Efficiency** states development will be required to demonstrate that it would achieve a high degree of measures to increase the energy efficiency of new buildings, for example through location, layout, orientation, aspect and external design.
28. **Policy NE/6 - Biodiversity** requires new developments to aim to maintain, enhance, restore or add to biodiversity. The District Council will refuse development that would have an adverse significant impact on the population or conservation status of protected species, priority species or habitat, unless the impact can be adequately mitigated by measures secured by planning conditions. Previously developed land will not be considered to be devoid of biodiversity. The re-use of such sites must be undertaken carefully with regard to existing features of biodiversity interest. Development proposals will be expected to include measures that maintain and enhance important features whilst incorporating them within any development of the site.
29. **Policy NE/9 - Water and Drainage Infrastructure** indicates that planning permission will not be granted where there are inadequate water supply, sewerage or land drainage systems to meet the demands of the development unless there is an agreed phasing agreement between the developer and the relevant service provider to ensure the provision of necessary infrastructure.
30. **Policy NE/12 – Water Conservation** states that development must incorporate all practicable water conservation measures.
31. **Policy TR/1 - Planning for More Sustainable Travel** states planning permission will not be granted for developments likely to give rise to a material increase in travel demands unless the site has a sufficient standard of accessibility to offer an appropriate choice of travel by public transport or other non-car travel modes. The

amount of car parking provision in new developments should be minimised, compatible with their location. Developments should be designed from the outset with permeable layouts to facilitate and encourage short distance trips by cycle and walking. Safe and secure cycle parking shall be provided.

32. **Policy TR/2 - Car and Cycle Parking Standards** states car parking should be provided in accordance with the Council's maximum standards, to reduce over reliance on the car and to promote more sustainable forms of transport.
 33. **Policy TR/4 - Non-motorised Modes** states the District Council will use its planning powers by ensuring that all new developments are designed at the outset to facilitate and encourage short distance trips between home, work, schools and for leisure.
 34. **Policy SF/10 Outdoor Play Space, Informal Open Space and New Developments** requires all residential developments to contribute towards outdoor playing space, formal outdoor sports facilities and informal open space to meet the additional need generated by the development. Where appropriate, provision will involve all or some types of space within the development site. However, an appropriate contribution will be required for 'off-site' provision of the types of space not provided on-site.
 35. **Policy SF/11 Open Space Standards** defines the minimum standards for outdoor play space and informal open space.
- Planning Policy Guidance Note No. 2 – Green Belts**
36. Paragraph 3.4 states (in part): The construction of new buildings inside a Green Belt is inappropriate unless it is for limited affordable housing for local community needs under development plan policies according with PPG3.
 37. **Planning Policy Statement 3 - Housing** -encourages Local Planning Authorities to release sites solely for affordable housing, including using a Rural Exception Site Policy. These should only be used for affordable housing in perpetuity.

Consultation

38. **Little Eversden Parish Council** recommends approval of the application but with the following comments:

Original scheme

- "1. House at the east end changed to a bungalow.

The 4-bedroom house at the east end should be changed for a second bungalow. The grounds are that these houses are supposed to be affordable and starter homes which a 4 bed house is not.

2. Hedge preservation order

This Council feels that the preservation of the hedge along the frontage is so important that it will apply for formal hedge and tree preservation orders along the frontage and requests that the planning consent also requires its preservation.

3. Hedge at east end

The agricultural entrance at the east end is used but should be planted with a hedge on its left hand, development side.

4. Fence at east end of public area

During the establishment of the hedge in 3. A fence should be maintained at the east end so as to protect the hedge and give privacy to properties to the east.

5. Grasscrete between parking spaces

To forestall visitors parking along the service road the spaces between the designated paved parking areas should be provided with grass/concrete blocks for use as overspill parking.

6. Fence at west end of public area

To prevent headlights and other general activity impinging on property to the west it is recommended that a fence be erected on the boundary between the existing house (No 54) and the screening planting at the west end of the development and this fence be maintained until the planting is well grown.

7. Screening planting at west end

This strip, which is clearly shown in the Design Statement from Haysom Ward Miller is important, should be included in the sale of the land and responsibility for its planting and maintenance should be defined in the planning consent. The hedge forming the northern boundary of the site should thus be extended to join the boundary of the adjoining property (No 54).

8. Agricultural entrance

This has to be maintained at an adequate width but can still have a hedge bordering the site boundary.

9. Move entrance

It was proposed that the new entrance should be moved westwards to lie opposite the field to the west of No 47. The Parish Council had difficulty balancing the loss of amenity for the houses opposite the present access road due to headlights coming out of the entrance compared with the safety issues arising from the proposed movement nearer the junction with High Street.

10. Lighting

It is requested that the same conditions as to the provision of lighting around these houses should be applied as to the Affordable Houses in Great Eversden.”

Amended scheme (20th May 2008)

The Parish Council is now unclear as to the status of the land to the west of the development and wishes that land to be treated as in 7. above. It is concerned that the present idea is that this strip should remain with the current owner and this is not satisfactory as its planting and maintenance as a screen is important and it also needs an access from the service road. The remainder of the original concerns seem to have been well addressed.

In a further email the Parish has supported the view expressed by a local resident that there should be a pedestrian access to Harlton Road at the east end of the service road.

The Parish Councils comments on the further amendments received on 18th June will be reported.

39. The **Local Highway Authority** comments, in respect of the scheme as amended on 20th May. Whilst the visibility splays have been shown they pass through the existing hedgerow and unless the hedge is trimmed so that it does not exceed 600m in height it will not comply with the Highway Authority request. The plans show an internal footway but do not include any pram crossings to allow for pedestrians to cross from one footway to the other. No turning facility for non-residents, including refuse and delivery vehicles is provided which has the potential to encourage unnecessary and possible hazardous manoeuvres.

Given the primary use of the access to serve private car parking the Highway Authority states that it will resist adopting the road.

Pedestrian visibility splays should be shown, along with the dimensions of parking and reversing spaces.

The Highway Authority states that it will seek the provision of an upgraded footway for the entire frontage of the development including tactile paving, under a Section 106 Agreement.

The drawings submitted on 18th June attempt to address these issues and the further comments of the **Local Highway Authority** will be reported at the meeting.

40. The **Trees and Landscapes Officer** assumes that the existing hedge along the road is to remain, apart from the access into the development. A substantial hedge should be planted around the other sides of the development, outside the property boundaries, so that it can be maintained by agricultural machinery as the roadside hedge must be at present. This should be a freely grown mixed hedge that will be sided up on the field side every two or three years, but allowed to grow 4-5m high. In order to have space to allow this level of screening the hedge should be planted 2m out from what is presumed will be a close boarded fence around the rear gardens. The inside of the hedge will not need to be cut as it will grow against the fence.

Rather than planting standard trees within the rear perimeter hedge a fruit tree should be planted in each garden. The planting of trees between the car parking spaces at the front is welcomed.

Comments on the amended plans received 18th June will be reported at the meeting.

41. **Cambridgeshire Archaeology** states that the site lies in an area of high archaeological potential and therefore requests that the site should be subject to a programme of archaeological investigation to be secured through the inclusion of a negative condition in any consent.
42. The **Housing Development and Enabling Manager** comments “a Housing Needs Survey was completed for the village of Little Eversden in May 2005, which demonstrated a need for 12 units. The proposed scheme provides for 10 family homes with a mix of tenure (shared ownership and rented). The Affordable Housing Development team fully supports this planning application as it helps us to continue with our work of increasing the provision of affordable housing in South Cambridgeshire, which is one of the main corporate objectives of this authority. The scheme will be built in accordance with the Housing Corporation standards and will meet the new Code 3 requirement for development, which aims to reduce carbon dioxide emissions by 25% per property.

The proposed scheme will be developed on an exceptions site and will therefore meet the needs of local people.

This project has been worked up in partnership with Accent Nene Housing and the Parish Council.”

43. The **Architectural Liaison Officer, Cambridgeshire Constabulary**, commenting on the original scheme, is concerned about the design of the individual units with main entrance doors on the side elevations as this will give encouragement to those intent on carrying out distraction burglaries or rogue traders, as their presence on doorsteps will be less visible and the site will lack the existence of an active frontage along its length. It is recommended that the units are redesigned with a view to positioning the main entrance doors on the front elevations.

Opportunities for natural surveillance will be lost by the retention of the high hedge between the parking area and the highway beyond. The hedge should either be removed or reduced in height to a maximum of 900mm.

In curtilage car parking arrangements are preferred as this will provide greater security for parked vehicles as offenders would be required to enter private rather than public space to commit crime. The size and shape of the site appear to offer the opportunity for parking within front gardens and it is recommended that such an opportunity is taken.

In response to the amended drawings received on the 20th May the provision of curtilage car parking is welcomed and the repositioning of the main entrance to Plot 10 to the front elevation but in other respects the earlier comments remain extant.

44. The **Affordable Housing Panel** met on 3rd June when the principle of the development of the site was supported subject to the satisfactory resolution of the outstanding planning issues, specifically car parking, planting, the impact on the existing frontage hedge, the provision of a turning area within the site, and further confirmation from the Housing Development and Enabling Manager (since received) of the need for the bungalow.

45. The comments of the **Ecology Officer**, the **Environment Operations Manager**, the **Corporate Manager (Health and Environmental Services)**, and **Lords Bridge Observatory** will be reported at the meeting.

Representations

46. All the following comments relate to the application as originally submitted. Comments on the revised scheme will be reported verbally.
47. The occupiers of **No 52 Harlton Road**, to the east of the site, state that in principle they could support the application subject to the following changes:

The replacement of the 4-bed shared ownership property on Plot 10 with a shared ownership bungalow mirroring the design at the other end (Plot 1). This request is made on the basis that it is felt that the two-storey building will overlook No 52 resulting in material harm due to loss of privacy and amenity. As this is an 'exception site' this should make planning considerations more important rather than less so. No 52 is heavily glazed in the direction of the proposed plot and the kitchen/dining area opens out in this direction. Most of the heavily used outdoor space also faces this direction. Until recently it had been assumed that the Green Belt status of the land would be protected. The need for local affordable housing is recognised but is believed that there should be some degree of balance in good planning.

The support for the scheme locally was in order to offer housing to local people based on the local housing needs survey which did not identify a need for a large house. A large dwelling would be much less 'affordable' and a bungalow would offer accommodation to single people/key workers seeking to stay in the village. Alternatively, elderly or disabled people seeking to stay in the village in a more appropriate home could occupy a disabled- accessible bungalow allowing them to pass on their home to younger family members. Two bungalows in the scheme would offer better prospects for either of these situations

The submission states that the 4-bedroom property is 'in keeping' with the size of No 52 but the scheme departs significantly from the established 'building line' and would appear more stand-alone from many aspects. This minor change to the scheme will be beneficial for potential people in need of the accommodation as well as mitigating to some extent the effects on No 52.

A condition should be imposed that the east and west boundaries be screened with a 2m high close boarded fence or similar, to reflect noise and to some extent reduce glare from headlights shining into the east and west facing elevations of Nos. 52 and 54. Although the application describes the perimeter as hedges the plans do not reflect this on these boundaries and it is requested that this is also included and planted with native hedgerow plants to also allow wildlife access past the site

There is concern about lighting as the local community voted against having any streetlights in the past to avoid light pollution. It is asked whether a condition could be attached limiting any lighting to fall within the boundaries of the properties or discourage the use of floodlights that have caused problems already.

The view of the Parish Council that overflow parking grassed areas should be provided between the bays is supported.

In respect of the revised drawings received on 20th May, concern is expressed about the seemingly unnecessary openings in the side elevation of the house on Plot 10 and requests that these are removed. The request remains for a 2m high fence on the boundary and there is continued concern about lighting. It is suggested that a pedestrian access to Harlton Road be provided towards the south east end of the site given the relocation of the vehicular access.

48. The occupier of **53 Harlton Road** comments that the site is in the Green Belt in an infill-only village, and would contravene several planning policies. The application also contains several material errors.

Policy HG/5 requires that no alternative sites can be found. Alternative sites were not sought despite numerous requests to the Parish Council by residents. The chance discovery later by the Parish Council of a very suitable site for six dwellings illustrates this lack of interest in other possibilities. That site was dismissed as too small, contrary to Policy HG/3. There was also another available site on the corner of Bucks Lane and Harlton Road which some Parish Councillors and the objector felt would integrate much better into the village.

This development would not be well-related to the built-up areas of Little Eversden (Policy HG/5). The site is, as one Parish Councillor put it, part of the gateway to the Eversdens. It is near the highest ground in the village and would spoil views of the village from the high ground by Quarry Drift – often used by residents for local walks.

Little Eversden has minimal facilities – one GP surgery and an inadequate bus service, which implies travel and car-dependency contrary to Policy DP/1. It is least preferred for affordable housing (Policy ST/2), as an infill-only village.

There are errors in the Design and Access Statement – there is no longer a shop and post office in Great Eversden.

'Survey demonstrates local need'. These 10 units are one half on the Eversdens' needs, with 10 units at Great Eversden. In practice priority is given to potential tenants with the greatest need. Local affiliation is a minor part of that assessment as was found with the existing affordable housing in Great Eversden. 'Local' also appears to be flexible, the proposed 10 units at Great Eversden have been abandoned, at least for five years.

