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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, 1 OCTOBER 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.	Minutes of Previous Meeting To authorise the Chairman to sign the Minutes of the meeting held on 3 September 2008 as a correct record. The minutes can be read online by visiting www.scambs.gov.uk/meetings and following the appropriate links.	

PLANNING APPLICATIONS AND OTHER DECISION ITEMS

- | | | |
|-----|----------------------------------------------------------------------------------------------------------|------------------|
| 4. | S/1386/08/F - Fulbourn (7 Hinton Road) | 3 - 6 |
| 5. | S/1221/08/F - Gamlingay (3 Coach House Court, The Maltings) | 7 - 12 |
| 6. | S/1381/08/F - Haslingfield (14 Church Street) | 13 - 16 |
| 7. | S/1356/08/F - Impington (at the former Unwins site, Impington Lane) | 17 - 50 |
| 8. | S/1141/08/F - Landbeach (former Duffield Volvo Site, A10 Ely Road) | 51 - 64 |
| 9. | S/0167/08/F - Willingham (18 Mill Road at Cattell's Mill site, Mill Road) | 65 - 74 |
| 10. | S/1319/08/F - Sawston (Link Road) | 75 - 84 |
| 11. | S/1332/08/F - Sawston (Sawston Business Park, Mill Lane) | 85 - 92 |
| 12. | S/1302/08/O - Sawston (Sawston Business Park, Mill Lane) | 93 - 102 |
| 13. | Planning Sub-Committee – future arrangements for enforcement against breaches of planning control | 103 - 106 |

VERBAL UPDATE FROM THE HEAD OF DEVELOPMENT CONTROL

14. **Changes in Householder Permitted Development Rights (effective from 1 October 2008)**

INFORMATION ITEM

- | | | |
|-----|-------------------------------------------------------------------------------------|------------------|
| 15. | Appeals against Planning Decisions and Enforcement Action | 107 - 114 |
| | Summaries of Decisions of Interest and Index of Current Enforcement Cases attached. | |

INFORMATION ITEMS - AVAILABLE ELECTRONICALLY ONLY

The following items are included on the agenda for information and are available in electronic format only (at www.scambs.gov.uk/meetings and in the Weekly Bulletin dated 24 September 2008). Should Members have any comments or questions regarding issues raised by the reports, they should contact the appropriate officers prior to the meeting.

16. **Enforcement Action Progress Report**
Contact Officers:
Gareth Jones, Corporate Manager (Planning and Sustainable Communities) – Tel: 01954 713155, John Koch, Appeals Manager (Special Projects) – Tel: 01954 713268
17. **Appeals against Planning Decisions and Enforcement Action**
Contact Officers:
Gareth Jones, Corporate Manager (Planning and Sustainable Communities) – Tel: 01954 713155, John Koch, Appeals Manager (Special Projects) – Tel: 01954 713268

GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL

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If someone feels unwell or needs first aid, please alert a member of staff.

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Toilets

Public toilets are available on each floor of the building next to the lifts.

Recording of Business

Unless specifically authorised by resolution, no audio and / or visual or photographic recording in any format is allowed at any meeting of the Council, the executive (Cabinet), or any committee, sub-committee or other sub-group of the Council or the executive.

Banners, Placards and similar items

No member of the public shall be allowed to bring into or display at any Council meeting any banner, placard, poster or other similar item. The Chairman may require any such item to be removed.

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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Since 1 July 2008, the Council has operated a new Smoke Free Policy. Visitors are not allowed to smoke at any time within the Council offices, or in the car park or other grounds forming part of those offices.

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Vending machines and a water dispenser are available on the ground floor near the lifts at the front of the building. Visitors are not allowed to bring food or drink into the meeting room.

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Visitors are asked to make sure that their phones and other mobile devices are set on silent / vibrate mode during meetings or are switched off altogether.

ADVICE TO MEMBERS OF THE PUBLIC ATTENDING AND / OR SPEAKING AT THE PLANNING COMMITTEE MEETING

Advice to members of the public attending and / or speaking at the Planning Committee meeting
Is this meeting open to the public?

Yes. The vast majority of agenda items will be considered in public. In extremely rare situations, the law does allow Councils to consider a limited range of issues in private session without members of the Press and public being present. An example would be a planning enforcement issue in which sensitive personal matters are discussed, or options which, if publicised, could prejudice the Council's position. 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.

When and where is the meeting?

Details of the location, date and time of this meeting, and members of the Committee are shown at the top of the front page of the paper agenda. Details of the contact officer can be found at the bottom of that page. Further information, including dates of future meetings, is available on the [Council's website](#).

Can I speak? Who else can speak?

Yes (but only if you have already written to the Council in response to formal consultation). If you wish to speak, you must register with Democratic Services by 12 o'clock noon on the Monday immediately before the meeting. Ring the number shown at the bottom of the front page of the agenda. Speaking to a Planning Officer will not register you to speak; you must register with Democratic Services. There are four categories of speaker: One objector (maybe on behalf of a group), the Applicant (or their agent or a supporter), the local Parish Council and the local Councillor (s) if not members of the Committee. Occasionally, the Chairman may allow other speakers – for details, see the [Public Speaking protocol](#) on the Council's website

What can I say?

You can have your say about the application or other matter but you must bear in mind that you are limited to three minutes. You should restrict yourself to material planning considerations: Councillors will not be able to take into account issues such as boundary and area disputes, the perceived morals or motives of a developer, the effect on the value of property (including yours), loss of a private view over adjoining land (unless there a parallel loss of an important view from public land), matters not covered by planning, highway or environmental health law, issues such as access, dropped kerbs, rights of way and personal circumstances, suspected future development, or processing of the application. Further details are available in the Council's [Protocol for speaking at Planning Committee meetings](#). After you have spoken, Committee members may ask you to clarify matters relating to your presentation. If you are not present by the time your item is considered, the

Committee will determine the application in your absence – it is not possible for officers to predict the timing of agenda items.

Can I give the Councillors written information or photographs relating to my application or objection?

Yes you can, but not at the meeting itself. If you want to send further information to Councillors, you should give them as much time as possible to read or view it. Their [contact details](#) can be obtained through Democratic Services or via the Council's website. You must send the same information to every member of the Committee and to your local Councillors. You can e-mail the Committee at [planningcommittee\(at\)scambs.gov.uk](mailto:planningcommittee(at)scambs.gov.uk) (replace (at) with @). Any information sent to Councillors should be copied to the Planning Officer dealing with your application.

How are the applications considered?

The appropriate planning officer will introduce the item. Councillors will then hear any speakers' presentations. The order of speaking will be (1) Objector, (2) Applicant / agent / supporter (3) Parish Council (4) local Councillor(s). The Committee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made and seconded by members of the Committee. Should the Committee propose to follow a course of action different to officer recommendation, Councillors are required to give sound planning reasons for doing so.

EXCLUSION OF PRESS AND PUBLIC

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'.

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South Cambridgeshire District Council

Planning Committee – 1 October 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:

Please return the completed form to ian.senior@scambs.gov.uk prior to the meeting, or leave it with the Democratic Services Officer in the Chamber, or leave it with the Democratic Services Section.

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:

Please return the completed form to ian.senior@scambs.gov.uk prior to the meeting, or leave it with the Democratic Services Officer in the Chamber, or leave it with the Democratic Services Section.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

1st October 2008

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

S/1386/08/F- FULBOURN

Conversion of Garage and Link Extension at 7 Hinton Road for Mr J Koch

Recommendation: Approval

Date for Determination: 3rd October 2008

Notes:

This Application has been reported to the Planning Committee for determination because the applicant is an employee of South Cambridgeshire District Council Planning Service and because the recommendation contrary the comments of the Parish Council.

Site and Proposal

1. The site is situated within the Fulbourn village framework, and lies adjacent to the boundary of the Conservation Area. No. 7 Hinton Road is a two-storey, detached, buff brick and tile dwellinghouse. The detached single storey flat roof garage is set back to the side adjacent No. 5 Hinton Way. A parking area with at least 2 spaces lies to the front of the garage.
2. No. 5 Hinton Way is situated to the east. It has a single storey flat roof garage adjacent to the boundary set forward of the garage to No. 7 with a patio door in its rear elevation. The patio area lies beyond and to the rear of the main dwelling. The dwelling also has three first floor windows in its side elevation. A mature treed area lies to the northern side of Hinton Road. The Maples is a residential development that lies to the south.
3. This full application, received on the 8th of August 2008, seeks planning permission for conversion of garage to living accommodation and a link extension to provide a hall, toilet and store. Both structures would be single storey and the same width as the existing garage. The 2.4 m high flat roof of the present garage would be replaced with pitch at 30 degrees, increasing the roof height to 3.25m, at a point 1.5 metres off the boundary with No. 5. The proposed materials are to match the existing ones used in the existing dwelling house.

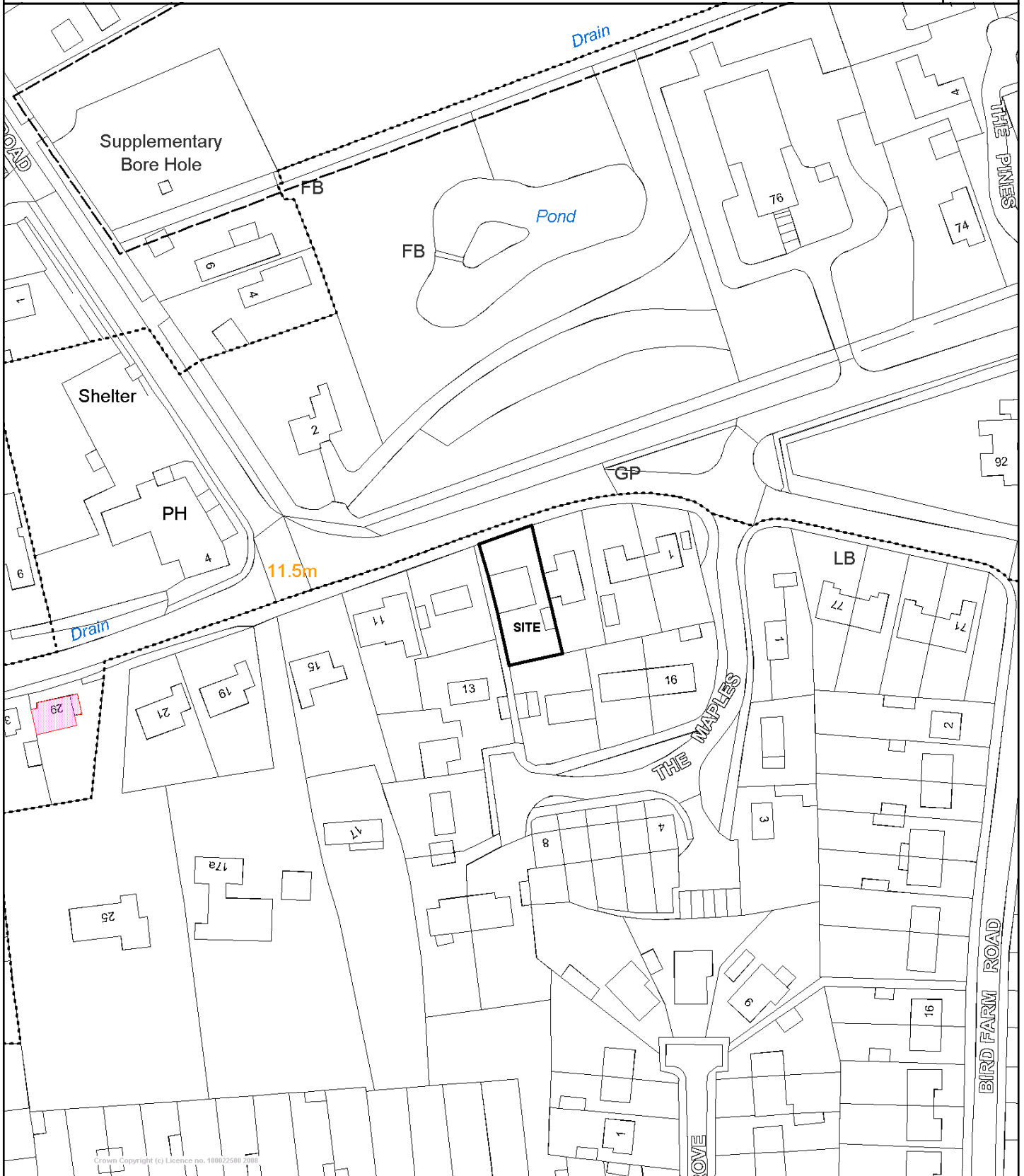
Planning History

4. **S/0846/01/F** Extension - Approved.
S/0723/80/F Extension - Approved.
S/2195/79/F Extension - Refused
C/0390/64/ Erection of Two Houses and Garages - Approved

Planning Policy

5. South Cambridgeshire Local Development Framework (LDF) Development Control Policies Document 2007:

S/1386/08/F Fulbourn



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Scale 1/1250 Date 16/9/2008

Centre = 551206 E 256392 N

October Planning Committee

6. **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.
7. **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.
8. **Policy CH/5 “Conservation Areas”** Sets out how planning applications in Conservation Areas, and adjacent to Conservation Areas will be determined in accordance with legislative provisions and national Policy (Currently PPG 15) and guidance contained in specific Conservation Area Appraisals (where they exist) and the District Design Guide

Consultation

9. **Fulbourn Parish Council** - Recommends refusal on the grounds “We object to this application and would draw your attention to the letter from the neighbouring property, 5 Hinton Road. The plans submitted are of poor quality and it is difficult to ascertain the impact this application will have on the closely adjoining neighbouring property at number five. Therefore we request a site visit to ascertain this impact and also to examine the parking facilities. There is a bend in the road which makes it imperative that there is adequate parking on the site.”
10. **Local Highway Authority** - No significant effect upon the public highway should result from this proposal.

Representations

11. One letter of objection has been received from the occupiers of No. 5 Hinton Road. They have concerns regarding the following points:
 - a. Loss of light to the rear of their property;
 - b. Existing and proposed extensions would result in a large increase in size of original dwelling;
 - c. Out of keeping with other dwellings in Hinton Road as it would make No 5 the only link- detached dwelling on Hinton Road;
 - d. Room in garage would be used as a business, not a bedroom;
 - e. Surface water drainage on to patio area;
 - f. Inadequate drawings;
 - g. No party wall agreement;
 - h. Loss of access to maintain walls etc. on boundary; and,
 - i. No access to rear of No. 7 and wheelie bins would be stored to the front.
12. Councillor Scarr has supported the comments of the Parish Council.

Planning Comments – Key Issues

13. The main issues to be considered during the determination of this application relate to the impact upon neighbour amenity, the visual impact upon the setting of the Conservation Area/street scene, and parking in connection with highway safety.

14. The addition of the pitched roof is not considered to seriously harm the amenities of the neighbour at No. 5 Hinton Way. Although orientated to the west of that property, it is not considered to result in an unduly overbearing mass or a significant loss of light, given its low height and roof pitch. There are no windows that would result in overlooking leading to a loss of privacy.
15. The impact on the street scene is not significant. Whilst the link extension would bring the building 4.2 metres closer to the road, the primary alteration would be the addition of the mono pitch roof. This would still be set back from the front of the dwelling house by 6 m. I do not therefore consider the extension and alterations to have an unacceptable impact upon the setting of the Conservation Area or the visual appearance of the street scene.
16. I do not consider that the extension and alterations would be detrimental to highway safety, as two on-site parking spaces would still be retained on the existing hardstanding area to the front of the garage. This would be in accordance with the Council's parking standards.
17. The plans show that the garage would be converted to bedroom. The applicant does not state that it would be used for business purposes. In any case, a small-scale business from home that does not create traffic and visitors would be unlikely to represent a material change of use requiring planning permission.
18. A gutter has been provided along the eastern side of the garage to avoid surface water run off from the roof to the rear patio of No. 5 Hinton Way.
19. The issues raised by the neighbour with respect to the absence of a party wall agreement and loss of access for maintenance purposes are not planning considerations that can be taken into account during the determination of this application. There is no visual gap existing between Nos. 5 and 7 Hinton Road, due to the siting of the garages. There would be space to provide bin stores to the side of the house and set back from the front.

Recommendation

20. Approval subject to conditions:

1. Standard Condition 1 (Reason)

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

South Cambridgeshire Local Development Framework Development Control Policies Document 2007.

Planning File References: S/1386/08/F, S/0846/01/F, S/0723/80/F, S/2195/79/F and C/0390/64/D.

Contact Officer: John McCallum - Planning Assistant
Telephone: (01954) 713252

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee1st October 2008**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

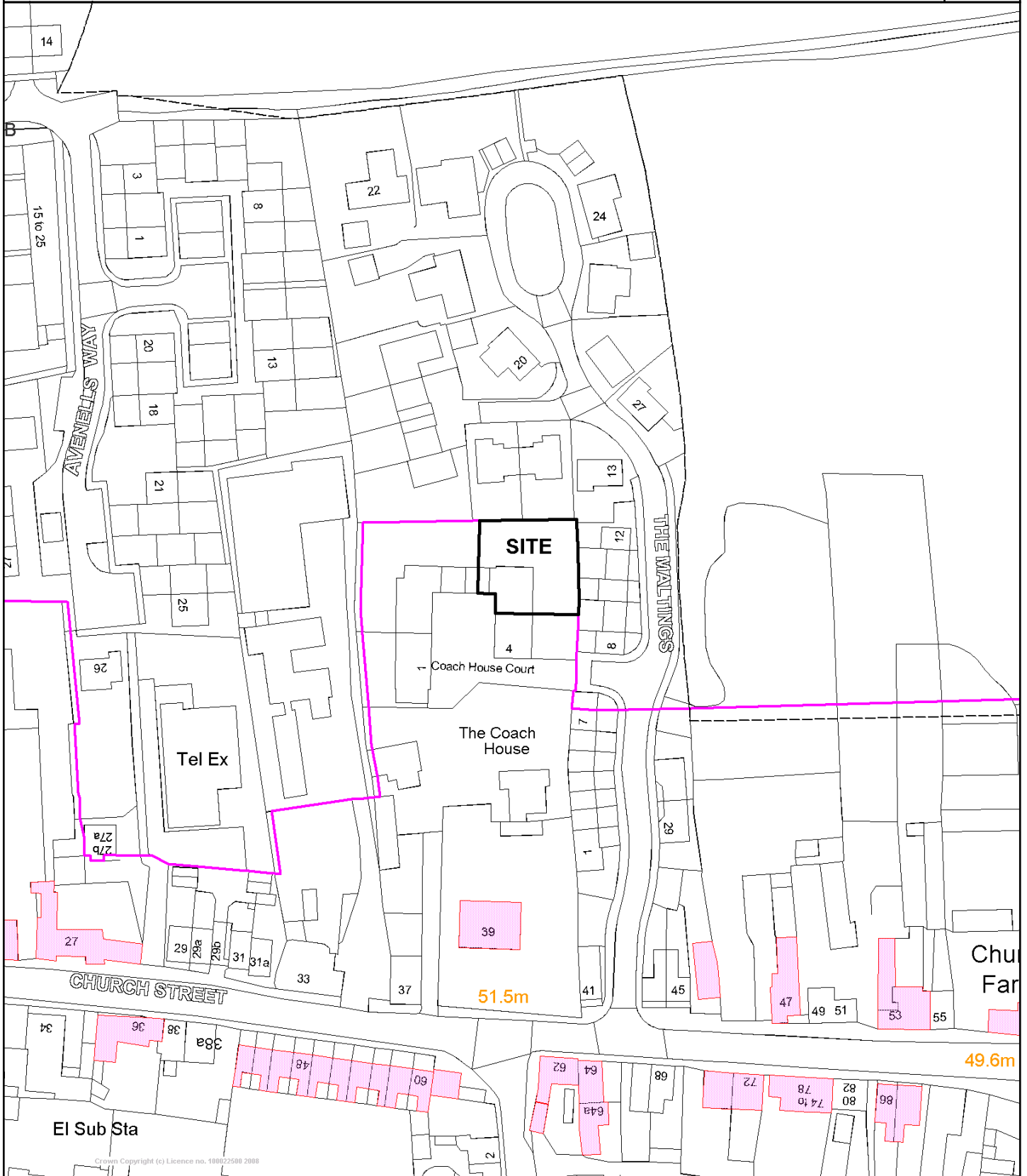
S/1221/08/F - GAMLINGAY**Extension at 3 Coach House Court, The Maltings, Gamlingay
(Mr and Mrs Glocking)****Recommendation: Approval****Date for Determination: 7th September 2008****Notes:**

This Application has been reported to the Planning Committee for determination due to a Councillor owning a share of the property.

Conservation Area**Site and Proposal**

1. The dwelling resides within the Gamlingay village framework and conservation area. Though it is in the conservation area there are no listed buildings in the immediate surroundings, the nearest listed building is approximately 65 metres away. The application site is in the style of a barn constructed out of dark stained wood with the plinth constructed from light red bricks for the walls and grey slate tiles for the roof. All the doors and windows are constructed out of stained timber. The application site is the northeast corner of the four dwellings at Coach House Court. The rear of the property has a boundary treatment of mature trees and a 1.8 metre high wood panelled fence. To the north of this rear boundary is one detached and two semi-detached dwellings and to the east is four terraced dwellings. To the south is number 4 Coach House Court that is attached to number 3. The shared boundary is a 1.8 metre high wood panelled fence. The application site is predominately flat though it does rise up slightly on the northern boundary.
2. The application, registered on 17th July 2008, proposes a rear conservatory facing towards the east in the form of a gable end. The proposed development will protrude from the middle of the east elevation where there is currently timber framed french doors. The conservatory will measure approximately 3.2 metres x 4.4 metres, with an approximate maximum height of 4.2 metres. The development will be fully glazed on the outside walls and will have four rooflights. The development will be constructed out of matching bricks, stained timber and slates. The development will be able to be seen from the entranceway to the Court though it is approximately 15 metres away behind two 1.8 metre high wood panelled fences.

S/1221/08/F



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Scale 1/1250 Date 16/9/2008

Centre = 523952 E 252432 N

October 2008 Planning Committee

Planning History

3. Permission for four dwellings and the demolition of barn and garage at Coach House was given planning approval in planning application reference S/1638/03/F. This approval was conditioned, such that certain development, which might otherwise be permitted development, could only proceed in accordance with the grant of a planning permission. These conditions were imposed to protect the privacy of the neighbours as well as to maintain the character of the area. The revised design and details submitted in planning application reference S/2232/04/F was conditionally approved, this maintained the previous removal of permitted development rights.

Planning Policy

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

4. **Policy DP/2 Design of New Development:** All new development must be of a high quality design and, as appropriate to the scale and nature of the development, should preserve or enhance the character of the local area.
5. **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.
6. **Policy NE/6 Biodiversity:** Any new development should aim to maintain, enhance, restore or add to biodiversity.
7. **Policy CH/5 Conservation Areas:** The policy points out that special attention must be paid in all planning decisions to the desirability of preserving or enhancing the character and appearance of the conservation area.

Consultation

8. **Gamlingay Parish Council:** Refuse. States that the proposed development in the conservation area will materially harm the amenity of neighbours due to the proximity and character of the existing properties.
9. **Conservation Department:** The proposed conservatory to the east elevation was originally discussed with the Conservation and Design Officer. He commented on the 28th March 2007, that a purpose made conservatory in the form of a gabled extension might be possible. The proposed development is similar to the sketch he provided. However, he did point out that the Planning Officer, who dealt with the planning applications for the Coach House Court development, was worried that this could set a precedent for similar structures to be added to the other dwellings in the courtyard. The Conservation and Design Officer stated that a freestanding summerhouse would be the best solution for both the applicant and the Conservation department.

Conservation officers do not object as the design is relatively close to the Conservation and Design Officer's, but do point out that this design is not the preferred option. The preferred option remains the erection of a freestanding summerhouse in the garden and not an extension.

10. The **Trees and Landscape Officer** does not object to the proposed development. However, does point out that the proposed development could have an adverse affect on the nearby trees by damaging their roots. An appropriate condition should be placed on the development in order to stop the possibility of root damage.

Representations

11. 15 The Maltings –no objections.
12. 4 Coach House Court – Objects on the following grounds. They believe that this large structure would be too close to their common boundary, leading to loss of privacy and overbearing. They also state that the proposed development is not in keeping with the Conservation Area or the character of the development, as it goes against several of the conditions in planning application S/2232/04/F.
13. 10 The Maltings – Objects to the proposed development. State that any further development will cause further loss of light. Believe that there is currently enough room for a disabled person to move around in. States that the applicant prefers to be in the garden not the house and that the extension is for financial reasons not for the elderly who live there. They also comment that the trees on the site cause problems for them and these trees need to be pruned. Finally they point out the proposed development is not in keeping with the Conservation Area.
14. 9 The Maltings – Object to the proposed development. Object on the grounds that the proposed scale of development is out of keeping with the Conservation Area. Also object on the grounds that the proposed development will reduce their privacy.

Planning Comments

15. The main planning considerations for this proposal are does it preserve or enhance the character of the Conservation Area, possible damage to the mature trees surrounding the property and the impact on the neighbours' residential amenity.
16. ***Impact upon the Conservation Area*** – The proposed scheme has been designed in consultation with the Conservation and Design Officer, albeit that the preferred option remains the creation of a summerhouse and not an extension. However that does not mean that the proposal is unacceptable. The summerhouse is the preferred option as it maintains the simple lines of the Coach House Court development, which was designed to look like a simple group of agricultural buildings.

Though the proposed development is slightly at odds with the existing dwelling, it will not have a negative impact upon the Conservation Area as it will be mostly hidden behind two 1.8 metre high wood panelled fences and 15 metres from the road. The proposed materials for the extension will match existing and so will blend in with the original dwellinghouse and thus preserve the appearance and character of the Conservation Area.

17. ***Impact upon the mature trees*** – The Trees and Landscape Officer has expressed concern that any development at the rear of the property could have an adverse affect on the nearby mature trees that help form the rear boundary.

These trees are statutory protected due to being in the Conservation Area and their preservation must be given special attention.