'The parish is very supportive of the scheme' – this is not true – both the Chairman and deputy are strongly in favour and of the other seven relevant members (the eighth owns the site), at least three were opposed. At an extraordinary meeting of the residents no formal vote was taken but from the combined votes of those cast in advance by absentees and those at the meeting the clear majority was against the proposal.

The statement that there is a post office and shop in Great Eversden is untrue.

49. The occupier of **15 Finch's Field** asks affordable dwellings – for whom? Certainly not for anyone young starting on the property ladder or anyone who does not have a very good income as this is a village with few amenities and a bus service which is totally inadequate for nursery school onwards into employment and then retirement. Travelling is therefore expensive and to live here is more expensive than living in Cambridge with a regular bus service and shops. The site is also wrong as the properties in the road from the High street to the A603 are all private ones. Why not build next to the ones already built in Great Eversden if there is to be more affordable housing?
50. The occupier of **54 Harlton Road**, to the west of the site, comments in respect of the original drawings, that she has been told by the Parish Council Chairman that there will be natural screening on the side of the site facing No 54. However this will take some time to establish and grow to a height that would obscure the development. There is concern that car lights will shine into kitchen and conservatory windows and it is requested that a 2 metre high fence is erected in addition to the natural screening, prior to the commencement of development, which would help to minimise noise during building works. As No 54 and No 52 Harlton Road will be experiencing the most impact as a result of this development it is felt strongly that the position of the access remains as shown on the plan and not moved close to the boundary as has apparently been muted. The view that a bungalow would be more suitable adjacent to No 52 is supported from the point of view of affordability, appearance and consideration of the occupants of No 52.
51. The occupier of **No 57 Harlton Road**, whilst having no objections to the provision of affordable housing in Little Eversden raises concerns about the information supporting the application. The shop and post office has been closed for nearly three years. The nearest post office is now 5 miles away and there is no shop or banking provision or similar amenity in the Eversdens or within walking distance. There is a doctor's surgery but it is only part-time. The bus service is very limited. The density of the development is below national standards which is important as allowing a higher density could set a precedent for future developments in the area which may have a higher impact on the local environment. Access is a concern – whilst the layout may meet minimum standards the application fails to mention that the site lies on an unlit street with a 40mph speed limit. From either direction there is no clear sight line over a large distance as there is a long left-hand bend from the direction of the A603. The access could potentially prove hazardous and relies on drivers obeying the speed limit, which is a problem in the area. The above errors should be corrected before a decision is made and at the present time there is an objection raised.
52. The occupier of **No 6 Wheelers Way** objects as the land is green belt and should be preserved as such as green spaces are important in the village. Affordable housing should be built where there are facilities for young families and local residents. These services are not available in the Eversdens. Little Eversden is a very small village with no shop or post office and a very poor bus service. If such homes are desperately needed in the Eversdens they should be built on the site in Great Eversden, OSP 148, which was compulsory purchased by the District Council in the 1930's specifically for this purpose. It is questioned why SCDC has leased the land in question to the very people of Great Eversden who object to the Parish Council encouraged development of the Great Eversden site. This land should have been sold to the housing association and the developers.

53. The occupiers of **43 and 45 Harlton Road**, opposite the site, object. The development is unsustainable. The strategic vision for South Cambridgeshire is to encourage a more sustainable pattern of living (Objective DP/c and Policy DP/1) where developments must be located where access to day-to day needs for shopping, education and other services is readily available by public transport (Objective ST/b). The proposed development is not consistent with these policies and will therefore have an adverse impact on the development criteria set out in sub paragraphs (k), (l), (m), (o) and (q) of Policy D/3.

Little Eversden is one of the smallest villages in South Cambridgeshire and the level of facilities is frequently described as low. There is now no shop or post office in Little Eversden (nor in nearby Great Eversden) contrary to statements made in the application, and there is no primary school with both primary and secondary education being provided in Comberton. Public transport links to Cambridge are virtually non-existent with one bus departing first thing in the morning and returning in the early evening. As a consequence local residents must travel outside of the village by private car for all their daily needs. Government policy is to reduce the need to travel, especially by car, and this is reflected in Objective TR/b and Policy D/1, according to which development should 'minimise the need to travel and reduce car dependency'. The intention instead is to promote the use of more sustainable modes of travel such as public transport 'by making such modes...highly accessible'. The District Council has stated in its Development Control Policies that 'at the local level, there is a need to ensure that development is located such to minimise distances to travel to facilities and services' and that 'by ensuring development takes place in locations that are accessible by a range of modes of transport, the District Council can promote more sustainable travel patterns by reducing reliance on the private car'. It is therefore obvious that, in planning policy terms, it is important to limit the amount of development that can take place in rural areas with no services and extremely limited public transport. Taking into account the lack of local facilities and the complete absence of regular public transport links from the village, it is clear that the proposed development would be unsustainable as it would generate a disproportionate number of additional car journeys outside of the village.

The unsustainability of development of the proposed site is further evidenced by the designation of Little Eversden as an Infill-Only Village for planning purposes (Policy ST/7). The development opportunities within such villages are extremely limited. Subject to some of the District Councils overriding policies on affordable housing (see further below), residential development within the relevant village framework must be restricted to not more than 2 dwellings and is conditional on the satisfaction of one or more of the criteria at sub-paragraphs 2(a)-2(d). Planning permission may exceptionally be granted for up to 8 dwellings 'in very special circumstances' where this would lead to the sustainable recycling of a brownfield site (Policy T/7, para 3)

The proposed site is not within the designated village framework for Little Eversden and does not satisfy any of the criteria as sub-paragraphs 2(a)-2(d) (e.g. the site is on an otherwise built-up frontage to an existing road, but the gap is sufficiently large enough to accommodate far more than 2 dwellings). Similarly the proposed site is agricultural land within the Cambridge Green Belt (see below) and so clearly does not fall within para 3 of Policy ST/7. Furthermore, the fact that planning permission for up to 8 dwellings on brownfield sites will only be granted in 'very exceptional circumstances

suggest that allowing 10 dwellings on Green Belt land would be even more exceptional in nature.

In circumstances where the site of the development is outside of the relevant urban or village framework, as in the present case, Policy DP/7 states that only development for horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. The proposed development does not come within any of these excepted categories. As the development frameworks define where policies for the built-up areas of settlements give way to policies for the countryside it is considered that the District Council should consider these points seriously before granting planning permission for a development which is outside the village framework. This is because the boundaries of the village framework for Little Eversden, as with all such village frameworks, have been carefully located to ensure that the countryside is protected from gradual encroachment on the edges of the village and to help guard against incremental growth in an unsustainable location.

As noted above, the proposed site is also located within the Cambridge Green Belt. The Government attaches great importance to land designated as Green Belt and the aim of Green Belt policy is to maintain areas of open countryside between settlements in order to prevent coalescence of urban areas and to 'encourage sustainable patterns of development' (PPG 2 Green Belts). Limited affordable housing may be appropriate within the Green Belt (Policy HG/5), but the District Council has stated that 'given the nature of the Cambridge Green Belt, which is relatively small in extent, and the need to avoid prejudicing other strategic and local policies the District Council will implement this policy with caution'. Furthermore, para 2 of Policy HG/5 states that 'in the case of sites within the Cambridge Green Belt, before planning permission is granted for such development the District Council will have to be assured that no alternative appropriate sites can be found for the scale and type of development proposed and that the scheme fulfils all the criteria set out in the Councils policies including those relating to the impact of the development on local surroundings.'

It is therefore a matter for the judgement of the District Council, having had regard to all material circumstances (including the objectives of Green Belt policy and the sustainability of development at the proposed location), whether to release Green Belt land on an exceptional basis for low-cost housing schemes. It is believed that in the present case the necessary pre-conditions for such an exceptional release are not satisfied for the following reasons:

The proposed site is located on the fringe of the village and is not therefore well related to the built-up area of the settlement

The scale of the scheme is not appropriate to the size and character of the village as a the number of existing dwellings within the village framework adjacent to the proposed site is approximately 49, meaning that the proposed development (if built) would represent a 20% increase in the number of residential properties within the relevant framework.

The proposed site is not well related to facilities and services, within the village (e.g. schools, shops and post offices) because, as explained above Little Eversden does not benefit from such facilities and services.

The proposed development would damage the character of the village and the rural landscape, as the proposed site provides an important rural break between the two nearby, but detached parts of a village framework, thereby assuming an importance for the character of the village as a whole. The land at the proposed site currently enhances the setting, character and appearance of the village and should remain as agricultural land in order to retain the sense of connection between the village and its rural origins and surroundings

Alternative appropriate sites can readily be found for the scale and type of development proposed. The Core Strategy states that most of the limited development in the district should be focussed on the larger, more sustainable Rural Centres or Minor Rural Centres. A development of this nature would be better suited to such communities as Rural Centres and Minor Rural Centres, which have a wider range of services and facilities, better public transport links to Cambridge city centre and a greater established need for affordable housing.

Granting planning permission for the proposed development would arguably also contravene Policy NE/17 which aims to protect high quality agricultural land by providing that the District Council will not generally grant planning permission for developments that would lead to the irreversible loss of Grades 1, 2 or 3a agricultural land. The land between Little Eversden and Great Eversden is high quality, grade 2 agricultural land, and much of the remainder of the land surrounding Little Eversden is grade 3. Allowing the proposed development would therefore entail the irreversible loss of some of the best, and most versatile and productive agricultural land in the UK and it is submitted that the loss of agricultural land in this way should be restricted to the districts major development locations.

The District Council aims to protect and enhance natural heritage (Objective NE/b) and is committed to protecting and enhancing biodiversity (Objective NE/c). It will therefore generally refuse development that would have an adverse significant impact on the population or conservation status of protected species (Policy NE/6) and will not give planning permission for developments that may have an unacceptable adverse impact, either directly or indirectly, on a Site of Biodiversity or Geological Importance (which includes Special Areas of Conservation) (Policy HE/7).

Little Eversden lies in the Bedfordshire and Cambridgeshire Clayland Landscape Character Area and the West Anglian Plain Natural Area, and the local flora and fauna is fortunate enough to benefit from statutory protection in various locations (e.g. nearby Great Eversden Meadow and Wimpole Road are both County Wildlife Sites). However, by far the most important site within the locality of Little Eversden is the Eversden and Wimpole Woods Special Area of Conservation (the Wood SAC), which is the only site of international importance within South Cambridgeshire. The site provides a habitat for a colony of the Barbestelle bat, one of the rarest bats in Western Europe, and the bats have been recorded at a small number of other sites up to 11 kilometres from the Woods SAC. The area of particular interest for the protected bats flight and feeding areas are identified within the South Cambridgeshire Biodiversity Strategy and Little Eversden is situated in the centre of the area in which the bats are known to feed. If agricultural land in this area should be lost to further residential development, it is believed that

this would have a significant damaging impact on the already limited feeding area of the endangered Barbestelle bats. Whilst the proposed development is outside the strict confines of the Wood Sac Policy NE/7 applies to both direct and indirect adverse effects on Special Areas of Conservation, 'development outside an important site can still have a damaging impact on it'. It is therefore believed that the planning application should be subject to intense scrutiny to ensure that the proposed development does not adversely affect the Woods SAC.

Affordable housing is by its very nature, often occupied by families with young children and the proposed development consists of several 2-4 bedroom family homes. The proposed site is however within the beam of highest intensity of a mobile telecommunications mast situated to the rear of No 49 Harlton Road. It is understood that to permit residential homes to be built within this radius (particularly those that are likely to be occupied by young children) would not comply with the relevant recommendations of the European Commission, the World Health Organisation and the UK's Independent Expert Group on Mobile Phones.

54. The occupier of **No 41 Harlton Road** queries the role of a 4 bedroom house in an affordable homes project as this would not be affordable and suggests its replacement with a bungalow similar to that at the other end of the development. The entrance to the site from Harlton Road is in one of the most dangerous areas in the village for speeding cars and to have this opposite houses makes this even more dangerous with cars entering onto Harlton Road from both sides. It would be more appropriate to move the entrance further along towards No 54, thus clearing all entrances and making for a better view of traffic approaching from High Street turn and the blind corner. Why, in times of rising food prices and shortages has it been seen fit to propose this site which is Green Belt, farmland and capable of producing grain etc when there has been a site earmarked for housing for many years in the village which now seems to be used for private purposes.
55. The occupier of **No 31 Lowfields** comments that the houses will be sited off an already busy road with cars parked on the road between the site and the doctor's surgery, impairing visibility. Whilst it is understood that the homes will be for people with a local connection, which is something most people would not argue about, if there are not enough local people found to move into these houses are there any guarantees that none of them will be used for problem families? This has happened in the past causing great problems for the small community. Little Eversden is a small village with no facilities and a very limited bus service. There is already a good proportion of either Council or low-cost housing for a village of this size.
56. In two letters the occupiers of **43 Harlton Road** object believing that the current proposed development is totally out of keeping for a rural greenfield designated location and contradicts the SCDC Environmental and Sustainability planning strategies and policies. The Design and Access Statement states that the Parish is very supportive of the scheme however a considerable number in the community are not. It is believed that the proposed development of this specific site is totally unnecessary and is following an unethical route due to the fact that building land in Great Eversden between Chapel Road and the Church (OSP148) has been assigned for approximately 70 years by the District Council to meet the stated requirement for affordable housing within the Eversdens

It was on the basis of this information presented for investigation and analysis the objectors were informed of this fact following due process searches when they moved into the Eversdens in 1966.

In addition when they moved into Little Eversden in 1979 they state that they were advised that the land directly opposite the property upon which this development is proposed and will remain registered as Green Belt agricultural land with open view status and would not be built upon. Advice confirmed the land in Great Eversden was allocated for the next major building development phase with the only exceptions being very limited development in accord with SCDC in-fill policies

These facts have always been supported to date by SCDC and the Parish Council.

There are more appropriate sites in keeping with the village structure available which have been rejected by the Parish Council member who is also the landowner. This situation requires publicly demonstrable strict compliance to the Parish Council Model Code of Practice

There is also a brownfield site available for development in Harlton Road with existing established vehicle access.

The proposed development coupled with the intended additional access road to the development, if it is ultimately approved, will immediately create a dangerous road safety risk, totally eradicate the established green field environment and would drastically impact and interfere with quiet enjoyment of the local and visiting Ramblers community as well as the rural domestic environment within houses and gardens. In addition environmental policies encourage the minimisation of noise and exhaust pollution and this proposal would seriously impact the associated wildlife environment.

As an Infill Only village there are minimal facilities for the young or the old in the village and it is not therefore compatible with the proposed community sustainable development objectives

The proposed development targets 'affordable' housing. Inherently such a development requires sustainable infrastructure support. In this respect there is not a shop, there is no Post Office, the bus service is totally inadequate for purpose and in these circumstances requiring each new family to have as a minimum driving capabilities for two vehicles and thereby adding to the carbon footprint impact

The development would abandon key agricultural land to justify landowner change of use for building development

There are trees and hedges on the proposed development site.

There are trees and hedges adjacent to the proposed development site.

57. The occupiers of **47 Harlton Road** comment that the revised position of the access road is opposite their driveway and will represent an additional hazard when using the driveway. There will be headlamp nuisance as vehicles exiting onto Harlton Road from the site will be in a direct line of sight down the driveway and in through living and front bedroom windows of No47. There are 24 parking spaces all

funnelled through the single access point opposite that of No 47 which will mean that vehicles waiting to turn right will be stationary in the entrance to the driveway of No 47. The noise from vehicles braking to turn into (and accelerating away from) the development will be directly outside the property. Strong objections are raised. The location of the access further to the north west, whilst still undesirable, would cause less potential hazard.

Planning Comments – Key Issues

The key issues are:

Green Belt
Size and Numbers
Need/Mix/Tenure
Alternative Sites
Highway Safety and Parking
Neighbour Amenity
Design and Layout
Ecology

Green Belt

58. The proposal lies in the Cambridge Green Belt. However Policy HG/5 of the Local Development Framework 2007 is an exception to the normal operation of the policies of that Plan, and the starting point for consideration is whether or not the proposal amounts to inappropriate development in the Green Belt.
59. The proposal should not be considered inappropriate development if it is for “limited affordable housing for local community needs.” Limited is not defined but it must relate to the impact of such development on the purpose of including the land within the Green Belt and of key relevance is the impact on the openness of the Green Belt.
60. Any built development here will have some impact on the openness of this 0.42ha area of agricultural land and it is therefore necessary to consider whether this impact is limited and can be mitigated to a sufficient degree.
61. The site currently forms a gap between existing properties in Harlton Road which is characterised by the mature hedgerow on the front boundary. To the rear the site is open forming part of a larger field although there is some existing planting beyond the site to the north. Whilst views of the site across from High Street, to the north west, are limited during summer months views would be greater at other times of the year.
62. The proposed development seeks to retain the existing frontage hedge except at the points of access. This will entail the loss of a section of the hedgerow, approximately 10m in length, to provide the vehicular access and a further 2/3m wide section to provide the pedestrian access. These openings will not affect significant trees within the hedge.
63. Additional information submitted by the applicant has demonstrated that, whilst the visibility splays will require a trimming back of the hedgerow, particularly to the south east of the point of vehicular access, the removal of the hedge is not required.

64. The submitted plan proposes additional planting to the rear of the existing hedgerow to ensure that its current depth and form is maintained in the longer term. New tree planting is shown behind the hedge.
65. As amended the layout plan shows a new hedgerow to be planted along the sides and rear of the application site. This planting has been set outside the curtilage of the residential units and appears to conform to the suggestions of the Trees and Landscapes Officer. The further comments of the Trees and Landscapes Officer on this latest plan will be reported at the meeting.
66. The future maintenance of these new hedges is to be agreed but it is my view that this responsibility should be transferred to the existing landowner. The applicants are to discuss this matter with the landowner and future maintenance will need to be secure through the Section 106 Agreement.
67. I am of the view that provided the existing hedge on the frontage of the site is retained, except where required for access, and the additional planting carried out and maintained as shown that the development can reasonably be said to have a limited impact and I therefore conclude that the development is not inappropriate in the Green Belt.
68. Policy GB/2 states that appropriate development must be located and designed so that it does not have an adverse effect on the rural character and openness of the Green Belt. Again I consider that the proposal achieves this objective.

Size and Numbers

69. Policy HG/5 requires sites to be 'small'. No definition of 'small' in this context exists. At HG/5c the scale of the scheme is required to be appropriate to the scale of the village. I consider that the linear form of frontage development proposed is in character and I consider that it is in scale, although at the upper end of what might be considered as small in a village that is normally limited to infill development only, and consistent with the scale of affordable schemes in other infill villages.
70. Many of the letters of representation refer to the Infill Only status of Little Eversden and that to allow development for this number of units would fly directly in the face of the Councils objectives of trying to promote sustainable development. Services in the village are limited, although there is a doctor's surgery, and I can confirm that the reference in the Design and Access Statement to the existence of a shop and post office is incorrect as that facility has unfortunately closed.
71. The policy of allowing sites for affordable housing in villages for people in housing need in that particular village is an exception to the normal operation of the policies of the Local Development Framework and can result in a scale of development being permitted that is in excess of that which would normally be allowed, providing the scheme addresses the criteria in Policy HG/5

Need/Mix and Tenure

72. Exception sites are limited to the people in housing need within the specific village in which it is proposed. The Housing Development and Enabling Manager has confirmed that the need exists in Little Eversden for the number of units proposed. Following the replacement of the four bedroom dwelling by a three bedroom unit the housing mix is supported.

73. The Housing Development and Enabling Manager has however confirmed that the introduction of a second bungalow into the scheme, as originally suggested by the Parish Council and neighbours could not be supported.
74. The tenure of the units is to be agreed through the Section 106 Agreement but must ensure that the split of tenure relates to the local need.

Alternative Sites

75. Little Eversden is surrounded by the Cambridge Green Belt and any land outside the village framework will be within the Green Belt.
76. Policy HG/5 states that, for sites proposed within the Green Belt, before planning permission is granted the District council will have to be assured that no alternative appropriate sites can be found for the scale and type of development proposed. The housing need will not be met within the village framework as there will be insufficient land available for schemes to come forward for market schemes such that 40% of such schemes in an Infill Village to satisfy that need.
77. Representations refer to a brownfield site that is available, and although the letters do not specifically identify the site, I believe the comments relate to a former garage site on the corner of Harlton Road and the A603 and is currently disused and being marketed. This site is within the village framework where Local Development Framework policies would resist the loss of employment sites to residential uses. It is a relatively small site and even if it were to be developed for residential purposes 40% of the units that might be erected would not be sufficient to meet the identified housing need.
78. I conclude that there are no alternative appropriate sites in Little Eversden, outside the Green Belt that can accommodate the scale and type of development proposed.
79. Reference is made in the representations to OSP148 in Great Eversden as being a site that was acquired by the Council many years ago specifically for the purpose of affordable housing, and that this should be used to meet the housing needs of both villages. That site is also in the Green Belt and in my view it is quite appropriate for a site to be found in Little Eversden to meet its housing needs.

Highway Safety and Parking

80. The Local Highway Authority has not objected to the application although it has required amended drawings that demonstrate the ability to provide adequate visibility splays and turning/parking facilities. Revised drawings have now been submitted and the further comments of the Highway Authority will be reported at the meeting.
81. A single point of vehicular access to Harlton Road is acceptable to the Highway Authority and its location ensures that the required visibility splays can be provided.
82. I agree with the local views expressed that car parking on the Harlton Road in the vicinity of the site is difficult and should not be encouraged. In my view the design of the scheme, with an access roadway within the site serving all units, rather than each unit or pair having its own access, will help achieve this.

83. The adopted car parking standards require a maximum of 20 spaces to be provided (including a provision for visitor parking). As amended the scheme provides for 20 spaces.
84. I note the comment of the Highway Authority that it will be seeking an upgraded footway for the entire frontage of the site however this is likely to have a significant cost implication for the delivery of the units and this request will be the subject of further discussions.

Neighbour amenity

85. The land is presently vacant and the adjacent properties currently benefit from the undeveloped state of the site and any new development will inevitably have some impact on the residential amenity currently enjoyed nearby properties. It is important therefore to ensure that this amenity is adequately protected.
86. The unit at the north west end of the development is proposed to be a single storey dwelling. The existing property beyond the site to the north west (54 Harlton Road) is single storey. There will be a minimum distance of 11m between the boundary of the new development and that of No 54, which, when coupled with the hedge planting now proposed at that end of the site, will in my view be sufficient to ensure that the residential amenity of that property is sufficiently preserved, provided that a 2m high close boarded fence is erected on the north west boundary of the application site prior to commencement of development and thereafter maintained.
87. The unit at the south east of the site is two storeys and the existing detached house at No 54 has a number of ground and first floor windows that face the site. It also has a patio area close to the site boundary. There will be a minimum distance of 16m between the boundary of the new development and that of No 52, and 19m to the house on Plot 10 itself. The latest revised drawings show a high level bedroom window in the end elevation of Plot 10 facing No 52. The hedge planting now proposed at that end of the site and a condition requiring the erection and maintenance of a 2m high fence on the boundary of the site should mitigate the impact of development on No. 52. External lighting within the site can be controlled by condition
88. The occupiers of No 47 opposite the site are concerned particularly about dangers associated with the new access and its impact on their existing driveway. The impact of headlights is also a concern. The Highway Authority has not raised an objection to the relationship of the new roadway to existing entrances and I am of the view that any conflict in use will be minimal and could not warrant a refusal of the application. Although there may be some impact on residential amenity from headlights of cars using the new entrance, again I do not consider that it be of such significance to warrant a refusal of the application.

Design and Layout

89. It is my view that the linear form of development proposed is appropriate given the pattern of development in the vicinity. The central access point and roadway within the site requires the units to be set further back into the site than I would ideally like to have seen. However, this does lessen the impact of the new built development on the existing properties to either side. There is an existing mix of designs of properties on Harlton Road and it is my view that, with the use of suitable materials and landscaping, this development can be adequately assimilated.

Ecology

90. The detailed comments of the Ecology Officer will be reported at the meeting. The new planting proposed may offer an opportunity to add to the biodiversity of the site. I have asked the Ecology Officer to comment on the concerns expressed about the possible impact of the development of this site on the habitat of the Barbestelle Bat colony in Eversden Wood. This is a protected species and Eversden Wood is afforded European protected status and any impact will need to be adequately assessed and if appropriate mitigation measure sought.

Street Lighting

91. Given the existing low level of street lighting in Little Eversden it will be necessary to ensure that any lighting of the new development is sensitively carried out in order to preserve the character of the area. Details can be required through condition and if necessary discussions can take place with the Local Highway Authority.

General

92. The site is classified as Grade 3 agricultural land.
93. The houses have been designed to achieve code 3 of the code for Sustainable Homes. A condition can be attached to any consent to ensure that the units comply with the Councils policy on the use of renewable energy and water conservation.

Conclusions

94. Whilst there have been a number of letters of objection to this scheme I do not consider that it amounts to inappropriate development in the Green Belt and in my view it complies with the requirements of Policy HG/5. There is an identified need for affordable housing in Little Eversden which this scheme will help to meet.
95. In my view issues such as neighbour amenity, highway safety have either been addressed in the application as amended or can be mitigated by condition.
96. I will report the outstanding comments in respect of the latest amended plans but will recommend delegated approval subject to conditions, including the need for a Section 106 Agreement.

Recommendation

97. That, subject to the comments of outstanding consultees and safeguarding conditions, delegated powers of approval be given.