The risk to the trees at the rear of the dwelling can be overcome through the use of an appropriately worded condition. This will require the applicant to use appropriate foundations that will adequately prevent the proposed extension damaging the existing mature trees.

18. ***Neighbour's residential amenity*** – The neighbours who could be affected by the proposed development form a semi circle going from the north to the south. There have been several objections lodged on the grounds of loss of residential amenity. The objections state that the proposed development would be overbearing, lead to loss of light and privacy.
19. The proposed development does not have any foreseeable harm upon the residential amenity of the surrounding neighbours. The development is unlikely to have any significant negative effect on neighbouring properties as the 1.8 metre high fence and mature trees will prevent the loss of privacy to the neighbours to the north and east. The single storey proposal will not reduce sunlight any more than the existing boundary treatment. Number 4 Coach House Court is to the south of the proposed development and the boundary treatment between the number 3 and 4 is a 1.8 metre high panelled fence. Number 4 being to the south of the development will not lose any sunlight and the 1.8 metre high fence should protect privacy to number 4. This property will not suffer an overbearing impact, as only around 2 metres of the roof will be visible from their property.
20. The proposed development is considered acceptable on the grounds that any harm on neighbourhood amenity will be minor, possible damage to the mature trees can be successfully mitigated with an appropriate condition and it is considered that the proposal will preserve the character and appearance of Conservation Area.

Recommendation

21. Approve, subject to the following conditions:
 1. SC1 Full Planning Permission, Time Limit (3 years)
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 trial holes have been dug to check for roots and the details inspected by the Local Planning Authority. Full details of the foundations of the extension, hereby permitted, shall be submitted to and approved in writing by the Local Planning Authority before development commences; the development shall not be carried out other than in accordance with the approved details.
(Reason - To ensure the development does not adversely affect the nearby trees' roots, at the rear of the property, in accordance with Policy NE/6 of the adopted South Cambridgeshire Local Development Framework Development Control Policies 2007.)

Background Papers:

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 Ref: S/1638/03/F and S/2232/04/F

Contact Officer: Andrew Phillips, Planning Officer
Telephone: 01954 713169

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee1st October 2008**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

**S/1381/08/F – HASLINGFIELD
Extensions at 14 Church Street
(Mr Barnard)****Recommendation: Approval****Date for Determination: 2nd October 2008****Notes:**

This Application has been reported to the Planning Committee for determination by referral from Chairman's Delegation Meeting on 17th September 2008.

Members will visit this site on 1st October 2008

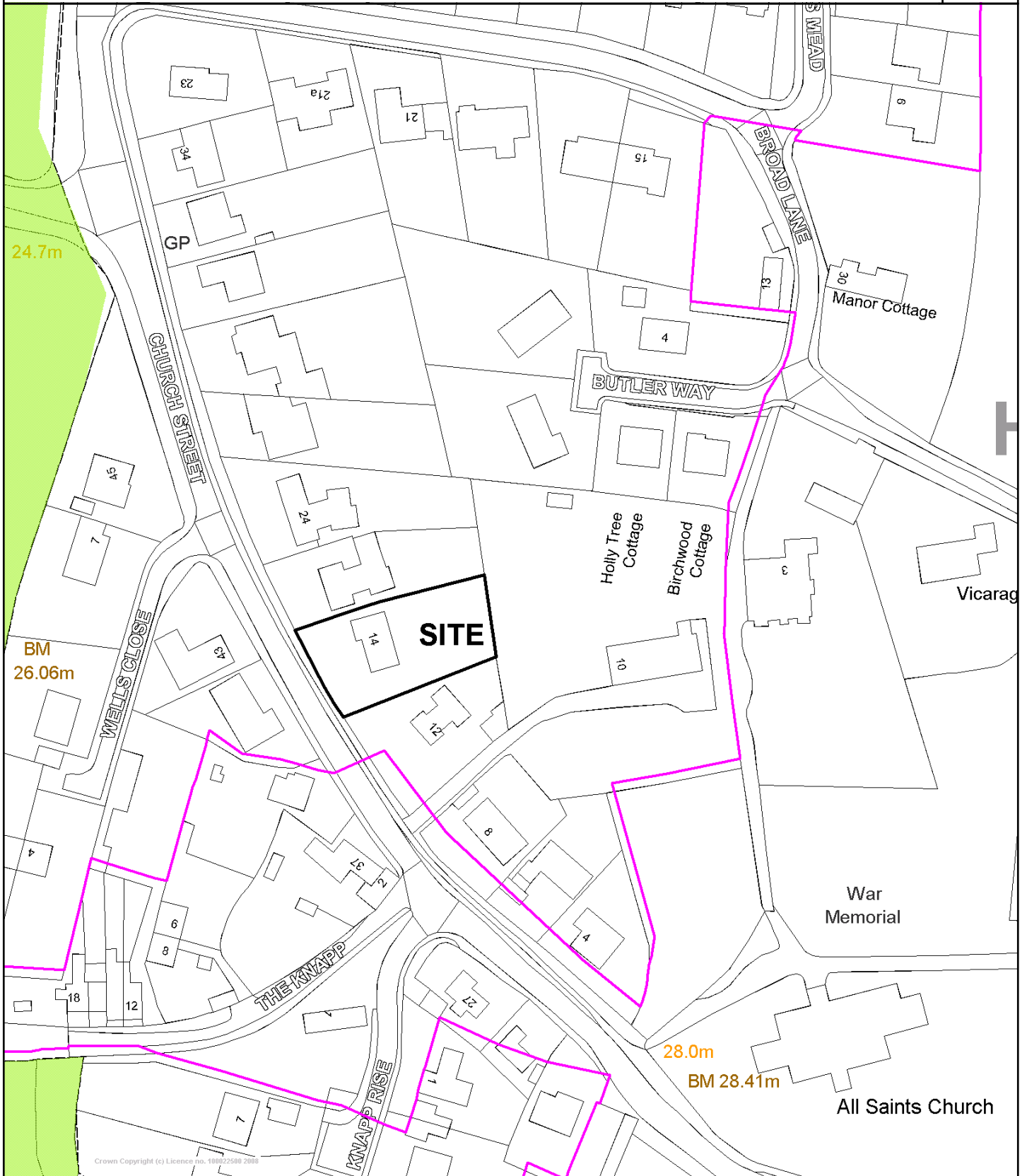
Site and Proposal

1. The dwelling at 14 Church Street is located within the village framework of Haslingfield and lies approximately 14 metres away from Haslingfield Conservation Area and 30 metres away from the Listed Building at 37 Church Street. The dwelling at 14 Church Street is a modern building with a traditional cottage-like appearance, detailed with cream rendered walls, a red pantile roof, and dark-stained window frames. The dwelling itself is set back approximately 14 metres and set down approximately 0.5m from Church Street and sits within a linear development of residential, detached properties. The front of the site is partly screened by a hedge and well screened to the south side by mature vegetation, with a close-boarded fence to the north side.
2. The application, received 5th August 2008, proposes to extend to the south side of the existing dwelling at two-storey level with an addition that would be both stepped down and set back from the existing dwelling. Proposed materials are intended to match the existing dwelling except for the surface of the wall, which would be stock brick rather than render. A covered walkway is also proposed to the north side of the dwelling and a wooden-cladded conservatory to the rear of the proposed two-storey extension with a glazed roof and rear elevation.
3. Originally, a detached garage was proposed in this application but has now been omitted from the plans due to concern over its siting and appearance within the streetscene.

Planning History

4. Several applications have been approved at the site for the erection of a new dwelling. The most relevant is that under planning approval **S/0055/98/F** for the erection of a house and garage (now the existing dwelling), the garage of which was omitted from the plans. This was approved with conditions to limit the height of the

S-13181-08-F



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building to 6.5metres, restrict the openings in the first floor northwest or southeast elevations, retain the front hedge, and provide and maintain adequate space for the parking and turning of vehicles at the front of the site.

Planning Policy

Local Development Framework (Adopted July 2007)

5. **Policy DP/2** of the LDF states that all new development must be of high quality design and, as appropriate to the scale and nature of the development, should (inter alia): preserve or enhance the character of the local area; be compatible with its location and appropriate in terms of scale, mass, form, siting, design, proportion, materials, texture and colour in relation to the surrounding area; and include high quality landscaping compatible with the scale and character of the development and its surroundings.
6. **Policy DP/3** of the LDF states that planning permission will not be granted where the proposed development would have an unacceptable adverse impact: On residential amenity; From traffic generated; On village character; On the countryside, and landscape character; From undue environmental disturbance such as noise, lighting, vibration, odour, noxious emissions or dust; On ecological, wildlife and archaeological interests; and On flooding and flood risk.

Consultation

7. **Haslingfield Parish Council** – Recommends refusal due to overdevelopment of the site. It suggests South Cambridgeshire District Council carries out a site visit.

Representations

8. None received.

Planning Comments – Key Issues

9. The key issues to consider in the determination of this application are:
 - Impact upon Residential amenity;
 - Impact upon Character and Appearance of the Street Scene

Impact upon Residential amenity

10. The main concern for residential amenity relates to the two-storey element of the proposal, as the other elements within the development would be small in size and scale and would not have a significant impact upon the immediate neighbours. The 6m height of the two storey element of the proposal would be within 1m - 1.5m of the side boundary with 12 Church street; however, the impact of the development would be mitigated by virtue of the existing high boundary treatment along the south side boundary of the site, the spacing between the development and the dwelling at 12 Church Street (approximately 6 metres), and the orientation of the extension to the northwest of No. 12. For these reasons the development would not have an unacceptable impact upon residential amenity.

Impact upon Character and Appearance of the Street Scene

11. It is accepted that the proposal would add bulk and widen the frontage of the existing dwelling at 14 Church Street but the resultant form of the proposal would be compatible with the existing dwelling and would appear subsidiary in form, being lower in height by approximately 0.6m and sited 0.6m back from the front of the existing dwelling. The resultant form of the dwelling would also be compatible with the streetscene, as it would continue the linear form of development in the area and would be read amongst similar styles of detached housing in the street. The development would also be partly screened from public view by trees and high boundary treatment in the adjacent property of 12 Church Street. The distance and limited views of the site from the setting of the Listed Building, and Conservation Area rule out any significant impact on either of the two. The design reflects the style of the existing house.
12. The proposed development is considered acceptable on the grounds that no significant harm will be caused to residential amenity or the character of the area.

Recommendation

13. Approve (as amended by drawing SRD/4929/05/08 No.2, franked 17th September 2008).

Conditions

1. Standard Condition SC1 – Time limited 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 pantiles and stock brick to be used in the construction of the external walls and roof 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. 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 southeast elevation of the development 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.)

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

- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007).
- Planning Application files reference S/1381/08/F and S/0055/98/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee1st October 2008**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities**S/1356/08/F - IMPINGTON****35 Dwellings Including 14 Affordable Homes, Roadways, Open Space and Landscaping at the Former Unwins Site, Impington Lane for ORO Properties Ltd****Recommendation: Delegated Minded to Approve (refer to Secretary of State)****Date for Determination: 31st October 2008 (Major Application)****Notes: This Application has been reported to the Planning Committee as the recommendation of approval conflicts with that of the Parish Council and as it is a departure to the development plan which requires referral to the Secretary of State.****Members will visit this site on 1st October 2008.****Departure****Site and Proposal**