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) and Core Strategy (adopted January 2007).
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Ref: S/0629/08/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 2nd July 2008
AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0723/08/F - HEYDON

**Erection of House and Garage with Annexe Over (Revised Design including Oil Tank and Enclosure, Pool Equipment Housing and Pool House, Boundary Fencing and Revised Front Boundary Treatment) (Retrospective Application),
43 Fowlmere Road, for Mr and Mrs K Esplin**

Recommendation: Delegated Approval

Date for Determination: 1st July 2008

Notes:

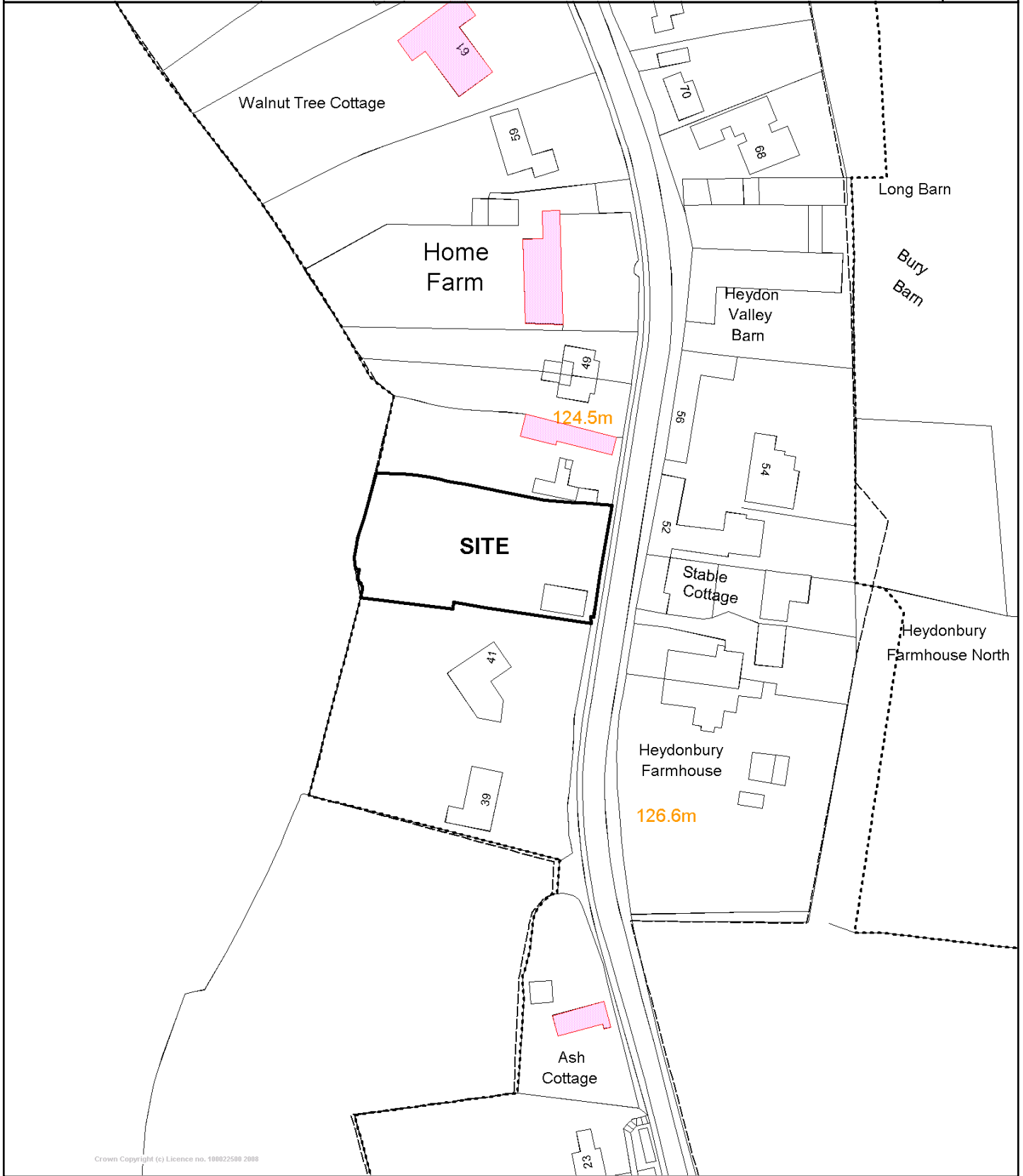
This Application has been reported to the Planning Committee for determination at the request of Councillor Guest.

Members will visit this site on Wednesday 2nd July 2008

Conservation Area**Site and Proposal**

1. 43 Fowlmere Road, Heydon is a new detached house, erected as a replacement for bungalow that formerly stood on the site, with a garage/annexe building in front on the south side of the plot. The site rises above the level of the road.
2. To the north of the site is Hill Cottage, a Grade II listed building and to the south is a bungalow. Opposite are residential properties.
3. This full application, received on 6th May 2008, seeks retrospective consent for works carried out other than in accordance with the originally approved drawings for the dwelling. The particular matters that require further consideration are:
 - a) The construction of a hardwood enclosure to house a pool pump and cleaning equipment in the rear garden. The enclosure measures approximately 2m x 1m and is approximately 2m high.
 - b) An oil tank to the rear of the garage/annexe building, close to the south boundary, and a vertical batten softwood enclosure.
 - c) A beech hedge at the front of the site in lieu of a brick wall shown on the original submission.
 - d) A gap in the hedge to allow for wheelie bins, located to the rear of the garage, to be taken to the street.
 - e) Post and wire fencing on the south boundary

S-0723-08-F



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Planning Committee July 2008

- f) The construction of a pool house between the house and the north boundary with Hill Cottage. The building measures 3.8m x 2.5m and 3.05m to the ridge. Materials match the main house.
- g) A 1.8m high boarded fence from the north east corner of the house to the north boundary in front of the pool house, 4m in length.

Planning History

- 4. Planning permission was granted for the replacement dwelling and garage annexe building in March 2005 (**Ref: S/1763/04/F**). Conditions attached to that consent took away permitted development rights for curtilage buildings, fencing etc and required boundary treatment to be agreed.
- 5. This consent followed an earlier refusal in July 2004 for a similar scheme, but with the garage/annexe sited parallel to the road, (**Ref: S/0574/04/F**).
- 6. Prior to these applications two proposals for the erection of two houses following demolition of the existing bungalow were refused in 2002 (**Ref: S/1274/02/F and S/2107/02/F**) The second of these was dismissed at appeal
- 7. Consent was granted for the installation of a satellite dish on the new dwelling in December 2006 (**Ref: S/2099/06/F**).
- 8. A planning application for a swimming pool and pool house was approved in 2008 in so far as it relates to the swimming pool (**Ref: S/1762/06/F**).
- 9. A retrospective planning application for the installation of garage doors was approved in January 2008 (**Ref: S/2254/07/F**). A condition attached to that consent required the garage doors to be painted to match the colour of the boarding of the main house within 3 months of the date of the consent. That work is yet to be carried out and is being pursued by officers.

Planning Policy

South Cambridgeshire Local Development Framework 2007

- 10. **Policy ST/7 – Infill Villages** identifies Heydon as an Infill-Only Village and states that residential development and redevelopment within the village framework will be restricted to not more than two dwellings.
- 11. **Policy DP/1 - Sustainable Development** states development will only be permitted where it is demonstrated that it is consistent with the principles of sustainable development, as appropriate to its location, scale and form.
- 12. **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.
- 13. **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. village character and residential amenity.

14. **Policy CH/4 – Development Within the Curtilage or Setting of a Listed Building** states that planning permission will not be granted for development which would adversely affect the curtilage or wider setting of a Listed Building.
15. **Policy CH/5 – Conservation Areas** requires that development proposals in or affecting Conservation Areas are determined in accordance with legislative provisions and national policy (currently in Planning Policy Guidance Note 15). Proposals should seek to preserve or enhance the character of the area.

Consultation

16. **Heydon Parish Council** recommends refusal.

“The application covers seven items (see Cowper Griffith letter accompanying the application for reference); therefore the council wishes to make the following comments to make clear their views on the various items:

1) *Enclosure to pool equipment*

Recommendation: Approve

2) *Enclosure to oil tank*

Recommendation: Refuse

The design and materials of the enclosure are not in keeping with the village scene.

The existing, 3-sided enclosure (at 26/5/08) does not screen the oil tank from the neighbours to the south.

3) *Hedge in lieu of wall*

Recommendation: Refuse

The wall remains essential to screen the car parking area.

Cowper Griffith accepted this in point 2 of their letter (ref. JG/SJW/1004/02) to the Planning Department dated 17/5/04. It was also a condition of the original planning permission that the wall should be built prior to occupation.

4) *Gap in the hedge*

Recommendation: Refuse

See 3) above

5) *Boundary Enclosure*

Recommendation: Approve

6) *Pool House*

Recommendation: Refuse

The pool house is now sited too close to the neighbouring property and gives the appearance of an over developed site, with insufficient space between the house and the listed building next door. On balance the village loses significantly more from this proposed location than with the building in its original location.

Cowper Griffith outlined a number of measures in point 3. of their letter to the Planning Department dated 17/5/04, to "allow a much wider swathe of garden beside the single storey element of No 45", this has been significantly compromised.

7) *Pool house fencing*

Recommendation: Refuse

The privacy fence is intrusive and adds to the sense of an over developed site. This would not be necessary if the pool house was in the original position.

Again the design and materials are not in keeping with other, similar structures in the village.

General Notes:

- (a) The plan does not accurately correspond with all the existing structures.
- (b) The Parish Council has still not received the official notice of approval for the pool.
- (c) Heydon Parish Council does not agree with the comment by Cowper Griffith in their letter accompanying the application that these points are considered to be of a minor nature. The construction of the boundary wall was a condition of occupancy in the original planning consent, and over development was a reason for refusal of a previous planning application.

We trust that these comments will help to understand our recommendation to refuse this proposal."

17. The **Conservation Manager** comments "I have given my informal view on these revised design details previously and overall it is my opinion that the changes do not fundamentally alter the impact of the new house on the Heydon Conservation Area by comparison to the original approved dwelling. The oil tank enclosure and revised location of the pool house etc make very little difference to the impact, and the only aspect of the design that has any potential to impact on the streetscape is the enclosure to the front boundary. Originally this was to be a flint wall plus hedge behind and I had previously commented that I personally would not object to the wall being omitted, but in that event the hedge would need to have a real presence from day one to provide immediate enclosure to the front garden. To that end I had suggested using semi-mature plants and for them to be staggered planted. The hedge as planted this spring uses plants of significant height, so that they do provide a degree of visual enclosure but they have only been planted in a single linear row. It may be that this hedge could be improved by planting a staggered row of lower hedging plants, providing thickness to the hedge at low level, and advice on this should be sought from the Landscape Officer.

Recommendation: In my opinion the revised details have a broadly similar impact on the Conservation Area to the original proposal and they therefore may be regarded as

'preserving' the conservation area. As such they accord with the basic requirements of PPG15. I therefore have no objection to the proposal but in the event that the application is approved I would wish to see a condition added requiring any hedge plant that dies within the next 5 years to be replaced. Further, if the Landscape Officer believes it would be of merit to include a staggered row of lower hedging plants, providing thickening to the base of the hedge, then I would wish to see a condition requiring this to be added in the next planting season."

18. The **Environment Agency** has no objection but makes a series of comments in respect of surface water.
19. The comments of the **Trees and Landscapes Officer** will be reported at the meeting.

Representations

20. One letter has been received from the occupier of Four Winds, opposite the site, commenting on the following issues:
21. The siting of the oil tank seems acceptable but only if it is in complete compliance of all relevant building and fire regulations. This is particularly important for safe egress from the accommodation above the garage which is by an external wooden stairway relatively close to the tank. This should be checked on site as the position of the oil tank marked on the plan appears incorrect.
22. The screening to the oil tank conceals the tank very effectively from the view of the applicants but not so well from the property to the south. At the time of considering the original development much emphasis was laid on the substantial growth of trees and shrubs between the two properties which were removed prior to development taking place. As a consequence there is now no significant screening between the two properties and the owners/occupiers of 41 Fowlmere Road have a more or less uninterrupted view across the front of the new house, which can hardly be considered acceptable, and some form of more permanent screening should be put in place to preserve the privacy of both properties. The proposed boundary treatment is inadequate.
23. In respect of the pool equipment housing there does not seem to be any reason for not siting the low-level wooden structure close to the pool, albeit that the pool itself still does not have consent.
24. The original intention was to site the pool house in the approximate position where the pool equipment housing has now been located and although work commenced it was soon stopped when it was belatedly realised that it would obscure part of the prospect from the house itself. Subsequently the building was erected in the space between the new house and the boundary with Hill Cottage, a Grade II listed building. Following the rejection of earlier planning applications made by the original owners an Appeal Inspector's report stipulated that a space should be left between any development on the application site and the boundary to the north in order not to adversely affect Hill Cottage. This was known by the applicant and architect as it was referred to in correspondence and it is in this same place that the pool house has been built. It should be removed forthwith to preserve the separation from Hill Cottage, as recommended by the Appeal Inspector.
25. In respect of the front boundary treatment a wall to a height of about 1.5 metres is essential to secure the privacy of the owners/occupiers of the new house, and to separate the forecourt from the general street scene. The fate of the original

screening on the southern boundary is ample evidence of the unreliability and impermanence of shrubs and trees. The original grant of planning approval included the requirement that the front boundary be marked by a substantial brick wall, precise details of which were to be agreed. If the applicants were unhappy about that provision the time to challenge it was when the consent was notified to them. By accepting the consent and acting upon it it is clear that this condition had been accepted. In addition there was a reminder in writing and clearly the condition attached to the planning consent has been breached, and suitable action is now called for to rectify the situation.