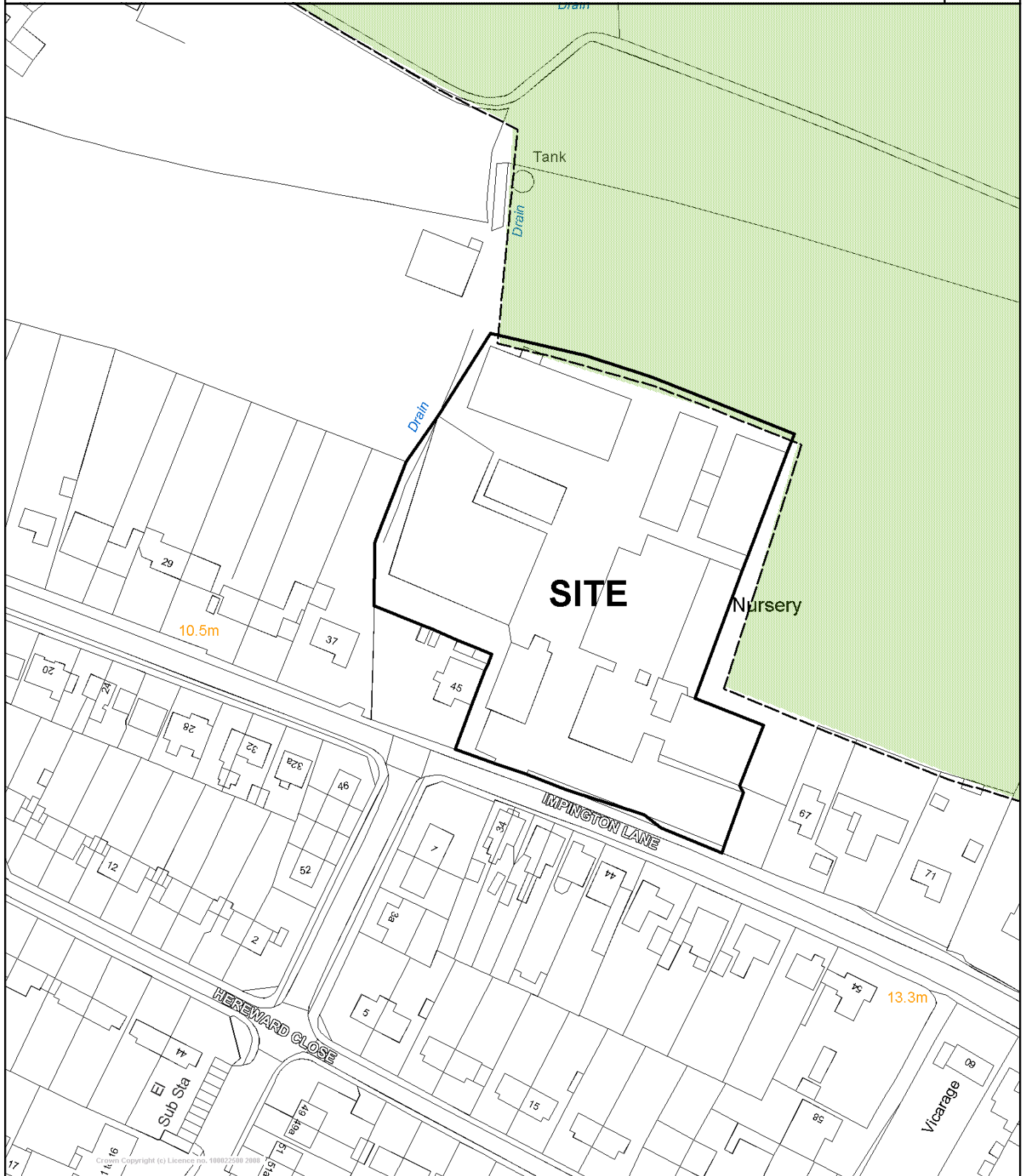
1. The site, measuring 1.1 hectares (ha), is located north of Impington Lane fronting the road and to the rear of no. 45. Land to the west of the site is a long-standing housing allocation (Impington1 in the South Cambridgeshire Local Plan, 2004). The site is being cleared of commercial buildings and hardstanding that occupy it. The land is relatively flat. The site is within and adjacent to the village framework, which follows the northern and part of the eastern site boundaries. Beyond the site to the north and east is Green Belt land.
2. Within the site area there is relatively little by way of landscaping. A conifer hedge runs along the western edge of the site boundary with no. 37 Impington Lane.
3. The site currently has access for vehicles off Impington Lane.
4. This full planning application, received on 1st August 2008 seeks approval for 35 dwellings including 14 affordable units at 40% of the provision. The scheme comprises two 3-storey blocks of flats totalling 14 units and 21 two-storey houses at a density of 31.8 dwellings per hectare (dph). It includes the following mix of private residential units:

3 x 5 bed houses	14.3
10 x 4 bed houses	47.6%
4 x 2 bed flats	19.05%
4 x 1 bed flats	19.05%
21	100%

The following is a breakdown of the mix between the 14 units proposed as affordable units:

4 x 2 bed houses
4 x 3 bed houses
3 x 2 bed flats
3 x 1 bed flats
14

S/1356/08/F Impington



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The houses are between 8 – 9.5 metres high, while the blocks of flats will be between 9.1 – 10 metres high. The designs are to be of a contemporary style and materials.

5. Within the development site there will be 51 car parking spaces, 4 of which are proposed for disabled persons. 20 secure cycle parking spaces within two shelters are proposed adjacent to the blocks of flats with further potential for provision on plot of 1 within garages and sheds.
6. Landscaping is indicated as including the retention of existing planting where possible and additional planting comprising a roughly 5-metre wide landscape buffer to the north and eastern boundaries, open space and play requirements, and incidental areas.
7. The scheme includes three linked areas of public open space consisting of a formal square where seating and public art can be sited, a green including an equipped play area play area and informal open space south and west of blocks A and B on the western area of the site adjacent to rear gardens of nos. 37 and 45 Impington Lane.
8. 10% of the site's energy requirements will be met through the inclusion of PV panels to the two blocks of flats and solar panels to all the houses. Units are to be constructed to Local Government Code for Sustainable Homes Level 3. Water will be conserved through the inclusion of water meters, dual flush WC cisterns, low flow spray taps for hand wash basins, 9-12 litre/minute low flow shower heads, user manual for water usage for residents and water butts for gardening use.
9. The application is accompanied by:
 - (a) Planning and Design Statement, including Design and Access Statement, Public Art Statement, Sustainability Statement, Planning Policy Assessment.
 - (b) Planning Statement.
 - (c) Flood Risk Assessment.
 - (d) Planning Obligations Paper covering affordable housing, maintenance of the completed development, education, public art, public open space and Northern Corridor Area Transport Plan (NCATP).
 - (e) Renewable Energy Report and Water Conservation Statement.
 - (f) Geoenvironmental Assessment Report.
 - (g) Geotechnical / Contamination assessment by way of a Desk Study.
 - (h) Transport Assessment.
 - (i) Landscape Statement.
 - (j) Water Conservation Statement
 - (k) Ecological Appraisal.
 - (l) Utilities Assessment Report.
 - (m) Waste Management Plan.

Planning History

10. Outline planning permission was sought under ref. **S/0321/05/O** residential development on this site. It included details of access, with all other matters reserved, although it was later agreed at appeal that this would be a reserved matter. In reaching a decision to dismiss the appeal, the Inspector noted two principal concerns, the unacceptable loss of employment land and whether the proposal would suffer an unacceptable level of risk of flooding.
11. On the first point the Inspector noted: "...the marketing information necessary to demonstrate that the site is inappropriate for any employment use to continue, in accordance with policy EM8, has not been provided. Consequently, I conclude that the proposal would result in an unacceptable loss of employment land" (paragraph 16).

12. On the second reason, the Inspector noted that proposals for dealing with flood risk had been tabled at the Hearing. However, he did not consider these in reaching his decision, noting that it was impossible to conclude with the necessary degree of certainty, at that time, that the site could not be developed without an unacceptable risk of flooding, particularly on the western part of site allocated for housing.
13. Members may recall a recent application (ref. S/0146/08/F) considered at Planning Committee on 2nd April 2008 (item 9) for this site and land to the west of it for residential development of 113 dwellings (including 46 affordable) was refused on grounds, summarised below, of:
 - (a) Form, scale and massing of development on the village edge – particularly 3 and 4 storey buildings.
 - (b) Failure to provide a satisfactory layout and design.
 - (c) Insufficient information relating to biodiversity.
 - (d) Poor distribution of affordable units across the site.
 - (e) Insufficient public open space provision on account of the area proposed also serving as part of the surface water drainage system proposed.
 - (f) Failure to adequately demonstrate that the part of the site previously in employment use met the criteria of Policy ET/6 (see paragraph 31 below for description).
 - (g) Poorly designed junctions, accesses and parking areas.
 - (h) Prejudicing the development of neighbouring land that forms part of the Impington 1 housing allocation – due to the form of development proposed.

Following this refusal discussions with officers have continued to establish the appropriate parameters for a re-submission. This application seeks to address the above reasons for refusal, in so far as they relate to the eastern portion of that site and in particular the issue of loss of employment land, contrary to policy EM/8 (now Policy ET/6 of the Local Development Framework 2007).

Planning Policy

East of England Plan 2008:

14. **Policy H1** - Regional Housing Provision 2001 to 2021 - requires Local Planning Authorities to: manage the supply of housing in accordance with PPG3 and LDFs and facilitate the delivery of housing over the next 15 years.
15. **Policy ENV7** - Quality of Built Environment - requires new development to be of a high quality that complements the distinctive character and best qualities of the local area and promotes urban renaissance and regeneration.

Cambridgeshire and Peterborough Structure Plan 2003:

16. **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.

South Cambridgeshire Local Development Framework 2007:

Core Strategy

17. **Policy ST/3** - Re-Using Previously Developed Land and Buildings is central to the approach to delivering sustainable development.

18. **Policy ST/4** - Rural Centres - identifies Histon and Impington and states development and redevelopment without any limit on individual scheme size will be permitted within village frameworks, provided adequate services, facilities and infrastructure are available or can be made available as a result of development.
19. **Policy ST/8** - Employment Provision aims to ensure sufficient employment land is available to enable further development of high technology clusters and meet local needs.

Development Control Policies:

20. **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.
21. **Policy DP/2** - Design of New Development - states all new development must be of high quality design and, inter alia:
- (a) Preserve or enhance the character of the local area.
 - (b) Conserve or enhance important environmental assets of the use.
 - (c) Include variety and interest within a coherent design.
 - (d) Provide higher residential densities, and a mix of housing types including smaller homes.
 - (e) Provide high quality public spaces.
 - (f) Include high quality landscaping compatible with the scale and character of the development and its surroundings.

22. **Policy DP/3** - Development Criteria - states:

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

- (a) Affordable housing.
 - (b) Car parking, with provision kept to a minimum.
 - (c) Safe and secure cycle parking.
 - (d) Outdoor play space.
 - (e) Safe and convenient access for all to public buildings.
 - (f) Screened storage and collection of refuse, including recyclable materials.
 - (g) A design and layout that minimises opportunities for crime.
 - (h) Financial contribution towards the provision and, where appropriate, the maintenance of infrastructure, services and facilities required by the development.
 - (i) It also states planning permission will not be granted where the proposed development would have an unacceptable adverse impact, inter alia:
 - (j) Residential amenity.
 - (k) From traffic generated.
 - (l) On village character.
 - (m) On ecological, wildlife and archaeological interests.
 - (n) On flooding and flood risk.
 - (o) On recreation or other community facilities.
23. **Policy DP/4** - Infrastructure and New Developments - states 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. Contributions may be necessary, inter alia, for the following:
- (a) Affordable housing
 - (b) Education

- (c) Public open space
 - (d) Community facilities
 - (e) Landscaping and biodiversity
 - (f) Arts and cultural provision
24. **Policy DP/5 - Cumulative Development** – states that development will not be permitted where it:
- (a) Forms part of a larger site where there would be a requirement for infrastructure provision if developed as a whole.
 - (b) Would result in a piecemeal, unsatisfactory form of development.
 - (c) Would prejudice development of another site adjacent or nearby.
25. **Policy DP/6 - Construction Methods** - states where practicable, development which by its nature or extent is likely to have some adverse impact upon the local environment and amenity during construction and/or is likely to generate construction waste should, inter alia:
- (a) Recycle construction waste.
 - (b) Prepare a “Resource Re-use and Recycling Scheme” to cover all waste arising during the construction.
 - (c) Be bound by a “Considerate Contractors Scheme” or similar arrangement, including restrictions on hours of noisy operations.
26. **Policy DP/7 - Development Frameworks** - states redevelopment of unallocated land and buildings within development frameworks will be permitted, provided that:
- (a) Retention of the site in its present state does not form an essential part of the local character.
 - (b) Development would be sensitive to the character of the location, local features of landscape, ecological or historic importance, and the amenities of neighbours.
 - (c) There is the necessary infrastructure capacity to support the development.
 - (d) Development would not result in the loss of a local service or facility.
27. **Policy GB/3 - Mitigating the Impact of Development Adjoining the Green Belt** - requires that any adverse impact on the Green Belt must be taken into account and that development on edges of settlements surrounded by Green Belt must include careful landscaping and design measures of a high quality in order to protect the purposes of the Green Belt.
28. **Policy HG/1 - Housing Density** - states that residential developments will make best use of the site by achieving average net densities of at least 30 dwellings per hectare unless there are exceptional local circumstances that require a different treatment. Higher average net densities of at least 40 dwellings per hectare should be achieved in more sustainable locations close to a good range of existing or potential services and facilities and where there is, or there is potential for, good local public transport services.
29. **Policy HG/2 - Housing Mix** - states residential developments will contain a mix of units providing accommodation in a range of types, sizes and affordability, to meet local needs.
30. **Policy HG/3 - Affordable Housing** - states proposals for housing developments will only be permitted if they provide an agreed mix of affordable housing. The amount of affordable housing sought will be 40% or more of the dwellings for which planning permission may be given on all sites of two or more dwellings. Within individual

developments, the proportion and type of affordable housing will be the subject of negotiation with applicants. Account will be taken of any particular costs associated with the development (e.g. site remediation, infrastructure provision).

31. **Policy ET/6** - Loss of Rural Employment to Non-Employment Uses – states: The conversion, change of use or re-development of existing employment sites to non-employment uses within village frameworks should be resisted unless one of the following criteria is met:
- (a) It is demonstrated that the site is inappropriate for any employment use to continue having regard to market demand. Applications will need to be accompanied by documentary evidence that the site is not suitable or capable of being made suitable for continued employment use. Evidence would be required that the property has been adequately marketed for a period of not less than twelve months on terms that reflect the lawful use and condition of the premises; or
 - (b) The overall benefit to the community of the proposal outweighs any adverse effect on employment opportunities and the range of available employment land and premises; or
 - (c) The existing use is generating environmental problems such as noise, pollution, or unacceptable levels of traffic and any alternative employment use would continue to generate similar environmental problems.
32. **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.
33. **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**.
34. **Policy SF/11** - Open Space Standards - states the minimum standard for outdoor play space and informal open space is 2.8 ha 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.
35. **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.
36. **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.
37. **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.