26. The decision to impose the original condition was not capricious and there can be no retreat from that position. Failure now to enforce compliance will strike at the heart of the whole planning process, and the credibility of the Planning Committee, Planning Department and the Planning Officers will be severely damaged. If nothing is done the applicants will have achieved exactly what they wanted to do, without any reference to the niceties of the relevant planning procedures.
27. Although not strictly relevant in the present context the continuing failure of the applicants to conform to a notice requiring the painting of the garage doors in a specified colour is indicative of a very uncooperative and recalcitrant attitude to planning decisions.

Planning Comments – Key Issues

28. Planning permission exists for the house and garage/annexe building and therefore the key issues for Members to consider with this application are whether the works carried out, in so far as they are not covered by the original planning consent, preserve or enhance the character of the Conservation Area, safeguard the setting of the adjacent Listed Building, and do not have an adverse impact on residential amenity.
29. Although this is a retrospective application, and I cannot condone situations where work is carried out without the necessary planning consent, Members must consider each revision on its merits, having regard to the above key issues. The fact that the works differ from the approved drawing does not mean that they should automatically be deemed unacceptable.

Enclosure to pool equipment

30. This small wooden enclosure is located adjacent to the pool in the rear garden. The rear garden has been laid out with areas of hardsurfacing with steps where there are significant changes in levels and the wooden enclosure is not intrusive within this area. The Conservation Manager has no objection and in my view this structure does not have an adverse impact on the character of the area, the adjacent listed building or the amenity of the neighbouring property.

Oil tank and enclosure

31. The oil tank is sited to the rear of the garage/annexe building, close to the south boundary of the site. Given the comment from the occupier of Four Winds, I have asked the Building Control section to check that the position of the oil tank complies with the relevant legislation however I have been advised that provided it is sited at least 1.8m from a building and at least 760mm from a boundary it will comply.

32. The enclosure to the oil tank is visible from Fowlmere Road when viewing from the north. The future establishment of the front boundary will further restrict views from Fowlmere Road. When considering the site as a whole with the new dwelling and garage/annexe building I do not consider that the oil tank or its enclosure will have an adverse impact on the street scene.
33. No objection to the proposal has been received from the occupiers of the house to the south. The oil tank is sited lower than the level of that house and once the agreed boundary treatment is carried out I consider that the oil tank and enclosure will not have an adverse effect on residential amenity.

Front boundary treatment

34. The approved drawings for the site show a flint and brick wall, with a beech hedge planted behind. A condition of the planning consent required boundary details to be approved and constructed prior to occupation of the building. The owners are currently in breach of this condition but are requesting that an alternative treatment for the front boundary is considered i.e. the planting of a hedge on its own. Prior to re-development of the site there was a low brick wall along the frontage.
35. At the time of the approved 2004 application the then Conservation Manager suggested the erection of a front boundary wall, with external planting. The landscaping scheme, as subsequently approved, showed a beech hedge to be planted behind the wall. The height of the wall was not agreed on that plan.
36. In commenting on the current application, following informal advice, the Conservation Manager states that he would not object to the wall being omitted provided that the hedge to be planted has a real presence from day one to provide immediate enclosure of the front garden. He has suggested that semi-mature plants should be used and that the planting should be staggered to provide depth.
37. The hedge as currently planted, whilst it already has a height of approximately 1m, has only been planted in a single row and I am seeking further advice from the Trees and Landscapes Officer.
38. Looking at the original comments of the Conservation Manager his intention was that the impact of any wall erected on the front boundary should be softened by boundary planting in front of it, rather than a hedge being planted behind as now shown on the approved landscaping scheme.
39. Having regard to the form of other front boundaries along the Fowlmere Road I am of the view that a hedge would be in keeping with the character of the area, provided that it can provide adequate enclosure to the street scene and help screen and assimilate the new development. I am therefore prepared to support this change in principle but subject to the detailed comments of the Trees and Landscapes Officer. If required, additional planting can be required to be carried out in the next planting season.

Proposed gap in the hedge

40. Although I cannot really see the need for the gap in the hedge as proposed, other than it being more convenient for the applicant, I do not consider a 2m opening, with the gable wall of the garage/annex behind, will have a significant adverse impact on the street scene or character of the area such that it would warrant an objection being made.

Boundary enclosure

41. I have no objection to the post and wire fencing on the south boundary of the site. In my view, when combined with the planting to be carried out as part of the approved landscape scheme, it will form an appropriate and adequate boundary treatment.

Pool House

42. The pool house building is a relatively small single storey building with a pitched roof. The external boarding has been coloured to match the existing house and the same tiles used for the roof. Whilst it is more prominently located when viewed from Fowlmere Road than it would have been if sited where originally proposed in the rear garden, I share the view of the Conservation Manager that the building in this position does not fundamentally affect the impact of the development on the street scene or the Conservation Area.
43. I am also of the view that the siting and design of the building does not have an adverse impact on the setting of the adjacent listed building. Hill Cottage. Representations have made reference to the comments contained in an Inspectors report dismissing an earlier application for two houses on the site (2003). The scheme at that time was for 2 two-storey houses which spanned virtually the whole width of the site and the Inspector commented that this would leave little space at either side to provide a landscaped setting for the buildings, with the effect that the rural character of the area would be diluted. He considered that 'bearing in mind the modest nature of the adjoining building to the north, I consider that the proximity of the northernmost dwelling to the boundary, and its relative height to that building, would render it unduly prominent in the street scene. It would therefore compromise the setting of the adjoining Listed Building.'
44. I consider that the small, single storey, pool house building, whilst occupying the space between the new dwelling and the adjacent listed building, has a significantly reduced impact than the scheme for the two storey dwellings referred to and allows for adequate visual separation. In my view it does not have an adverse impact on the street scene or setting of the listed building. I am also of the view that neighbour amenity is not prejudiced.

Pool house fencing

45. I agree with the Parish Councils comments that the style of fencing is not typical of other fencing in the area. Being at the front corner of the building and parallel to Fowlmere Road, it is more visible in the street scene than the fencing around the oil tank, however it is only 4m in length and set back 17m from the road and I agree with the Conservation Manager that any impact on the Conservation Area, street scene and setting of the adjacent listed building is minimal.
46. In summary I am of the view that, subject to the comments/requirements of the Trees and Landscapes Officer regarding the appropriateness of the front boundary treatment, consent can be granted.

Recommendation

47. That, subject to the comments of the Trees and Landscapes Officer in respect of the front boundary treatment, consent is granted subject to appropriate conditions.

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

- South Cambridgeshire Local Development Framework 2007
- Planning Files Ref: S/0723/08/F; S/2254/07/F; S/1762/06/F; S/2099/06/F; S/1763/04/F; S/0574/04/F; S/2107/02/F and S/1274/02/F

Case Officer: Paul Sexton – Area planning Officer
Telephone: (01954) 713255

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 2nd July 2008
AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

**S/0632/08/F – SAWSTON
Extension - No 25 Granta Road, for Miss Bradford**

Recommendation: Refusal

Date for Determination: 28th May 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 Dr Bard, and following consideration of the application at the Chairman's Delegation Meeting held on 2nd June 2008

Members of Committee will visit the site on Wednesday 2nd July 2008

Site and Proposal

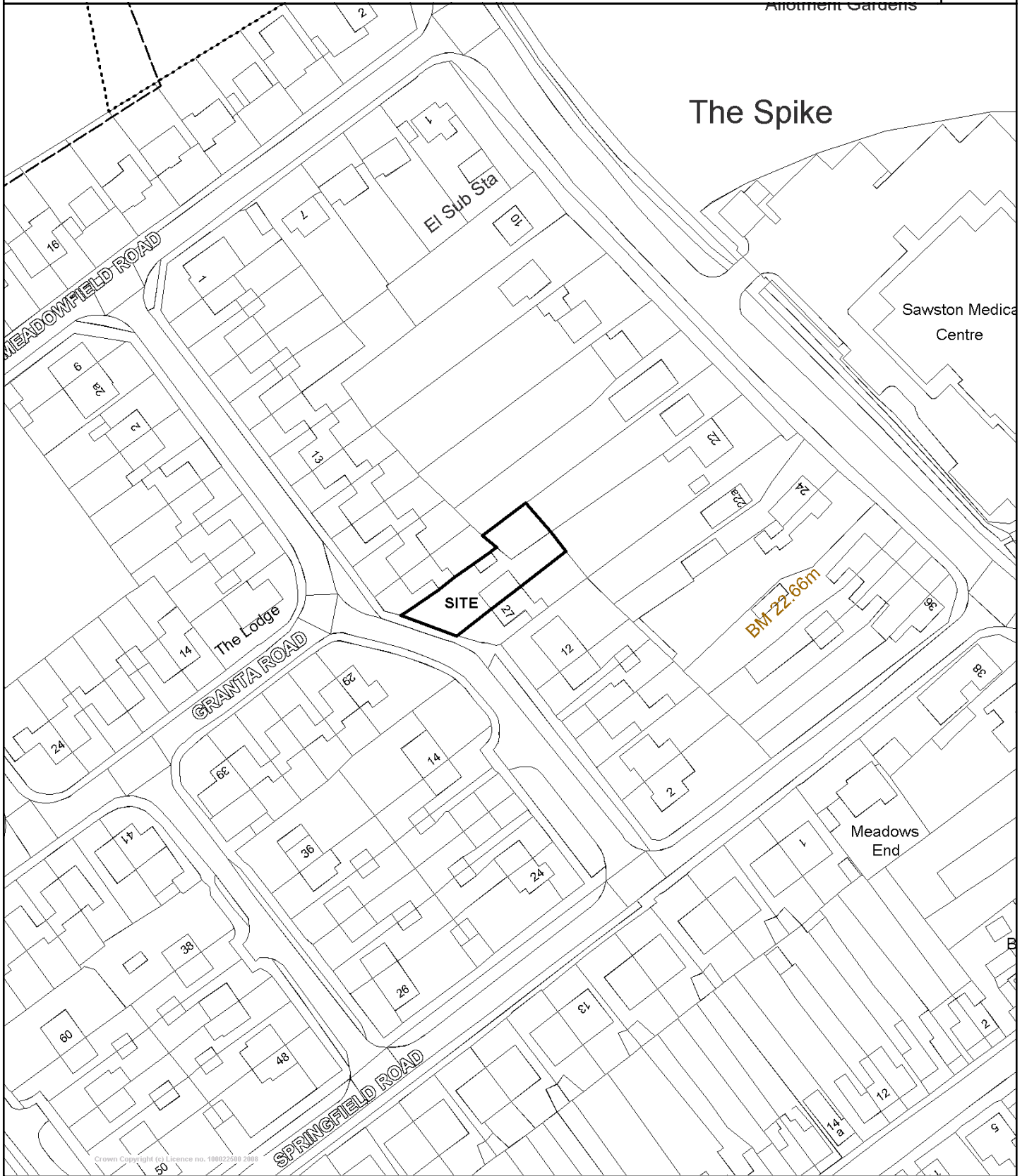
1. The application site falls within the Sawston village framework and the residential area south west of London Road. Properties in the locality are predominately semi-detached properties of varying size and styles. No 25 is a two storey semi-detached chalet-style dwelling in a pair with No 27 and it has a detached garage along the northwestern boundary. The dwelling at No 23 Granta Road, which is situated to the northwest, is set forward of No 25.
2. The full application, submitted on 2nd April 2008, is a resubmission following a refusal of the previous application reference S/0339/07/F. It proposes to erect a 2 storey side extension with an integral garage projecting to the front. The length of the proposed extension would be 10m on the ground floor and 4.6m on the first floor set 1.05m from the north west boundary. The 2 storey extension would be set down from the original ridge by 1.5m and the first floor rear dormer window would be set back from the rear elevation by 1m. Comparing to the previous proposal, the length of the first floor side elevation is reduced from 6m to 4.6m.

Planning History

3. **S/0339/07/F** – Application for 2 storey side extension was refused on the grounds of affecting residential amenity interests to the occupiers of No 23 Granta Road by being overbearing and reducing light to the garden area of No 23. An appeal was dismissed. The Inspector commented:

“Because of its size and positioning I consider that it would over-shadow the private, sitting-out area and patio doors at the rear of this neighbouring property, and reduce the amount of morning sunlight and general daylight reaching these areas.

S/0632/08/F - Sawston



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Planning Committee July 2008

Furthermore, the appeal proposal would bring an appreciable amount of additional bulk much closer to No 23 than is currently the case. Again, because of the relative positioning of the dwellings it is my view that the extension would appear visually intrusive to these neighbouring residents, when viewed from the garden, the ground floor and from the first floor projecting dormer.

In view of these points I conclude that the proposed extension would have an adverse impact upon the living conditions of the occupiers of No 23, through overshadowing and over-bearing presence. As a result it would conflict with South Cambridgeshire Development Control Policy DP/3 which, amongst other matters, requires new development to not have an unacceptable adverse impact on residential amenity.”

He did not consider that the extension would appear out of keeping with the general character of the area.

Planning Policy

4. **Policy DP/2** of the LDF Development Control Policies DPD 2007 states that all new development must be of high quality design.
5. **Policy DP/3** of the LDF Development Control Policies DPD 2007 resists development that would have an unacceptable adverse impact on, amongst others, residential amenity.