- 38. **Policy NE/8** - Groundwater – restricts development that will pose an unacceptable risk to the quality of the underlying groundwater from the chalk aquifer to the south and east of Cambridge.
- 39. **Policy NE/11** - Flood Risk - states that in relation to flood risk, applications for planning permission will be judged against national policy (currently in PPS25).
- 40. **Policy NE/12** - Water Conservation - Requires that development must incorporate all practicable water conservation measures. All development proposals greater than 1,000 m² or 10 dwellings will be required to submit a Water Conservation Strategy prior to the commencement of the development to demonstrate how this is to be achieved.
- 41. **Policy CH/2** - Archaeological Sites – requires that archaeological sites will be protected in accordance with national policy (currently PPG16).
- 42. **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.
- 43. **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. Cycle parking should be provided in accordance with the minimum standards.
- 44. **Policy TR/3** - Mitigating Travel Impact - requires applications for major residential development to be accompanied by a Transport Assessment.
- 45. **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

- 46. **Impington Parish Council** strongly recommends refusal. Comments are summarised below, the full version can be found at Appendix A to this report:
 - (a) Loss of an employment site:
 - i. As a rural growth centre the village requires a sustainable mixture of residential and employment development. The loss of the only remaining site within the framework for employment undermines the sustainability of Histon and Impington as a Rural Centre.
 - ii. Inadequate marketing of the site as there is no additional or recent data. The site has only be marketed as it was (buildings are now partially demolished),

and it has not been marketed as a small 'start up' business site, for which there is a considerable need. It is unsurprising that there was a lack of interest.

- iii. The proposals are contrary to employment policies.
- (b) Complete destruction of the "heritage" buildings to the western edge of the site, which were acknowledged in the previous application as being of importance to local history and culture.
- (c) Poor design as the materials proposed are totally at odds with the street vernacular.
- (d) The five dwellings fronting Impington Lane are out of keeping with the style and character of the area, which is a rich mix of housing styles, set well back from the road at varying distances. The proposals in contrast are identical in design and height – uniformity, bulk, and proximity to the road edge. The design quality is also questionable.
- (e) The scheme is five houses deep from Impington Lane, as opposed to the current two level streetscape. In the absence of definite proposals for Impington 1, this would be unacceptable if implemented on its own. This development would then be visible across the green belt from the Impington Conservation Area.
- (f) Lack of a Flood Risk Assessment (FRA) - the developers note one is not required as the site is outside of the floodplain, however paradoxically, the scheme proposes to use the open grassed area as a flood containment measure. This is undoubtedly included to serve the adjacent housing allocation. Gardens on the northern side of Impington Lane are known to get waterlogged during winter months. The drainage from across Impington Lane into the ditch at the western edge of the site often backs up and locally floods. The proposed development will increase the speed of run-off and exacerbate this situation. The area cannot therefore be included in the assessment of public open space as it will be unusable in periods of heavy rainfall due to waterlogging. Full compensation for off-site provision should be required.
- (g) No archaeological assessment has been provided, despite the site being known to be of interest archaeologically.
- (h) The traffic assessment submitted uses the same survey data as the previous application but is simply re-dated. No new data has been included and is collected on a day which was outside of the school term-time and when Park Lane was closed, resulting in considerably less traffic volumes through the village.
- (i) Unacceptable traffic measures are proposed:
 - i. Dangerous offset junction.
 - ii. Width of pavement is too narrow for the volume of pedestrian traffic at peak times.
 - iii. Narrowing the throat of the vehicle entrance will encourage "cross lane" driving in order to accelerate out and filter into the traffic flow, which already backs up past this junction from the B1049 traffic lights.

- iv. The junction is too narrow and will require heavy vehicles to mount the pavement in order to access the site; the entrance is narrower than the previous scheme which was refused on this ground.
 - v. Bus stops will, at ten minute intervals, shield visibility for cars leaving the site.
 - vi. Four individual crossings on Impington Lane could be re-sited to the rear and enable retention of the mature frontage hedge which is an important feature of the street scene.
 - vii. The Local Highway Authority should comment on the scope and / or restrictions for any further development on the Impington 1 site being fed from this access.
 - viii. The distribution of car parking will lead to inappropriate on-road parking, as has been found at the Arbury Park development.
- (j) In order for a refuse truck to reverse one of the parking bays must be empty.
- (k) Lack of evidence to support the positive implementation of recommendations in the Ecological and Environment Statements:
- i. Loss of hedgerow.
 - ii. Lack of ecological appraisals of wildlife – remedial action should be taken before any activities are undertaken e.g. changes to drainage will affect existing habitats supporting water voles.
 - iii. Insufficient detail of planting schemes i.e. Proportions, locations and quantities of species are required.
 - iv. Insufficient detail relating to the landscaped buffer to the Green Belt – hedgerow with smaller stock rather than mature plants with larger feature trees sited within the site itself.
 - v. Lack of evidence relating to the “increased opportunities for greater biodiversity” referred into the Landscape Statement. New habitat could be created within the site, such as a pond, in the flood plain area and adjacent to the brook indigenous planting and open grassland would significantly enhance the biodiversity within the site.
 - vi. The existing laylandii hedge on the western boundary should be removed and replaced with native species such a willow due to its proximity to the ditch and flood plain.
- (l) Lack of commitment relating to renewable energy approaches.
- (m) Inadequate cycle storage – proposals show the bare minimum, which, due to the under-provision of car parking, is unacceptable. It wishes the Cambridge City standard of one space per bedroom up to three bedrooms to be applied.
- (n) It is not clear which homes have been designed to Lifetime Mobility Standards.
- (o) Had the application been submitted for the full site a FRA would be required and this is reflected in the drainage proposals.
- (p) The traffic assessment and junction design could severely restrict the number of dwellings that would be acceptable on the rest of the site, or require re-design.

- (q) Without prejudice to the above comments, if SCDC decides to approve the application it requires that a number of planning conditions be applied:
- i. External finishes to be agreed in consultation with the Parish Council.
 - ii. Definitive proposals for renewable energy.
 - iii. Construction traffic must not use Burgoynes Road, Clay Close Lane, Milton Road or New Road to access the site.
 - iv. Restrict construction traffic entering or leaving the site to outside the hours of 7:30 – 9:00am and 3:00 – 4:30pm to avoid conflict with pedestrian and cyclist traffic related to schools.
 - v. A contribution towards improvements to the public drain, especially where it passes under the B1049.
 - vi. A section 106 with the Parish Council to secure its reasonable legal bills, contribution towards off-site recreation and open space, a contribution towards community facilities, and a contribution towards public art.
 - vii. Vehicular access to frontage properties to be from the rear and not off Impington Lane.
 - viii. Widen footway on the southern side of Impington Lane, together with whatever necessary alterations are necessary to the north side to maintain road width.
 - ix. Provision of a bus bay.
 - x. Re-design the access road to improve pedestrian safety, including a formal crossing facility.
 - xi. Detailed planting scheme for landscaping.
 - xii. Retention of the existing hedge adjacent to the buffer zone.
 - xiii. Retention of trees and hedges to the site's frontage.
 - xiv. Creation of new habitat such as a pond and installation of suitable bat and bird nesting sites.
 - xv. Provision of a full Archaeological and Heritage Report.
 - xvi. Full Ecological and Environmental Reports including impacts and action plans.
47. **Histon Parish Council** – strongly recommends refusal. Full comments can be found at Appendix B to this report. It supports the comments of Impington Parish Council. In addition to points covered in Impington Parish Council's representation (see above), it notes:
- (a) Lack of FRA due to subdivision of the site – the local Parish Councils have records demonstrating that the impact of flooding on the villages over the last decade appears to be at odds with the 'three in a hundred years' scenarios proffered by the Environment Agency and the developers. Removing further areas of soil will exacerbate the problem and move it westwards into Histon.

- (b) Impington Lane is a rat run; this has not been taken into account in the Traffic Assessment. No account has been taken of the expected increase in traffic from the Park and Ride site in Butt Lane.
- (c) The Guided Busway is outside of walking distance from the site. The Citi7 service normally runs every 10 minutes during the day and at peak times is standing room only. Expansion of these services is limited by delays on Histon Road, which is already overloaded and at capacity.
- (d) The traffic signals at the Green are at the optimum sequence and cannot be altered further. Additional traffic will have to use New Road.
- (e) The development does nothing to alleviate existing shortages of public open space.
- (f) Increased pressure on village infrastructure such as drainage and transport.
- (g) "There is little point to the arguments of the District Council that Histon and Impington is designated as a Rural Growth Settlement, if they then remove one of the only two industrial areas within the village envelope. As we have seen with retail provision, it is easy for developers to argue that they cannot find users, when they let the present facilities deteriorate. Similarly, when a developer pays a premium price for industrial land on the basis that they know that they can persuade the Planning Authority to rezone it, little if any attempt to provide units that are in demand (and that can be afforded) make sense.

There is evidence that, as a result of the threat of charging for traffic entering Cambridge, there is a demand for small units outside the City. In particular "start-up" units, either similar to the "E-Space" concept run by East Cambridgeshire District Council, or "artisan" units where work is usually separate from living accommodation in the same building. We argue that the District Council should be encouraging this type of rural centre sustainable development".

48. Policy ET/6 seeks to retain employment in villages, as a scarce resource. If the tests contained within the policy were not complied with, it would need to be considered whether there are any material considerations that indicate why an employment use should not be maintained.

49. **Planning Policy Manager** – comments as follows:

"Policy ET/6 seeks to retain employment in villages, as a scarce resource. If the tests contained within the policy are not complied with, it would need to be considered whether there are any material considerations that indicate why an employment use should not be maintained.

Histon and Impington have a significant amount of employment provision, and are particularly accessible to the employment opportunities on the northern fringe of Cambridge and the wider city.

An Employment Land Review prepared for the Council has concluded that to meet the East of England Plan 2026 job forecasts that 412,000 – 462,000 sq.m of 'B' use class floorspace will be required in Cambridge City and South Cambridgeshire but that almost twice this amount of floorspace is currently available with planning permissions and land allocated in plans (844,750 sq.m). Much of this surplus is located in South Cambridgeshire.

The East of England Plan and the South Cambridgeshire Core Strategy both aim to increase the supply of houses in and close to Cambridge as a means of reducing commuting. Given the circumstances described above, losing an employment site such as this to residential development will have the same effect. It is therefore considered that material considerations exist to warrant an exception to policy.'

50. **Environment Agency** – has provided preliminary comments only due to problems accessing the FRA. Further comments will be reported verbally however it's draft comments are summarised below:
 - (a) The application falls within flood zone 1 and is for development of more than 1ha.
 - (b) The Agency recommends that the application be *deferred* until such time as the FRA has been fully assessed.
 - (c) Notwithstanding the above, the Agency's Groundwater and Contaminated Land team has reviewed the MLM Desk Study Document Ref. DMB/722111/R1/F dated July 2008 and MLM Geotechnical Assessment Document Ref. DMB/722111/R1/F dated July 2008 and make DRAFT comments and recommendations including conditions relating to:
 - i. A detailed land contamination scheme
 - ii. Restrictions on piling or any other foundation designs using penetrative methods accept for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater
 - iii. Restrictions and further study relating to dewatering is likely to be required during construction works. However groundwater sampling has demonstrated that there is hydrocarbon contamination within the groundwater. Therefore prior to it being discharged to ground or into nearby watercourses this groundwater will require treatment.
 - iv. No infiltration of surface water drainage into the ground other than for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters, to prevent the increased risk of contamination to groundwater.
 - v. As demonstrated by the site investigation report groundwater levels at the site are shallow varying from approximately 0.8m – 2m below ground level. As the reports states the nature of the groundwater levels on site could be 'flashy' and therefore are likely to be very responsive to sudden increases in groundwater/infiltration. Under its current groundwater protection policy it recommends that a minimum of 1 m of unsaturated zone lie between the base of the soakaway and the highest recorded groundwater level. Based on this, it would indicate that this site would not be suitable for soakaways.
 - vi. Similarly with the use of Sustainable Urban Drainage Systems, (SUDs), it also recommends that the base of infiltration structures are at least 1 metre above the highest seasonal water table.
51. **Corporate Manager (Health and Environmental Services)** – recommends, having considered land contamination matters, that as localised hotspots of contamination have been identified, a condition requiring further investigation of contamination as set out in MLM's report.