Consultations

6. **Sawston Parish Council** recommends approval.

Representations

7. Letter of objection has been received from the occupier of No 23 Granta Road that the proposal would affect natural light to the ground floor bedroom/study and would result in overshadowing and loss of light to the sitting-out area. The proposed extension would be intrusive given that it would only be set away from the boundary with No 23 by 1m.
8. Councillor Bard supports the application and considers that the objection of overbearing is exaggerated. Given that there is no objection from the Parish Council and neighbours, the matter is largely a matter of opinion. No 25 is staggered in relation to the neighbour at No 23 who would be most affected and whilst the extension would be clearly visible from the garden of No 23, he considers that the proposal would not cause loss of light. There is other much bulkier development approved on this estate including new dwellings (ref S/1606/04/F and S/0313/04/F). He is also concerned that the applicant has revised the scheme to reduce the bulk by altering the roofline and reducing the protrusion from the main building. It is believed that the modification had the support of the Area Team.

Planning Comments – Key Issues

9. The key issue to consider in the determination of this application is the impact upon the residential amenities of No 23 Granta Road.

Residential amenity interests

10. The proposed 2 storey side extension would be 6.6m high to the ridge, set 1.5m below the original ridgeline and set 1m away from the common boundary with No 23.

The proposed extension has a length of 10m on the ground floor and 4.6m long on the first floor. Although the scheme has been revised to reduce the bulk and mass by lowering the ridge height and reducing the length of the first floor extension from 6m to 4.6m, the proposed extension with a full gable would be visible from the garden area at No 23 Granta Road, by virtue of the fact that the front elevation of No 25 is set behind the line of the original rear elevation of No 23. .

11. No 23 has a single storey side element with study/bedroom patio doors adjacent to the common boundary, and first floor windows in the rear elevation. The proposed extension would also be visible from the rear windows of this neighbouring property.
12. The proposed extension is to the southeast of No 23 and the sitting-out area is immediate adjacent to the boundary. Due to the positioning and orientation of Nos 23 and 25, the extension will overshadow and cause loss of light to the private garden area of No 23.
13. Although the scale of the proposed development has been reduced following the refusal of the previous application, I do not consider that the scheme as submitted overcomes the harm identified by the Inspector. The proposal is considered to be harmful to residential amenity through its overbearing impact and loss of light.
14. I had discussions with the applicants following the appeal decision; however, I have not seen an acceptable scheme that would overcome the previous reason for refusal and the Inspector's comments. A further revised proposal was forwarded to the Area Team before the 2nd June 2008 Chairman's Delegation Meeting. It has not been dealt with as an amendment given that the revised proposal would have adverse neighbouring impact and the amendment consultation would go beyond the date for determination. The application is considered as submitted.

Recommendation

- 15 Refuse

Reason for Refusal

The proposed 2 storey side extension, by virtue of its height, length and proximity to the northwestern boundary, would appear unduly dominant and overbearing in the outlook from, and would reduce light to, the garden area of the neighbouring property, No. 23 Granta Road. The proposal is therefore contrary to 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.

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

- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, Development Plan Document, adopted July 2007
- Planning Files Ref: S/0339/07/F and S/0632/08/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 2nd July 2008
AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0654/08/O - WATERBEACH

9 Dwellings and Associated Vehicular Access, Land Rear of 10A Rosemary Road and 3 St Andrews Hill for Mrs A Dant, Mr N Foster and Mr T Brown

Recommendation: Approval

Date for Determination: 29th May 2008

Notes:

This Application has been reported to the Planning Committee for determination because of the recommendation of Refusal by the Waterbeach Parish Council and on the request of Cllr's Johnson & Hockney;

Site and Proposal

1. The 0.26 hectare site consists of a back land plot behind Nos. 4, 6, 8, 10, 10a, 12, 14, 16 and 18 Rosemary Road. The site is believed to be a former coal yard, which over the years has been used as an orchard as the site has become overgrown and foliage has taken hold. The site is accessed via an access point between Nos. 10 and 10a, which currently is closed with boarded gates and it would seem is used as additional off road parking. The dwellings fronting the site are modern units modest in scale with low front boundaries consisting of dwarf walls and open fences.
2. There is a similar access point between Nos.6 & 8 Rosemary Road, which leads to a garage block. To the rear of the site is a grade II Listed Building at The Hall, which fronts onto Station Road. There is a prominent and mature Leylandii hedgerow just off the common boundary with the Listed Building and the site in question, which makes up an important buffer for the Waterbeach Conservation Area abutting the site to the west and south. Rosemary Road is a 30mph street with mainly residential housing, although there is a small village shop opposite the site at No.3.
3. This planning application, dated 3rd April 2008, is for outline consent and includes the following details for approval:
 1. Layout
 2. Means of access and
 3. Landscaping
4. The proposal is for 9 dwellings in total, 4 of which (2 bed terrace two storey dwellings) are to be affordable homes, whilst the remaining 5 market dwellings are to be a mixture of 2 two bedroom, 2 three bedroom and 1 four bedroom properties. The density equates to 35 dph. These properties are to be situated in a row with the four affordable properties consisting of a terrace at

the centre of the development. Although this application does not seek the determination of the scale and appearance of the proposed dwellings the information supplied suggests that the properties are to be two-storey dwellings.

5. The application is accompanied by a design and access statement, an Access Appraisal, Arboricultural Assessment and Flood Risk Assessment.

Planning History

6. Planning Application **S/0381/07/O** was refused on the 26th April 2007 for the siting and access of 8 dwellings to the rear of No.10a Rosemary Road. This application was refused on two grounds; firstly due to an inadequate access road and visibility splays and secondly due to the close proximity of the proposed dwellings to the Leylandii hedgerow and Conservation Area, which was deemed to put pressure on this landscaping, which would result in further impact upon the setting of the adjacent Listed Building.

Planning Policy

South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007 and Development Control Policies adopted July 2007.

7. **Policy ST/5 “Minor Rural Centres”** identifies Waterbeach and such a settlement where residential development and redevelopment up to an indicative maximum scheme size of 30 dwellings will be permitted within village framework.
8. **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.
9. **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.
10. **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.
11. **Policy 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.
12. **Policy 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.

13. **Policy HG/1 “Housing Density”** is set at a minimum of 30dph unless there are exceptional local circumstances that require a different treatment in order to make best use of land. Higher densities of 40dph will be sought in the most sustainable locations.
14. **Policy 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.
15. **Policy 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.
16. **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.
17. **Policy SF/10 “Outdoor Play Space, Informal Open Space and New Development”** requires that all new residential development contribute towards outdoor space. The policy states the specific requirements, including that for small developments (less than ten units) it is expected that only informal open space be provided within the site. Contributions to off-site provision and maintenance of other types of open space will be expected in addition to this.
18. **Policy SF/11 “Open Space Standards”** sets out minimum space requirements as follows: 2.8ha per 1000 people comprising 1) 1.6ha per 1000 people outdoor sport; 2) 0.8ha per 1000 people children’s play space; and 3) 0.4ha per 1000 people informal open space.
19. **Policy 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 CO₂m³ / year emitted by 10%.
20. **Policy NE/9 “Water and Drainage Infrastructure”** indicates that planning permission will not be granted where there are inadequate water supply, sewerage or land drainage systems to meet the demands of the development unless there is an agreed phasing agreement between the developer and the relevant service provider to ensure the provision of necessary infrastructure.
21. **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.

22. **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

East of England Plan 2008

23. **Policy SS1 “Achieving Sustainable Development”** seeks to bring about sustainable development through the principles of the UK Sustainable Development Strategy.

Consultation

24. **Waterbeach Parish Council** – Recommend Refusal on the following grounds:
- a. Overdevelopment of the site;
 - b. Inadequate provision of parking and movement of vehicles;
 - c. Adjacent to Listed Building with a concern about the view from the Gault and the Green;
 - d. Concern over light pollution due to street lighting to the rear of existing properties;
 - e. Crowded site would result in noise and disturbance to residents;
 - f. If loft space is developed there could be issues of overlooking, this should be safeguarded by condition;
 - g. Inadequate access, which does not appear to conform to highway standards;
 - h. Inadequate access for emergency vehicles and refuse;
 - i. Elevation drawings do not show relationship with surrounding buildings;
 - j. Pedestrian access would appear unsatisfactory;
 - k. Earth moving could cause damage to the Listed Wall;
 - l. Landscaping
25. **County Council Archaeology** – Recommends that the site be subject to an archaeological evaluation prior to the granting of planning permission due to the site lying in an area of high archaeological potential within the village core.
26. **Building Control** – Provision for domestic waste storage is not included, this must be provided in accordance with approved document H6.

27. **Conservation** – No objection providing adequate screening can be retained along the southern boundary of the site.
28. **Highway Authority** - Recommends a condition requiring that two 2.0 x 2.0 metres pedestrian visibility splays be provided and shown on the drawings.
29. The Highway Authority recommends that visibility splays with dimensions of 2.4 metres by 70 metres as measured from and along the nearside edge of the carriageway should be provided and shown on the drawings on both sides of the access. The area within each splay should be kept clear of any obstruction exceeding 600mm in height at all times. Given the sites location the Highway Authority is prepared to consider the application of the principles of Manual for Streets provided that the developer is able to produce empirical evidence to demonstrate that the traffic speeds, flows etc. for the surrounding area fall within the required parameters.
30. The Highway Authority is in agreement that this access road shall remain private and not adopted as the design is not suitable and will therefore remain private at all times. The applicant must show the dimensions for the access road and the proposed car parking spaces, which should be 2.5m x 5m with a 6m reversing space.
31. The access should be laid to a gradient not exceeding 4% for the first 6 metres from the highway boundary and not exceeding 8% thereafter. Prior to commencement of the development details should be approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme should be carried out in its entirety before the access is first used and should be retained at all times.
32. No unbound material should be used in the surface finish of the driveway within 6 metres of the highway boundary of the site. In order to mitigate the potential traffic impact that the proposed development may have on the surrounding streets, the Highway Authority will seek a contribution to investigation and the potential implementation of traffic regulations within the vicinity of the site, under a Section 106 Agreement.
33. **Ecology** – No buildings of interest on site so a bat roost is unlikely, however, a condition should be attached for site clearance in light previous comments on S/0381/07/O;
34. **Landscape Design** – Comments to be expressed verbally at meeting if received.
35. **Trees Officer** – No objection in view of footprints of dwellings having been revised to accommodate the Leylandii hedge at The Hall.
36. **County Financial Planning Officer** – Awaiting comments, although a contribution of £20,000 was sought in March 2007 (Ref: S/0381/07/O) to meet the provision needs from housing growth for pre-school nursery and primary pupils.
37. **Council's Drainage Manager** – Flood Risk Assessment (FRA) appears satisfactory but a soakaway test will be required at a later stage. Consent

should be given subject to a standard condition that SW drainage details must be provided and approved in writing prior to work commencing.

38. **Waterbeach Internal Drainage Board** – The board will not object to this application providing surface water accommodation is a reserved matter in the form of a condition.
39. **Housing Development Officer** – Comments to be expressed verbally at meeting if received.
40. **Environment Agency** – No objections subject to advice upon sustainable drainage to manage surface water run-off.
41. **Environmental Health** – Condition to be attached restricting the use of power operated machinery during the construction period and details of pile driven foundations.

Representations

42. 9 neighbour objection letters have been received, the contents of which have been summarised below:
 - a. The access situation has not changed since the previous refusal S/0381/07/O, if anything this will be made worse by the proposal seeking 9 dwellings rather than 8. The access width is inadequate for bin collection and emergency vehicles;
 - b. The visibility splays still encroach upon land outside of the control of the applicants and therefore cannot be kept free of obstruction, which will cause hazards to pedestrians and passing traffic;
 - c. There is an under provision of parking on the site, with manoeuvrability made difficult by the parking layout and the width of the road;
 - d. The layout is not significantly different to that which was refused and is contrary to Policy HG/11 of the local plan now superseded;
 - e. It is impossible to judge the height of the buildings in relation to their impact upon the adjacent Listed Building;
 - f. The proposed southern landscaping screen is inadequate;
 - g. Continued impact to Listed Wall via rear access to proposed terrace;
 - h. The FRA makes no reference to 3 recent incidents of flooding of adjoining land;
 - i. Dwelling would be in close proximity to existing dwellings resulting in overlooking and a loss of privacy;
 - j. Rosemary Road is already congested and further vehicles would exacerbate this issue;
 - k. 4 Bungalows would be more appropriate than 9 dwellings;

- l. A full tree survey should be completed before work commences;
- m. A more detailed landscaping proposal should be provided;
- n. Boundary treatments to the properties abutting the site will require careful consideration;
- o. The local shop in Rosemary Road already results in excess traffic through deliveries and visitors along with the residents of Rosemary Road, further traffic would result in highway danger;
- p. There have been no change in circumstances since the last refusal;
- q. The density of the development is unreasonably high;
- r. Further traffic and street lighting to the rear would impact upon the amenity to the rear gardens of properties fronting Rosemary Road;
- s. Lower profile housing would be more appropriate within this location given the close proximity of the adjacent Conservation Area;
- t. The site contains a mixture of birds, bats and foxes that will all be affected by the loss of habitat;
- u. Refuse trucks would not be allowed to manoeuvre safely within the site;
- v. Development of this nature would put demands on village amenities;
- w. The Bannold Road development for 100 homes and development such as this will put further demand on school numbers;

Planning Comments – Key Issues

- 43. The site is previously developed land. The proposal for 9 dwellings, representing a net density of 35 dwellings per hectare, is within the threshold of the requirements of Policy HG/1 and would result in a good use of land in a Minor Rural Centre. It would comply with Policy ST/5 of the adopted Core Strategy. The proposal would also provide affordable dwellings on site adhering to the 40% provision as set out in Policy HG/3. Although the affordable dwellings would not be pepper-potted throughout the development they would be integrated within a terrace at the centre of the proposed development. The remaining market dwellings mix would meet the requirements of Policy HG/2.
- 44. The dwellings will be laid out in a linear format fronting the access road, all of which would accommodate off road parking, which would meet the requirements of Policy TR/2, with the proposal being only 0.5 of a space short of the maximum standard. This would see a total of 13 spaces serving the 9 dwellings, which is in line with the 1.5 space per dwelling standard. Whilst it is acknowledged that Rosemary Road suffers from on road parking problems, which are intensified by the local shop, this application fully complies with the Council's parking standards and is in a very sustainable location within the village with local services and means of public transport within a short distance.
- 45. The proposed dwellings have been carefully sited in order to provide a 12m buffer between the rear elevations of the dwellings and the listed wall along

the southern boundary. This is deemed adequate, as it would not result in a building having a negative impact upon the adjacent Conservation Area or the setting of the listed building, whilst minimising any harm from overshadowing from the Lelandii hedge adjacent to the southern boundary. An indicative planting scheme proposes several trees in the rear gardens.

46. The proposed dwellings, although brought forward from the southern boundary, would still have a back-to-back relationship with the existing dwellings in Rosemary Road of approximately 30m. This is considered more than adequate for two-storey housing to safeguard light and privacy. It is therefore considered that the proposed dwellings would not result in material loss of privacy upon the amenities that the occupiers of Rosemary Road currently enjoy. Given this distance and the proposed housing types it also considered that the proposal would not result in any significant loss of light to the surrounding properties nor would the dwellings be unduly visually overbearing from views outside of the site.
47. It is proposed that the access road to the development will be a private road and therefore will not be adopted by the local highway authority. As a consequence it will not be required to meet the minimum dimensions of 6m width with the provision of public footpaths to meet the Highway Authority standards.
48. Nevertheless the access width of 5 metres for the initial 10 metres and thereafter 4.1 metres will allow two vehicles to pass and will be suitable for emergency vehicles. Furthermore, the applicant has now supplied a traffic speed survey to justify the use of the Manual for Streets and the lower provision of 2.4m x 45m vehicular visibility splays together with evidence that these splays can be achieved.
49. Although the site would not provide footpaths on both sides of this access road, there would be the option of a shared surface for pedestrians upon the eastern edge of the road, whilst the western edge is to provide planting.
50. I am of the opinion that the proposal has adequately addressed the two reasons for refusal of the previous planning application S/0381/07/O. This is also the opinion of both the Conservation Officer and Trees Officer along with the Highway Authority. This application has also taken heed of the newly adopted policies that did not apply on the previous planning application and would provide a valuable housing development, which would conform with the policies of the Local Development Framework 2007. Given the constraints of the site in relation to the 12m buffer to the southern boundary, the site is unable to provide any informal play space. The applicant is however, willing to provide a scheme for informal space by way of a financial contribution to provide such space elsewhere within the village.

Recommendation

51. Approve

Conditions

1. Approval of the details of the scale and appearance of buildings, and the detailed landscaping of the site (hereinafter called "the reserved matters")

shall be obtained from the Local Planning Authority in writing before any development is commenced. (Reasons - The application is in outline only.)

2. Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. (Reasons - The application is in outline only.)
3. The development hereby permitted shall begin not later than the expiration of two years from the date of approval of the last of the reserved matters to be approved. (Reasons - The application is in outline only.)
4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment for each dwelling shall be completed before that dwelling is occupied in accordance with the approved details and shall thereafter be retained. (Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
6. 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 2.4m measured along the centre line of the proposed access road from its junction with the channel line of the public highway, and 45m 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 in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
7. Visibility splays shall be provided on both sides of the access and shall be maintained free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the highway boundary.
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
8. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.
(Reason - To ensure a satisfactory method of surface water drainage and to

prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

9. During the period of construction no power operated machinery (or other specified machinery) shall be operated on the premises before 08.00 am on weekdays and 08.00 am on Saturdays nor after 18.00 pm on weekdays and 13.00 pm on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing by the Local Planning Authority in accordance with any agreed noise restrictions. (Reason - To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
10. Any removal of trees, scrub or hedgerow shall not take place in the bird-breeding season between 15 February and 15 July inclusive, unless a mitigation scheme for the protection of bird-nesting habitat has been submitted to and approved in writing by the Local Planning Authority. (Reason - To avoid causing harm to nesting birds in accordance with their protection under the Wildlife and Countryside Act 1981 and in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)
11. No development shall begin until a scheme for the provision of bird nest boxes has been submitted to and approved in writing by the Local Planning Authority; the dwellings shall not be occupied until the next boxes have been provided in accordance with the approved scheme. (Reason - To achieve biodiversity enhancement on the site in accordance with adopted Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)
12. The development shall not begin until a scheme for the provision of 4 two bedroom affordable dwellings as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme. The scheme shall include:
 - i. The timing of the construction of the affordable housing;
 - ii. The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing; and
 - iii. The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy shall be enforced.(Reason - To ensure the provision of an agreed mix of affordable housing in accordance with Policy HG/3 of the adopted Local Development Framework 2007.)
13. No development shall take place until a scheme for the siting and design of the screened storage of refuse has been submitted to and approved in writing by the Local Planning Authority. The screened refuse storage for each dwelling shall be completed before that dwelling is occupied in accordance with the approved scheme and shall thereafter be retained. (Reason - To provide for the screened storage of refuse in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
14. No development shall begin until details of a scheme for the provision of outdoor sports and playing space and informal open space infrastructure to

meet the needs of the development in accordance with Policy SF/10 of the Local Development Framework Development Control Policies 2007 has been submitted to and approved in writing by the Local Planning Authority. (Reason: To ensure the development provides a suitable level of public open space for occupants of the development, in accordance with Policies SF/10 and SF/11 of the South Cambridgeshire Local Development Framework 2007

15. 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 in accordance with Policy CH/2 of the adopted Local Development Framework 2007.)

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

- East of England Plan 2008
- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007) and Development Control Policies adopted July 2007.
- Planning Files Ref: S/0654/08/O and S/0381/07/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 Committee 2nd July 2008
AUTHOR/S: Corporate Manager – Planning & 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

Mr J Brown – Construction of bund and placing containers on the land to store Go Karts – Land adjacent to Church Farm, Church Farm Lane, Steeple Morden – Appeals against enforcement notices dismissed.

2. Between them, these two appeals sought to argue that planning permission was not required for the siting of five storage containers and a bund that partly surrounds them. If planning permission was required, planning permission should be granted.
3. The appeals were determined by way of a public inquiry. Councillor Mrs Murfitt, a representative of the parish council and a local resident all gave evidence.
4. The inspector's main task was to first identify the appropriate planning unit(s) and any lawful use or uses thereof. The appellant argued that an existing meadow and Go Kart track comprise a single planning unit. As such the placing of the containers in the meadow to store Go Karts did not require planning permission. The inspector accepted the Council's argument, however, that the meadow and track comprise separate planning units. The placing of the containers in the meadow had therefore resulted in a material change of use for which planning permission is required.
5. The appellant further argued that the containers are not buildings, or building works and did not constitute operational development. Applying what have become the three primary tests of size, permanence and physical attachment, the inspector agreed with the Council that the containers should be considered as buildings and that planning permission is required. As the land is separate to the Go Kart track, a material change of use had also occurred. The inspector further agreed that the containers are an incongruous feature in the landscape. He therefore refused to grant planning permission for their retention.
6. So far as the bund was concerned, the appellant produced independent evidence to the effect that it had been created more than four years before the enforcement notice was issued. It is therefore now immune from enforcement action.
7. The inspector extended the period for compliance with the enforcement notices from three to six months. This would be sufficient to allow the appellant enough time to

apply for planning permission for an alternative site to accommodate his Go Karts. The containers are therefore required to be moved from the field on or before 6 December 2008.

Circle Anglia Housing Group – Demolition of 14 dwellings and erection of 28 affordable dwellings with associated roads, car parking and landscaping – Site at Silverdale Avenue, Coton – Appeal allowed

8. This application proposed the redevelopment of four small sites, two of which raised objections from the Committee in respect of their impact on the character and appearance of the area and from the proposed parking arrangements. The appeal was considered at a hearing attended by nine local residents.
9. The Council's first reason for refusal was that the proposed courtyard form of the proposed layout would be out of character with the existing pattern of development. The inspector agreed it would differ, but did not accept it would be harmful. The appearance of the courtyards could be mitigated by the materials used and appropriate planting (albeit the opportunities are small). Site visits made to Peakes Close and Pendrick Close elsewhere in the village and to a site in Elsworth had demonstrated that skilful and well maintained planting of small areas could be effective. The distances between existing and the proposed dwellings and their relationship to the existing green were acceptable.
10. Following prior discussions with the appellant, the Council had accepted an amendment to increase the number of parking spaces in the south-east court from 12 to 15. Nonetheless, the layout still required some fine tuning to make it work effectively and this could be controlled by way of a condition. This would comply with the advice in Manual for Streets. High quality walls boundary walls and screening would be required to mitigate the effect of vehicles on the living areas of adjoining properties.
11. The inspector acknowledged that the sites are surrounded by established and typical examples of low-density suburban housing. However, the proposed redevelopment of these two sites could be absorbed into the area as a complimentary rather than a conflicting irregularity. It would provide variation within the area without detracting from its overall context.
12. The appeal was allowed subject to conditions relating to an agreed car parking layout, sample materials, landscaping, visibility splays for parking bays, foul water drainage, a restriction on some pd rights, details of any external lighting, no removal of trees and hedges during the bird breeding season and control over the times of use of power operated machinery during demolition.

Mr S Duncan – Alteration, refurbishment and extension to dwelling – Wildfowl Cottage, Baits Bite Lock, Horningsea – Planning and listed building appeals allowed. Appellant's application for costs against the Council dismissed.

13. These appeals concerned works to a listed building close to the river Cam. The works of refurbishment and alteration had subsequently been approved so the Council's remaining objection was the impact of the rear extension on the listed building and on the Green Belt.
14. The entire upper storey of this grade II listed building has been lifted and a new ground floor inserted. This is in order to reduce the risk of flooding and make the building habitable. The inspector accepted that the extension would be very

prominent when seen from the access to the rear, but the proposed location for the extension was the only space available. The need to raise the floor level of the extension above that of the main dwelling resulted in a necessarily complex arrangement between the extension and the existing building.

15. The inspector concluded that the appellant's architect had put a great deal of careful thought into the design. The choice of simple natural materials – cedar shingles – would still ensure the extension was perceived as a subservient feature of the original building. The extension would relate well to the building and would possess considerable merit in its own right. In doing so, it would make a positive contribution to the appearance of the cottage.
16. The Council had refused the planning application on the grounds that it was inappropriate development in the Green Belt. The inspector did not agree. He concluded that the size of the extension would not be disproportionate in terms of its size. While an earlier scheme had been dismissed at appeal because of its harm to the Green Belt, the current proposal was not as tall or bulky.
17. Planning and listed building permission were granted subject to conditions regarding sample materials, the need for more details to show details of glazing and doors, landscaping, and flood alleviation measures.
18. In his application for costs, the appellant argued that the Council had failed to have due regard to the earlier appeal decision. The inspector had given clear guidance, which had been addressed. The Council's Conservation and Design Manager had indicated the proposal would be supported, yet there was confusion leading to a decision to refuse under delegated powers. This amounted to unreasonable behaviour.
19. In response, the Council maintained that it had properly interpreted the inspector's decision and there was nothing inherently unreasonable about its approach. Any perceived confusion among officers was irrelevant; what matters is whether the ultimate decision was reasonable in the circumstances.
20. The inspector concluded that each scheme has to be considered on its merits. In his view, the Council acted reasonably in doing that, basing its decision on both national and local planning policy. Suitably qualified officers had put the evidence forward at the hearing. In the light of this, the Council's internal procedures for handling applications were irrelevant. No award of costs was justified.

The Strategic Land Partnership LLP – Erection of four residential units– Land at 49 and rear of 51 – 55 Station Road, Histon – Appeal allowed.

21. This application was one of several attempts to successfully develop the former Bishop's Cycles site. Three previous appeals had all been dismissed. This application was acceptable in most respects but was refused because of the Committee's concerns with the contemporary design of the new dwellings, in particular the pattern and style of windows set within timber panels. As such, the development would harm the character and appearance of the conservation area.
22. In the inspector's opinion, the principle of a modern design within a more historic setting is acceptable so long as the new development is not set apart from its neighbours, "but woven into the fabric of the area". This requires close attention to the form, scale, proportions, rhythm, materials and colours of the new development. He was of the opinion that the scheme successfully achieved this. The end result was

a development that would contribute positively to the locality.