52. **Old West Internal Drainage Board** – notes that the site is outside of its catchment and makes no comment therefore, other than to recommend consultation with the Environment Agency.
53. **Anglian Water** has commented that it is keen to support the spatial planning process across the region and suggests specific informatives. Adequate capacity exists within the foul sewerage network and at Cambridge Sewage Treatment Works to accommodate the flows from the development.
54. **Drainage Manager** – no comment received. Members will be updated verbally or by way of a written addendum to this report.
55. **Building Control Officer** – Minimum floor levels should be as recommended in the Environment Agency's letter dated 4th April 2008.
56. **Local Highway Authority** – comments awaited and will be reported verbally.
57. **Highway Agency** – is satisfied that the proposed development will not have a material impact upon the capacity of the Histon Interchange or A14 mainline. It encourages the developer to investigate the possibility of implementing a Residential Travel Plan for a successful sustainable development.
58. **Cambridgeshire Archaeology** – an evaluation of this site was carried out in 2005, which revealed mediaeval features surviving on site. It now advises that the site should be the subject of a programme of further archaeological work, to be secured through a negative condition, as per PPG16 (para.30).
59. **Conservation Officer** – This proposal does not directly affect any conservation areas and no comments are offered.
60. **Urban Design Officer** - no comment received. Members will be updated verbally or by way of a written addendum to this report. However following pre-application meetings and verbal reports the scheme is likely to be supported.
61. **Police Architectural Liaison Officer** – no comment received. Members will be updated verbally or by way of a written addendum to this report.
62. **Cambridgeshire County Council (Education)** – requires a contribution of £73,500 towards the provision of 8.75 primary school places required for the development due to a shortfall in places locally. There is sufficient surplus capacity at secondary school level.
63. **Trees and Landscape Officer** – No objection, however there needs to be a comprehensive and well thought out landscaping scheme to accommodate trees which will develop into tall, mature specimens. This will require the buildings to be designed to accommodate mature trees. A landscaping scheme must be submitted.
64. **Landscape Design Officer** – comments awaited and will be reported verbally. However, following discussion, it is likely that some revisions to the detailed landscaping will be required and a maintenance and management agreement required via Section 106.
65. **Ecology Officer** – having assessed the potential restoration of the ditch on site he comments that:
 - (a) The leylandii conifers on the right bank of the ditch are in extremely poor cover on the conifers at the lower level. They are top heavy and visually poor.

Trees of this size do not produce fresh growth at the lower level and they should be removed.

- (b) Once removed there is much potential to re-shape the ditch and to deepen it to the point where it provides useful biodiversity habitat, a land drainage gain and an interesting landscape feature. The ditch shows signs of retaining water at times and an inflow pipe is present.
- (c) In order to facilitate the construction of the proposed houses a large amount of concrete hard standing would have to be removed. Whilst the activity is taking place there is no reason why it is not reasonable to request the opening up of the culverted watercourse in order to deliver its benefits for land drainage, biodiversity and landscape. Furthermore when the opened ditch is linked to the watercourse to the north a habitat linkage of 70m will be achieved, providing new habitat for the water vole population noted within the ecological assessment.
- (d) In light of the above he has a holding objection to the current scheme, as it has not given enough consideration to the potential to integrate the current landscape form with the potential for habitat restoration. It fails to meet the requirements of policy EN/6 or the key principle (ii) of PPS9, namely the need to enhance or restore biodiversity. Provision of a new length of ditch could provide for SUDS integration. Policy NE/4 also supports the enhancement of ditches as locally distinctive features.

66. **Cambridge Water, Environment Operations Manager, Housing Development Officer, Sustainability Officer and Arts Development Officer** – no comments received. Members will be updated verbally or by way of a written addendum to this report.

Representations

67. 13 letters of objection have been received from local residents. The issues raised are summarised below:

Car parking and access issues

- (a) Future development at Impington 1 should not be served from off Ambrose Way, as this would create a through-road.
- (b) Impact on safer routes to school and subsequent safety of children.
- (c) Increased noise and pollution resulting from extra traffic.
- (d) Increased traffic in Impington Lane which is already heavily congested at peak times, with queues back to new Road that block residents in especially if there is a problem on the A14 and due to increased use by HGVs due to the increased use of satnav.
- (e) The traffic assessment does not take into account new development i.e. the Milton Park and Ride and Mereway Business Park at Butt Lane.
- (f) Traffic assessment is inaccurate in that it does not acknowledge that there are frequent minor and serious accidents (including a recent fatality) at the junction of Impington lane and the B1049. There is a need to get accurate records from the police / local transport department.

- (g) The traffic counts should include the large numbers of pedestrians and cyclists, and school buses using Impington Lane.
- (h) Traffic surveys were carried out during school holidays and compared the former commercial traffic at the wrong times i.e. residential traffic is during peak times whereas commercial traffic will be spread more across the day.
- (i) Impact on the timing /capacity of the traffic lights at Glebe Way.
- (j) Access is too close to the Herewood Close junction, creating additional confusion for all highway users.
- (k) Car parking is well below the SCDC standard with likely consequence of on street parking in Hereward Close and Impington Lane.
- (l) The position of the existing bus stop restricts visibility at the site entrance.

Employment loss

- (a) Loss of the last remaining employment site in the villages.
- (b) Unwins previously employed 73 persons.
- (c) The site is still suitable for employment.
- (d) Further residential development on Impington 1 will increase the need for employment locally.
- (e) Anecdotal evidence is that sole traders and SMEs seeking capacity on the site were rejected and their expressions of interest have not been logged.
- (f) Histon is home to more than 200 businesses, many operating from homes. There is a need for small, affordable, start-up office space – which is poorly provided in the area.
- (g) If the site is developed it should be a mixed development.

Layout and design

- (a) Scale and height of buildings – mostly three storeys – are excessive and out of character due to proximity to the Conservation Area, Green Belt and village edge.
- (b) Existing properties would not be adequately screened.
- (c) Flats present large, blank, unattractive facades to Impington Lane.
- (d) Balconies and terraces will overlook existing dwellings, especially from Block A, which also has windows facing existing dwellings.
- (e) Loss of buildings of local historic significance due to the links to Unwins.
- (f) The scheme should reflect the vernacular and built pattern more closely.
- (g) There is no need locally for 5-bedroom houses.
- (h) The design is more appropriate to Arbury Park.

- (i) The scheme should include bungalows to minimise the impact on neighbours and the countryside.
- (j) Materials are out of keeping.

Flooding

- (a) Drainage and flooding problems are known to exist locally.
- (b) Properties in Impington Lane have been refused home insurance due to being in the floodplain;
- (c) The play area is within the area to be used in flood events.

Density and mix

- (a) Lack of need locally for so many 1 bedroom flats.
- (b) Lack of need for further housing in the villages.
- (c) Further strain on local infrastructure.

Other matters

- (a) If approved, conditions relating to retention of frontage trees and hedging; construction access via B1049 and Impington Lane only; and hours for construction traffic to be restricted to outside peak traffic hours.
- (b) Frontage trees should be protected by a TPO.
- (c) The development will dominate the skyline from the Conservation Area and village green.
- (d) The application is premature and sets a precedent for future development of Impington 1.
- (e) The site should be planned as whole, including Impington 1.
- (f) Lack of community provision.
- (g) Lack of sufficient publicity and consultation.

Planning Comments – Key Issues

68. There are number of key matters to consider in determining this application:

- (a) loss of employment;
- (b) flooding, drainage, and contamination;
- (c) density and housing mix;
- (d) affordable housing;
- (e) layout and design;
- (f) neighbouring amenity;
- (g) impact on the village edge and Green Belt;
- (h) landscaping;
- (i) traffic and access;
- (j) car and cycle parking;
- (k) renewable energy provision, water conservation;
- (l) infrastructure and local services including education, Northern Corridor Area Transport Plan (NCATP), public art;
- (m) public open space and community provision;

- (n) wildlife,
- (o) cumulative development,
- (p) archaeology, and
- (q) conservation area.

Loss of employment

69. In considering the previous planning application the Council sought independent advice on the marketing of the site. As a consequence the assessment found that the marketing had been inadequate. The application was partly refused on this ground:

‘The eastern part of the site is occupied by a number of commercial buildings, last used for employment purposes relating to a seed and bulb processing operation. The applicant’s have sought to provide evidence of marketing to establish that it is inappropriate to continue employment use on that part of the site, having regard to market demand. The marketing fails to conclusively establish this on the basis that:

- a. The employment land was only marketed on the basis of the commercial buildings being available on a short-term lease without any indication of rental or terms quoted. Given the condition of the buildings, a long-term lease would be the more attractive option to potential occupiers due to the likely need for substantial repairs.
- b. The site was not marketed for sale, based on its existing lawful use, separate to the area allocated for housing.

It is concluded that the marketing fails to establish that this part of the site is no longer suitable or capable of being made suitable for continued employment use and has not adequately reflected the lawful use and condition of the site. The proposals are therefore, contrary to policy EM/8 of the South Cambridgeshire Local Development Framework, 2007 which seeks to avoid the loss of rural employment sites due to their scarcity, need to reduce the pressure for the development of new employment sites for example in the countryside and to provide local employment opportunities’.

70. A statement that rebuffs this supports the application. No new evidence is provided. Therefore, further independent advice has not been sought. Further, the applicant argues that, due to changed circumstances in relation to the District’s housing provision, criteria (b) of Policy ET/6 is met as the overall benefit to the community outweighs the adverse impact of losing this employment site on the grounds that the greater community need is for residential, rather than the employment use of the site. They refer to the current need for further housing sites to be identified in the LDF and the evidence, through the LDF process that there is a surplus of employment land across the District, and that there is low take-up of existing employment sites. This view is supported by the comments of the Planning Policy team.

Flooding, drainage and contamination

71. The site does fall outside of the Environment Agency’s areas of medium and high flood risk. Subject to the comments of the Council’s Drainage Manager, there is no evidence that the scheme will significantly increase the risk of flooding within the site or locally. A water conservation strategy has been put forward and can be the subject of a planning condition.
72. The comments of the Council’s Ecology Officer are noted in relation to the drain, which runs along the site’s western boundary. These have been put to the applicant for consideration. Should this not be possible they will be required to put forward

alternative, appropriate methods for the improvement of biodiversity of the site and area.

73. Subject to the detailed response from the Environment Agency, it is likely that matters relating to land contamination and groundwater can be addressed through planning conditions.

Density and housing mix

74. The density of the proposed scheme is lower than that previously proposed. At 31.8 dph, this is above the minimum required and is appropriate to the edge of village location. This is below the 40dph threshold for developments in more sustainable locations. However the balance is considered appropriate in this case due to the edge of village location and form of development in Impington Lane of larger houses on generous plots.
75. The market housing mix provides 38.1% 1 and 2 bedroom units, no 3-bedroom units and 61.9% 4 and 5 bedroom units. The proposal is for a major development and as such policy HG/2 simply requires that developments of this size provide '...a range of accommodation including 1 and 2 bedroom units, having regard to economic viability, the local context of the site and the need to secure a balanced community'. It is difficult to insist upon a revised mix in light of the policy requirement. Notwithstanding, the applicant has been asked to revise the scheme to provide a percentage of units with 3-bedrooms. If unwilling to do so they will be expected to demonstrate that other considerations referred to in the policy prevent them from doing so. A verbal update on this matter will be provided at the meeting.
76. It is not clear if any of the homes are to be to Lifetime Home standards.

Affordable housing

77. The comments of the Affordable Homes team are awaited at the time of writing, however the provision meets the 40% required and a mix of tenures has been proposed. The units are spread throughout the development. Final details of the scheme can be secured by way of a planning condition.

Layout and design

78. The layout and design has been the subject of pre-application discussion with officers. It is generally thought to be significantly better than the previous scheme and is likely to be supported, although the comments of the Council's Urban Design Officer and Police Architectural Liaison Officer are awaited.
79. The form of development reflects that of the local area, being one of larger dwellings in generous plots, set back from the road frontages. It provides clear routes through the site. The concept of providing a central focus through the square is welcomed and provides a clear link to the open space.
80. The design does not seek to provide a pastiche of existing development and will provide a strong example of modern architecture and usable, inviting public space. The concerns locally relating to materials are noted, however a condition will seek to ensure that officers are able to secure a palette that does reflect the vernacular, although in the context of modern design.
81. The scheme does still include 3-storey units, including flats. There are 3 storey residential buildings some 150 metres to the south west. In light of the comments of the Building Control Officer, the ground levels have been checked to ensure that the

dwellings will not have to be raised above that shown on the elevation drawings to meet the ground floor level previously required by the Environment Agency of 10.09AOD for flood protection. The levels along the northern boundary are within the region of 10.705 – 11.134AOD and as such this will not cause anything other than at worst very minor raising by not more than 20cm, which would not noticeably alter the impact when viewed from the countryside beyond the site. Should the Environment Agency provide comments that alter this requirement the situation can be reviewed. However planning conditions can be placed to ensure overall ridge heights above ground level are controlled.

82. The overall heights are such that these will be visible beyond the village edge. Following discussion with the Landscape Design Officer it is likely however that planting can be grouped to provide a green edge to the village, outside of back gardens, including trees that will soften the edge, although it will not be possible to entirely screen it. This should ensure that the impact on the Green Belt is also mitigated. It is noted that there are only long distance views of the village edge here from public vantage points.
83. If necessary the mix can be altered to remove the 3-storey houses (type D) from the village edge boundary and replace with smaller, 3 bedroom units of a lower height, although amendments would be required to the scheme. These units are sited where the boundary's landscaped strip is widest and therefore more significant planting, as described above, can be planted where it is most needed. An update on this matter will be given.
84. It is considered that, due to the distance of the site from the Conservation Area and village green (approximately 170m and 230m respectively) these units will not be visible within their skyline views.
85. It has been noted that there are a number of minor discrepancies in the drawings and corrected versions have been requested. Similarly, officers have expressed concerns that plots 12-21 have small north facing gardens, which do not provide adequate private amenity space and will put pressure on the planting to the northern boundary as well. The applicants have been asked to shift these units away from the boundary to ease this aspect of the scheme. The car parking space to plot 12 also blocks access for maintenance of the landscaped strip and will need to be revised.