23. Permission was therefore granted subject to an undertaking regarding a financial contribution towards education provision in the area. Conditions were also imposed in respect of materials; landscaping; details of dormer windows; archaeological investigation; visibility splays, turning and parking space; a restriction on permitted development rights and control over the times of use of power operated machinery in connection with demolition.

Michael O'Brien et al – Plots 5, 5a, 6, 10 and 11 Orchard Drive, Smithy Fen, Cottenham – Appeal allowed

24. These five plots were the subject of unsuccessful enforcement appeals in June 2005. A planning application seeking temporary planning permission was submitted in August 2006 and refused in April 2007. A public inquiry opened on 11 March 2008, but was promptly adjourned with the agreement of the main parties. The appellant's agent had withdrawn from the appeal and the appellants found had been put in a position where they could not represent themselves. It was agreed that the appeal should proceed on the written evidence already submitted with an opportunity given for further comments to be received. Both the Parish Council and the Smithy Fen Residents Association had intended to speak at the inquiry.
25. The appellants had continued to occupy their plots and there was no dispute that they have gypsy status. The Council's objections were largely the same as in earlier appeals, these being the impact on the character and appearance of the area, precedent, highway safety and whether these concerns were outweighed by other circumstances including the general need for and availability of sites and the personal circumstances of the appellants.
26. The inspector concluded that the harm to the character and appearance of the landscape would be unacceptable. This view was consistent with earlier decisions taken by inspectors and the Secretary of State. While the former Local Plan Policy H23 had not been 'saved', policies in the Development Control Policies DPD are nevertheless relevant. Allowing the appeals would also create a precedent for further development at Smithy Fen and the Council would find it difficult to resist other similar proposals. The cumulative impact would further erode the gap between the two authorised areas of occupation. This would lead to substantial harm to the surrounding area.
27. Highway safety was not a concern raised by the Council. It was, however, raised by the Parish Council, the Residents Association and other interested parties. The inspector found that the additional traffic arising from this proposal would not be so significant to justify refusal. She was mindful that the local highway authority had not raised any objections. She did, however, accept that the cumulative impact of continued development at Smithy Fen might cause a problem at some stage.
28. The inspector acknowledged there is a shortage of sites both locally and across the country. This was a material consideration that weighed in favour of the appellants. They would clearly benefit from a settled base, but their need for access to healthcare and education were not specific to the appeal site and could be met elsewhere, should sites be available. While they had provided details of their personal circumstances, they were given limited weight. There were limited opportunities for the appellants to find an alternative site and this was also a consideration weighing in their favour.

29. This was a case where only a temporary permission was sought and inspectors across the country have generally been granting approvals in line with advice in Circular 01/2006. The inspector's conclusion in this case at paragraph 35 of her decision accurately sums up the Council's position in this case. She concludes:
30. "In deciding whether to grant a temporary permission, substantial weight must be attributed to this unmet need. This must be balanced against the significant adverse harm that would arise to the countryside even if only for a temporary period. I am also mindful that the area has proven to be very attractive to gypsies. The Council has consistently sought to avoid any dilution of the gap between the lawful areas that would further impact on the surrounding countryside. This has been supported on appeal on numerous occasions. There are no overriding personal circumstances in this case that are likely to distinguish this case from other gypsy families with children at school. If I were to allow the appeal, even for a temporary period, I consider it would seriously undermine the ability of the Council to resist other similar proposals on the land in between the lawful areas. In my view, the cumulative harm that could arise, even if only for a temporary period, would outweigh the unmet need for further sites in this particular case".
31. While dismissal of the appeal would interfere with the appellant's rights under Article 8 of the ECHR, this action would be proportionate given the harm to the wider public interest.
32. The decision means that the Council will need to decide what action, if any, to take given that the enforcement notices have already come into effect and the appellants remain on their sites.

Mr P Jordan – Change of use from former public house to dwelling, erection of new garage and garden wall – The former White Horse PH, High Street, West Wickham – Appeal dismissed. Appellant's application for costs against the Council dismissed.

33. The main issue in this appeal was whether the permanent closure of the public house would lead to an unacceptable reduction in community facilities in the village and if so, whether the use was still viable. The appeal was determined by way of a public inquiry held at West Wickham village hall. Cllr Ford, parish councillors, and several local residents all gave evidence, almost all of them objecting to the proposal.
34. A similar appeal had previously been refused in 2000 when the pub was still run by Greene King. The White Horse continued to trade until January 2005, where after the brewery decided to sell it. The appellant purchased it in June 2006 with the intention to reoccupy it as a dwelling.
35. Based on the evidence given by local people, the inspector was satisfied that the pub had, until recently, played an important part in village life. While the village hall provides for a range of activities, these are invariably structured and do not make up for the loss of the village pub as a venue for casual and spontaneous socialising. The pub therefore remains an important community facility within the village.
37. The nearest available alternatives are a significant distance away. No public transport is available in the evenings and walking and cycling is not an attractive option at most times during the year. The realistic alternatives are only available by car. This would weaken village cohesion in West Wickham and would not contribute to the wider aim of reducing the need to travel.

38. The Council commissioned an independent appraisal of the pub's likely viability. A potential purchaser of the pub had also carried out a similar exercise. Both suggested that a modest living could be achieved, particular for an operator attracted as much by the lifestyle as the financial rewards. While the pub had experienced considerable trading difficulties after 2000, the inspector was satisfied this was due as much to how the business was run, with a succession of temporary landlords in place.
39. The appellant's claim that the pub had been properly marketed for over a year without finding a buyer was not accepted. Potential operators had shown an interest and for most of the time the property was offered at a price, which did not reflect its true value as a public house. This may have deterred potential purchasers. The appellant has subsequently offered to sell the pub to "the village". While there was some interest, no sale was concluded. Nonetheless, the inspector was not convinced that the property had been offered at a price, which reflected its true viability.
40. Thus while there was no conclusive proof that the pub would remain viable in the future, the Council was justified in resisting its loss while there was a still the possibility of securing its future.
41. The appellant's claim for an award of costs was based on what he considered to be an unnecessary delay in determining the application. At no time did the Council seek further information on marketing. In the absence of any decision, the appellant had been forced to appeal against the non-determination of the application. The Council had also failed to show that the White Horse could be viable and had not provided an expert witness to deal with this issue.
42. In response, the Council argued that its independent appraisal confirmed the true value of the pub. The appellant could have concluded from this that the Council would not approve the application. Even if the Council had acted more quickly, its conclusion would have been the same and an appeal would not have been avoided. The Council's planning witness was also competent to make the necessary planning assessment taking into account the viability report.
43. The inspector accepted that the Council had been too slow to deal with the application. However, he saw no reason to doubt that a quicker decision would have resulted in refusal. The Council could have communicated better with the appellant, although he had already appealed against an earlier, similar application and he was aware of the Council's position some time before. The Council properly defended its refusal based on Policy SF/1. The fact there was no expert evidence on the valuation report did not weaken the Council's case, because the conclusions of the report were not disputed. The Council's case had been soundly based and substantiated. It followed that the Council had not acted unreasonably and no award of costs was justified.

Comment: This is a case where community involvement has played a significant part in ensuring that a potentially valuable and viable community asset has not been lost. It remains to be seen how, or indeed if, the property will now be marketed to ensure village services are protected and retained wherever possible.

INDEX OF CURRENT ENFORCEMENT CASES
2nd July 2008

Ref No	Location	See Page No for full update	Remarks
18/98	Setchell Drove COTTENHAM	1-3	Plots 7, 7A and Four Winds being monitored.
34/98	Camside Farm Chesterton Fen Road MILTON	3-8	Defendants appeared before Cambridge Magistrates Court on 15 th May 2007. Each given a conditional discharge for 18 months with £200 costs. Awaiting determination of S/1653/07/F.
10/03	Plot 12 Victoria View, Smithy Fen COTTENHAM	8-10	Site being monitored. Not currently proceeding with legal action as a result of decision by Planning Sub-Committee on 18 th June 2007.
15/03	Plots 1-11 Victoria View Smithy Fen COTTENHAM	11-13	Site subject of injunction. High Court appeal listed for autumn 2008.
19/03	Land adjacent to Moor Drove Cottenham Road HISTON	13-15	Application for injunction refused by the High Court, 5 th June 2008. Planning Appeal listed for 8 th July 2008.
9/04	Land adjacent to Cow Fen Drove SWAVESEY	15-16	Defendant appeared at Cambridge Magistrates Court on 10 th January 2008. Each fined £700 with £200 costs. Injunctive action currently being considered by Legal.
3/05	Land adjacent to Hilltrees Babraham Road STAPLEFORD	17-18	Enforcement Notice complied with by taking Direct Action on 7 th May 2008. Remove from active list.
13/05	Plots 5, 5a, 6, 10 & 11 Orchard Drive COTTENHAM	18-19	Planning Appeal dismissed. Report to be considered by Planning Sub Committee.
18/05	Land off Schole Road (known as Cadwin Lane) WILLINGHAM	19-20	Three year temporary planning permission granted for 3 plots. Injunction granted on 18 th November restricting development on plots 3 and 4. Planning application S/2330/06/F to be determined for plot 5.

Ref No	Location	See Page No for full update	Remarks
4/06	Plot 15 Water Lane Smithy Fen COTTENHAM	20-21	Appeal dismissed on 29 th January 2007. Application being made for an injunction.
5/06	Plot 17 Adjacent to Pine View Smithy Fen COTTENHAM	21-22	Considered by Planning Sub-Committee on 18 th June and 3 rd August 2007. Authority given to take direct action. No change.
8/06	Plot 15 1 London Way Clunchpits MELBOURN	22-23	Appeal allowed in part and dismissed in part. Partial compliance. Discussions continue.
12/06	Unit J Broad Lane COTTENHAM	23-24	Planning application S/0334/08/F refused and Appeal lodged. At Cambridge Magistrates Court on 29 th May 2008 the defendant was fined £1,000 for breach of Enforcement Notice and £500 for Breach of Condition with costs of £300. Legal options currently being considered.
19/06	Land adjacent to Moor Drove HISTON	24-25	Injunction served on 7 th December 2006 to prevent further development of the site. Site being monitored. Enforcement Notice complied with. Remove from active list.
5/07	107 Jeavons Lane CAMBOURNE	25	Appeal dismissed on 11 th March 2008. Compliance date 11 th July 2008.
6/07	The Old Hall 61 High Street WEST WRATTING	25-26	Appeal allowed. Remove from list.
7/07	The Drift Cambridge Road BARTON	26	Appeal dismissed on the 1 st April 2008. Compliance date 1 st October 2008
8/07	Land adjacent to Church Farm STEEPLE MORDEN	26	Appeal dismissed in part on 6 th June 2008. Compliance date to remove containers 6 th December 2008.
10/07	Falcon Caravan Park Wilson's Road LONGSTANTON	27	Enforcement Notice issued for removal of mobile home. Notice took effect on 1 st October 2007. Compliance period 6 months. Prosecution file being prepared.

Ref No	Location	See Page No for full update	Remarks
12/07	The Firs 117 Duxford Road WHITTLESFORD	27	Enforcement Notice issued for unauthorised wall. Appeal dismissed. Planning application S/0360/08/F approved 25 th April 2008. Monitoring planning conditions.
13/07	20 South Road GREAT ABINGTON	27	Enforcement Notice issued on 3 rd September 2007 for unauthorised portable cabin. Enforcement Notice complied with, remove from active list.
15/07	17 Glebe Way HISTON	27-28	Appeal dismissed 7 th May 2008. Compliance date 7 th August 2008.
16/07	38 Silver Street WILLINGHAM	28	Enforcement Notice issued 28 th September 2007 for unauthorised work on listed building. At Cambridge Magistrates Court on 10 th January 2008 the owner was fined £10,000 for unauthorised works. A listed building application S/0192/08/LB has been registered which complies with part of the Enforcement Notice. Site is being monitored.
17/07	Lordship Cottage Fardells Lane ELSWORTH	28	Enforcement Notice appealed.
18/07	North Hall Farm Barley Road GREAT CHISHILL	28	Enforcement Notice issued 6 th December 2007 for unauthorised use of farm offices. Notice appealed.
1/08	7 Flitmead CAMBOURNE	28	Appeal dismissed 16 th June 2008. Compliance date 16 th July 2008.
2/08	8 Buck Lane LITTLE EVERSDEN	29	Enforcement Notice appealed.
3/08	33 Cambridge Road LITTLE ABINGTON	29	Enforcement Notice issued 31 st January 2008. Compliance date 5 th July 2008.
4/08	33 West End WHITTLESFORD	29	Enforcement Notice issued 11 th February 2008. Compliance date 27 th June 2008.

Ref No	Location	See Page No for full update	Remarks
5/08	27/28 Newfields Fen Road Chesterton MILTON	29	Enforcement Notice appealed.
6/08	6 Sunningdale Fen Road Chesterton MILTON	29	Enforcement Notice issued 16 th May 2008. Compliance date 20 th December 2008.
7/08	Lower Camps Hall Farm CASTLE CAMPS	30	Enforcement action authorised by Planning Committee. Awaiting instruction from Area Team.