Neighbouring Amenity

86. The proposed units will all be afforded reasonable levels of amenity. Unusually balconies are proposed on the majority of units, which due to careful design will not adversely affect neighbouring amenity either due to positioning or screen walls.
87. In terms of the existing properties on Impington Lane, the main concern is in relation to the two blocks of flats. Block A has a blank south elevation and therefore will not overlook no. 45 Impington Lane. The western elevation will provide oblique views at 18m from its rear boundary. In terms of Block B, it has windows in its south elevation facing over the open space, which are sited at a distance of 34m from the rear boundary of no. 45 and 16m from the northeastern corner of no. 37's rear garden. These blocks are 3-storeys. However given the distance and angles of potential views, these relationships are acceptable. At present the boundary conifer hedge also screens these adjoining properties.

Infrastructure and Local Services

88. The Villages of Histon and Impington, as a Rural Centre, have been identified as able to accommodate larger developments. Certain provisions are made for meeting increased demand where possible within the scope of planning e.g. through education and NCATP contributions. Although community facilities have been raised as a requirement locally, this is not something that is currently justifiable as there has been no SPD on this matter or information available about local requirements.

Public Open Space Provision

89. Relatively large areas of open space are proposed within the scheme. These are well sited and overlooked by dwellings, albeit not family units. Subject to appropriate detailing and securing these via a section 106 agreement, these meet the requirements for open space.
90. The main area on which play equipment is to be placed was previously within a proposed flood alleviation area. The use of such areas is not suitable for public open space and could not contribute towards the general needs for open space. The applicant has been advised this area will not be suitable for such use on further phases of development (Impington 1).

Traffic and access

91. The Highway Agency has not objected to this scheme. The comments of the Local Highway Authority are awaited and a verbal update on this subject will be provided. The Authority has also been asked to comment on the cumulative issue relating to Impington 1 access.

Car and Cycle Parking

92. There is slight shortfall in the car parking provision across the site of 5 spaces. This is not considered to be sufficiently poor as to warrant an objection, although the comments of the Local Highway Authority will be considered, as previously it had concerns relating to this. The scheme provides an appropriate level of disabled parking spaces.
93. Cycle parking is provided in excess of the Council's adopted standard and a condition would secure the provision on site, including within individual plots. It is not reasonable to require the higher standard applied by Cambridge City Council. However the applicant has been made aware of the suggestion and if it is possible to accommodate further spaces without detriment to the overall scheme, this will be sought.

Archaeology

94. Some assessment of archaeology on site has been undertaken and the comments of the Archaeology Office are noted, a condition would be applied if approved.

Renewable energy provision and water conservation

95. Schemes have been put forward to include solar and PV panels on the units to meet the 10% renewable energy requirement. Similarly, a water conservation strategy has been provided. Both matters can be secured via planning condition.

Wildlife

96. The requirement for bat and bird boxes can be met through a planning condition. If the drainage ditch improvements cannot be provided, negotiations, in consultation with the Ecology Officer, will be required to secure other ecological enhancements.

Departure

97. The proposal does not comply with Policy ET/6 in that the argument that the loss of employment and replacement with housing provides an important community gain is not entirely accepted. The benefit is to the District and not directly to the communities of Histon and Impington. Notwithstanding, in light of the advice received and changed circumstances in relation to housing targets, officers consider that permitting the loss of employment on this site will not be significantly detrimental to the objectives of the development plan.

Recommendation

98. A. Subject to the nature of outstanding comments and the receipt of revised plans, the Committee be minded to approve the application;
- B. That the application be referred to the Secretary of State as a Departure from the Development Plan, specifically Policy ET/6 of the adopted Local Development Framework 2007;
- C. If the Secretary of State does not call the application in for her determination, the application be approved subject to safeguarding conditions and completion of necessary Section 106 agreement to secure public open space, affordable housing, maintenance of landscaping, public art and contributions to transport and education infrastructure.

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

- South Cambridgeshire Local Development Framework 2007
- Cambridgeshire and Peterborough Structure Plan 2003
- East of England Plan 2008
- Planning File Refs: S/0321/05/O, S/0146/08/F and S/1356/08/F
- Documents referred to in the report including appendices on the website only and reports to previous meetings

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Impington Parish Council (IPC) objects to the Planning application S/1356/08/F and **strongly recommends refusal**

Our recommendation is based on two distinct sets of reasons. The first concerns the current allocation of the site for employment purposes and the other set relates to the design details submitted for residential properties.

1 Loss of an Employment Site

The site is currently allocated for employment purposes, and the Parish Council strongly seeks to preserve this use. We note that the refusal for the previous application for the site included the following as a reason for refusal:-

"It is concluded that the marketing fails to establish that this part of the site is no longer suitable or capable of being made suitable for continued employment use and has not reflected the lawful use and condition of the site. The proposals are therefore, contrary to Policy EM/8 Of the South Cambridgeshire Local Development Framework 2007 which seeks to avoid the loss of rural employment sites due to their scarcity, need to reduce pressure for the development of new employment sites for example in the countryside and to provide local employment opportunities."

Histon and Impington are a designated Rural Centre. The policy on Rural Centres recognises that a Rural Centre needs to be a sustainable mixture of residential and employment development. Within the Local Development framework there are no sites in Impington and Histon for employment but there are sites for residential development. There are policies for exception sites outside the village framework for them to be considered for residential development (for affordable homes only) but no such policy exists for employment sites.

By seeking to change the use of an employment site to residential, this application completely undermines the Rural Centre policy and the status of Impington and Histon as a Rural Centre. Although the application claims that the application is sustainable, there is no evidence for this claim; conversely the loss of an employment site undermines the sustainability of Histon and Impington as a Rural Centre. The developer refers to the approval of residential development of a former employment site in Milton but Milton is not a Rural Centre so the comparison is erroneous.

IPC concludes that to allow residential development on this site not only removes a potential employment site but also removes the possibility of any employment site in the joint settlement for the foreseeable future.

The previous refusal notice cast doubt upon the evidence provided by the Developer in relation to the marketing of the site for employment purposes and hence rejected their claims. At IPC planning committee meeting of 26th August 08 representatives from the Applicants were present, and they noted that:-

- They have not been marketing the site since the last application, so have no additional or recent data;
- Their marketing, since acquisition, was entirely of the site as is, with the dilapidated existing premises: buildings that are now partially demolished and contain asbestos;

- NO attempt was made to market the site with potential for small 'start up' businesses.

It is clear to the IPC that these efforts at marketing the site have been of limited scope and it is not surprising that they generated no interest. IPC maintains that there is considerable need for small premises to house local businesses which are currently run from home (spare room or garage) that wish both to expand and to keep the business within the settlement. The Parish Council Offices have, over recent months received several requests for information on sites offering such start up opportunities. The Council feels that having such facilities is an essential part of the mix necessary for a sustainable settlement, as is required for a Rural Centre under the policy. The applicants have made no attempt to market the site for development for commercial properties of the type which is needed.

Rather, according to the applicant's agents, their 'mission' is to develop residential properties, as this is the aim of their parent venture capital company, and why they failed to consider alternative approaches.

Relevant policies:

ET/d To reduce commuting distances and the need to travel, particularly by car, by bringing home and workplace closer together, and by encouraging employment opportunities in accessible locations, or accessible by sustainable modes of travel.

ET/6 Para 5.17 Employment sites within village frameworks are a scarce resource, which should be retained.

Relevant application: S/1017/06/F - change of use to B1(C) and B8

In summary, the Applicants have **not** considered a development that provides some commercial accommodation for local businesses. Their continuing focus on one solution for the site has restricted the opportunities for the use of the site for its designated purpose. **On this basis alone, IPC would strongly recommend refusal.**

If however SCDC is minded to consider the application for residential development only. IPC also contends that the application is fundamentally flawed and should be refused.

IPC notes that the Developer has reduced the density of the development from 39 per hectare in the previous application to 32 per hectare in this part of the overall site, but we have been unable to check these figures without a survey of the site. The applicant has also undertaken to allocate the affordable housing, where possible, to local residents. These assertions are welcomed but do not offset the strongly negative aspects of the development.

IPC recommends rejection for the following reasons

2. The complete **destruction of the "heritage" buildings** to the western edge of the site. The previous application acknowledged the importance of these buildings to the local history and culture. Truly innovative developments occurred in these premises and their loss would be detrimental to the understanding of the roots and history of this community.
3. **Poor design.** The lists of the finishes provided ("Brick, render and wood cladding") without details, but supported by drawings, show that the **designs are**

totally at odds with the street vernacular: the use of particular bricks, finishes and woods should have been specified without the need to rely on the developers' assurances.

4. The five buildings facing Impington lane are **identical and of a height not matched in the rest of the road**. The design is therefore out of keeping with a mixed residential area including many individual and more modest dwellings, some of which are directly opposite the proposed large houses. Impington Lane is a typical ribbon development that has grown over time to develop a rich mix of housing styles - conventional two storeys, chalet and bungalow. Only in one area is there any repetition. Those properties are well set back from the road, and are themselves at varying distances of set back. The proposed houses fronting Impington Lane are out of style and character - both by their uniformity, bulk, and proximity to the road edge. The design quality is also questionable.
5. The proposed development would result in a **five dwellings deep development** from Impington Lane, as opposed to the current two level streetscape. In the absence of definite proposals for Impington 1, this would be an unacceptable layout if implemented on its own. This development would then be visible across the green belt from the Impington Conservation area.

The following Policies are relevant:

Policy DP/2 1. All new development must be of high quality design and, as appropriate to the scale and nature of the development, should:

f. Be compatible with its location and appropriate in terms of scale, mass, form, siting, design, proportion, materials, texture and colour in relation to the surrounding area;

POLICY GB/3 Mitigating the Impact of Development Adjoining the Green Belt

1. Where development proposals are in the vicinity of the Green Belt, account will be taken of any adverse impact on the Green Belt.

2. Development on the edges of settlements which are surrounded by the Green Belt must include careful landscaping and design measures of a high quality in order to protect the purposes of the Green Belt.

Note 3.8 However, account will also need to be taken of the impact of proposals on the adjoining Green Belt, including views from the Green Belt.

6. We have not found a Flood Risk Assessment in the papers and the developers claim this is not necessary as this parcel of land is just outside the flood plain. We note however that, paradoxically, the scheme proposes to use an open grassed area as a flood containment measure.

This is undoubtedly included to service the later development of the adjacent "Impington 1" land area and its inclusion indicates the need to be mindful of local conditions and flooding history. It is well known that all the properties on the northern side of Impington Lane to the west of this site report that their rear gardens are waterlogged during the winter months. The drainage from across Impington Lane into the ditch at the western edge of this site often backs up and locally floods. The proposed development, by increasing the speed of run off from the dwellings will only exacerbate the situation.

We therefore fundamentally disagree that the area of land designated as flood containment can not be included in the assessment of public open space as it will be unusable in periods of heavy rainfall (i.e. the normal year in, year out heavy rain periods) when this land will be unusable, and thus a full compensation for off site public open space will be required.

7. No archaeological report has been provided, despite the site being known to be of archaeological interest.
8. The traffic assessment uses the same survey data from 24th October 2007 quoted in the previous application but now labelled as from November 2007 but with exactly the same data. No new traffic survey has been carried out since then, despite the fact that the original data was collected on a day which was:
 - During the school half term, which reduced the level of local traffic significantly, and
 - When the Cambridge Guided Bus development had closed Park Lane in Histon thus removing a considerable volume of through traffic from Oakington, Longstanton and Girton from Impington Lane.
9. The traffic safety measures are unacceptable as:
 - The most dangerous, close offset junction layout has been retained despite the professional advice given at the time of the previous application.
 - The narrow pavement opposite means that almost all pedestrian traffic, including three schools and a nursery facility, with buggies etc. will all need to cross the entrance to the site, which if residential would have many vehicles leaving during the morning peak pedestrian time.
 - Narrowing the throat of the vehicle entrance to the development is an improvement for pedestrians but will also encourage "cross lane" driving in order to accelerate out and filter into the traffic flow, which already backs up past this junction from the B1049 traffic lights.
 - None of the proposals mitigate the assessment made on the last application that led to a refusal on the grounds that "*The proposed junction with Impington lane is too narrow and will require heavy vehicles to mount the pavement in order to access the site*": indeed in this application the entrance is even narrower.
 - The location of the two bus stops, one in front of the adjacent "Red House" will, at ten minute intervals, shield visibility for cars leaving the proposed site.
 - The access for car parking to four of the frontage houses also crosses the pedestrian path. There is, however, scope for these houses to be accessed from the rear, thus reducing the risk to pedestrians. This would also enable retention of the full, mature hedge along the frontage and thus preserve an important feature of the street scene.
 - IPC would expect SCDC to obtain a written assessment from the Highways Authority, which should comment on the scope and/or restrictions for any further development feeding traffic through this entrance to Impington 1.
10. The previous application was judged to have provided inadequate car parking space. The new application has a higher proportion of car parking spaces, but

many of these are private spaces within grounds of the large houses at the front. Thus the spaces available to the remaining 30 dwellings is 41 may still lead to the expressed concern on the last refusal, of the possibility of cars being parked off the site, on a road that is of minimum width and heavily used. IPC Noted last time:

Policy TR/2 gives the adopted standard for car parking is an average of 1.5 spaces per dwelling (Development Control Policies Appendix 1).

The Cambridgeshire Design Guide for Streets and Public Realm identifies that for parking *an inadequate provision ... result in high levels of inappropriate parking to the detriment of the streetscape* and specifies both minimum and maximum levels.

There is clear evidence from the Arbury Park development that inadequate provision does not constrain car ownership, and that the results forecast by the Design Guide are coming to fruition.

11. The Auto Tracking Movements (drawing 11/642/SK002 rev 001) shows that for a Refuse Collection Vehicle to be able to turn, one of the allocated car park positions must be empty
12. Ecological and Environmental Statements – Biodiversity enhancement recommendations are made, potential impacts are discussed, The Hedgerow Regulations 1997 and reference to the Cambridgeshire Biodiversity Action Plan (and any relevant HAPs and SAPs contained within) are referred to; however there is little or no evidence to support positive implementation of these and other items referred to within PPS9.
 - The general character of Impington Lane is a mix of trees and hedges; the Southern boundary of the site is defined by an important mix of ornamental trees and Hawthorn hedge. Hedges are a feature of the local streetscene and part of the Unwins history. The creation of two new access roads would impact considerably on the visual aspect and destroy the overall value this currently offers – This is unacceptable; an alternative access is available.
 - No commitment is given to the statements in section 5 of the Ecological Appraisal submitted - Impact assessments for all wildlife (both on site and on adjacent sites) must be submitted and suitable remedial action taken before any activities are undertaken on site. Eg. Changes to drainage will have a knock on effect and can significantly alter existing habitats supporting protected species such as water voles.
 - Overall planting scheme - Insufficient details of the planting schemes submitted. Proportions, locations and quantities of each species are required. It is important that 'ornamentals and hybrids' which are more suitable for the gardens and POS are not included in the indigenous planting areas.
 - Green Belt buffer screen - A suitable planting scheme is required; details submitted are insufficient. Planting preference would be for 2 year old bare rooted trees and shrubs (rather than mature plants) for the mixed indigenous hedge and indigenous buffer zone. Larger feature specimen trees would be more suitable within the development site where they can be planted for immediate impact.
 - The Landscape Statement includes in it's objectives to "*increase the opportunity for greater biodiversity*" - The planting submission does not provide significant evidence of this. There is an opportunity within the site to

look at a new habitat creation, such as a pond, in the flood plain area. Adjacent to the brook, indigenous planting and open grassland, this would significantly enhance biodiversity within the site.

- Existing leylandii hedge on the western boundary - Preference would be for this to be removed and replaced with native species. As this is adjacent to the brook and the POS/open flood plain area species such as willow mixed with other species would be more appropriate.

13. The application makes reference to renewable energy approaches, but makes no commitment.

14. Inadequate provision for cycle storage.

Structure Plan Policy P8/8 is a requirement for the provision of adequate cycle facility provision, including cycle parking.

Development Control Policies Appendix 2 para 2 states: In the villages most homes, whether existing or yet to be built, have appropriate areas such as garages where cycles can be kept securely and under cover

This development does not provide most homes with a garage.

Having under-provided car parking, with the aspiration that alternative means would be used, the provision of cycle storage at the bare minimum is unacceptable.

The Council would wish to see the standards adopted by Cambridge City Council (1 per bedroom up to 3 bedrooms) applied.

15. Policy HG/2 requires that a proportion of new buildings *should be designed to lifetime mobility standards* - it is not clear which buildings have been so designed.

Issues relating to the split applications

IPC notes that

- The full site would require a flood risk assessment, and this is reflected in the drainage provisions in this application which are only required for the full site.
- The traffic assessment and the safety of the entrance to the site will need a different treatment for the full site. Making an inadequate entrance for this application will either severely restrict the numbers of dwellings that would be acceptable on the rest of the site, or require a re-design

Conditions

Without prejudice to our previous comments requesting refusal, if SCDC were minded to grant acceptance of this proposal, IPC would require:-

1. Agreement of finishes to the buildings to be in keeping with the street scene, and in particular the use of buff or light coloured brick, and that IPC is included in the consultation process on these design features

Reason: Inadequate definition in the application does not permit an assessment of the suitability for inclusion within the current street scene

2. Definitive proposals for alternative renewable energy sources.

Reason: Vague promises must be replaced by enforceable commitments.

3. All construction traffic to and from the site be restricted to accessing Impington Lane from the B1049 junction. No such traffic to use Burgoynes Road/Clay Close Lane/Milton Road, or New Road

Reason: Burgoynes Road/Clay Close Lane are narrow, have tight bends, and no footpaths. They are unsuitable for heavy traffic.

New Road is the site of IVC and has student pedestrian traffic much of the day.

4. All construction traffic is restricted from entering or leaving site between 7:30 and 9:00 in the morning peak, and 15:00 and 16:30 in the afternoon.

Reason: to avoid pedestrian and cyclist conflict, especially schoolchildren.

5. A contribution for improvement to the Public Drain draining the site, particularly where it passes under the B1049, as proposed in the Planning Obligations Paper, item 3:

Reason: Where the drain passes under the B1049 is a choke point which therefore limits the capacity of the drain to deal with flooding events

6. The developer enter into a section 106 agreement with the Parish Council:

1. The Council's reasonable legal bills to be met;
2. A contribution made towards the development of offsite recreation and open space facilities - at the level of the previous application, indexed appropriately;
3. A contribution made towards the development of community facilities, specifically for youth work and a community meeting place
4. A contribution to public art, and one which recognises the historical nature of the site and the innovations performed in plant breeding at the site by permanent information boards and a contribution to archiving the historical material.

Reason: To contribute to meeting the reasonable expectations of new residents for such facilities, and provide the necessary off site public open space.

7. Highways matters

Vehicular access to the properties facing Impington Lane should be from the rear

The footpath on the south side of Impington Lane should be widened (together with whatever necessary alterations are necessary to the north side to maintain road width)

A bus bay should be provided to mitigate the danger at the junction

The access road junction be redesigned to improve pedestrian safety, including some formal pedestrian crossing feature

Reason: To improve safety for pedestrians, particularly school pupils using this route

8. Provision of detailed planting schemes to include replacement of all plant losses within the various planting schemes (for a period of 5 years) and to

ensure unimpeded access to the full length of the buffer screen planting,

Reason: To ensure the overall success of the biodiversity and amenity values of all landscaping and planting and to ensure it's maintenance.

9. Retention of existing hedge, adjacent to proposed buffer zone and all new planting to be done sensitively,

Reason: To ensure survival of the hedge and ensure that it is not shaded out.

10. Retention of trees and hedges to the front of the site.

Reason: To retain consistency with treatment elsewhere on the northern side of Impington Lane, to retain mature trees.

11. Creation of new habitat, such as a pond, in the flood plain area and the installation of suitable bird and bat roosting sites.

Reason: To maximise the enhancement of biodiversity within the site.

12. Provision of a full Archaeological and Heritage Report

Reason: This should include a detailed examination of the situation of the iconic building facing Impington Lane which the developers propose to demolish, as well as the examination of the full history of the site.

13. Provision of a full Ecological and Environmental Report including Impact assessments and Action Plans

Reason: to ensure the protection of many protected species (such as bats, water voles and badgers) which utilise the site and adjacent sites. Some works will have a knock on effect both and need to be addressed.

Planning application S/1356/08/F

Houses Impington Road, Impington.

Histon Parish Council object to the planning application S/1356/08/F and strongly recommend refusal on the basis that this application is premature; as it should consider the whole "Unwin" site and its effect on the flood plain, the siting of necessary recreational land and the impact of *all* the traffic likely to use the access road off Impington Lane. Further as a Rural Growth Settlement it is mandatory on the Planning Authority to ensure that adequate areas of industrial zoned land remain to meet current and future demand within the village envelope.

Histon and Impington are regarded as one settlement for planning purposes. This application has been dealt with by Impington Parish Council, as the proposed development is situated in Impington. Residents from both villages are however affected by amongst other things, employment within the villages, flooding, traffic, recreational facilities and other infrastructure developments. We therefore fully support the Impington Parish Council detailed response put together as a result of these consultations.

In addition, as the affect of this development will fall as much on Histon, as Impington, we would like draw to your attention to the following major potentially adverse issues we have with this development:

Flooding

We understand that by splitting the development site in two the Developer has cleverly avoided the need for a flood risk assessment. However, it is already accepted that drainage is a major infrastructure issue in the villages. Histon and Impington Parish Councils have placed on record with the District Council documentary evidence of the impact of flooding on the villages over the last decade that appear to be at odds with the "three in a hundred years" scenarios proffered by the Environment Agency and the Developers. Removing further areas of soil that can absorb water and replacing it with concrete only exacerbates the problem and at best, probably moves it westwards into Histon.

Traffic

The increased traffic on Impington Lane that will be caused by this development gives us grave concerns. The traffic "survey" is identical to the previous one carried out for this site during half term holidays, except that the date has been changed. This leads us to suspect the developers are being disingenuous. Also, as a major route to and from our junior and senior schools, traffic flow and the safety of our children is of paramount importance, especially given the narrowness of the road and one of the pavements. No account is taken of rat run traffic between Girton/Oakington and Milton along Impington Lane, as Gatehouse Lane, which takes the Girton/Oakington/bar Hill traffic, was also closed at the time by the County Council Highways Department. No account is also taken of the expected increase of traffic once the Park and Ride system in Butt's Lane becomes operational.

Alternative forms of transport? The Guided Bus station is outside walking distance. The City7 service runs at ten minute intervals during the day and is normally full at peak times through the village. In returning from Cambridge, the 5pm to 5.30pm buses are normally standing room only. The service, running at these levels has little room for expansion, especially as they and the new guided bus system has to traverse the already overloaded Histon Road. When the Guided Bus service starts the Citi7 will take even longer, as it has to wait for traffic queuing on the B1049 and also for the amount of time Station Road will be closed at Histon Station to allow the Guided Bus peak traffic to cross.

The B1049 is already at capacity at peak times. Thus, as the A14 "rat run" /traffic calming measures showed when introduced a couple of years ago, you can move traffic inter and intra the local villages but it does not reduce the total volume that flows. Like water, it finds the path of least resistance.

The County Council traffic light engineers spent months fiddling with the traffic lights sequence at the Green and finally admitted that they cannot be modified any further to alleviate congestion. As a consequence, any extra traffic generated will probably have to go down New Road past the Village College to join the traffic queues on the B1049 closer to the A14 junction. This then just lengthens the traffic queues and brings back into play the old rat run routes through the villages.

Finally the proposed junction, between the development and Impington Lane and its proximity to the present junction at Hereward Close will create another "offset junction". The already known hazards of this type of junction will be added to by the narrowness of the pavement opposite and its use as a major school thoroughfare.

We see little improvement to the junction from previous plans and certainly safety is still a major concern for us.

Design/Density

We welcome the proposed reduction in density. However the units fronting Impington Lane need to be of a more individual design in keeping with the character the rest of Impington Lane as an unregimented mixture of individual character bungalows and houses.

Open Space

The village is already well under the open space requirements specified by the District Council for communities in its LDF. This development does nothing to alleviate this.

Infrastructure

Villages designated as Rural Centres have to have the necessary infrastructure in place to cater for their status. This development provides little relief to the deficits already in place and is in fact likely to increase the pressure on particular areas such as transport and drainage.

Change of Use

There is little point to the arguments of the District Council that Histon and Impington is designated as a Rural Growth Settlement, if they then remove one of the only two industrial areas within the village envelope. As we have seen with retail provision, it is easy for developers to argue that they cannot find users, when they let the present facilities deteriorate. Similarly, when a developer pays a premium price for industrial land on the basis that they know that they can persuade the Planning Authority to rezone it, little if any attempt to provide units that are in demand (and that can be afforded) make sense.

There is evidence that, as a result of the threat of charging for traffic entering Cambridge, there is a demand for small units outside the City. In particular "start-up" units, either similar to the "E-Space" concept run by East Cambridgeshire District Council, or "artisan" units where work is usually separate from living accommodation in the same building. We argue that the District Council should be encouraging this type of rural centre sustainable development.

Conclusions

In conclusion, we think this proposed development owes more to what is missing than what is evident. As such we urge the District Council to refuse this application based on its lack of a suitable traffic impact study and lack of evidence that a change of use is necessary for any reason than the price paid by the developer for the land.

Planning Conditions

Should the District Council be minded to accept this development then the planning conditions listed by Impington Parish Council are noted and supported.

Histon Parish Council

September 2008

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee1st October 2008**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

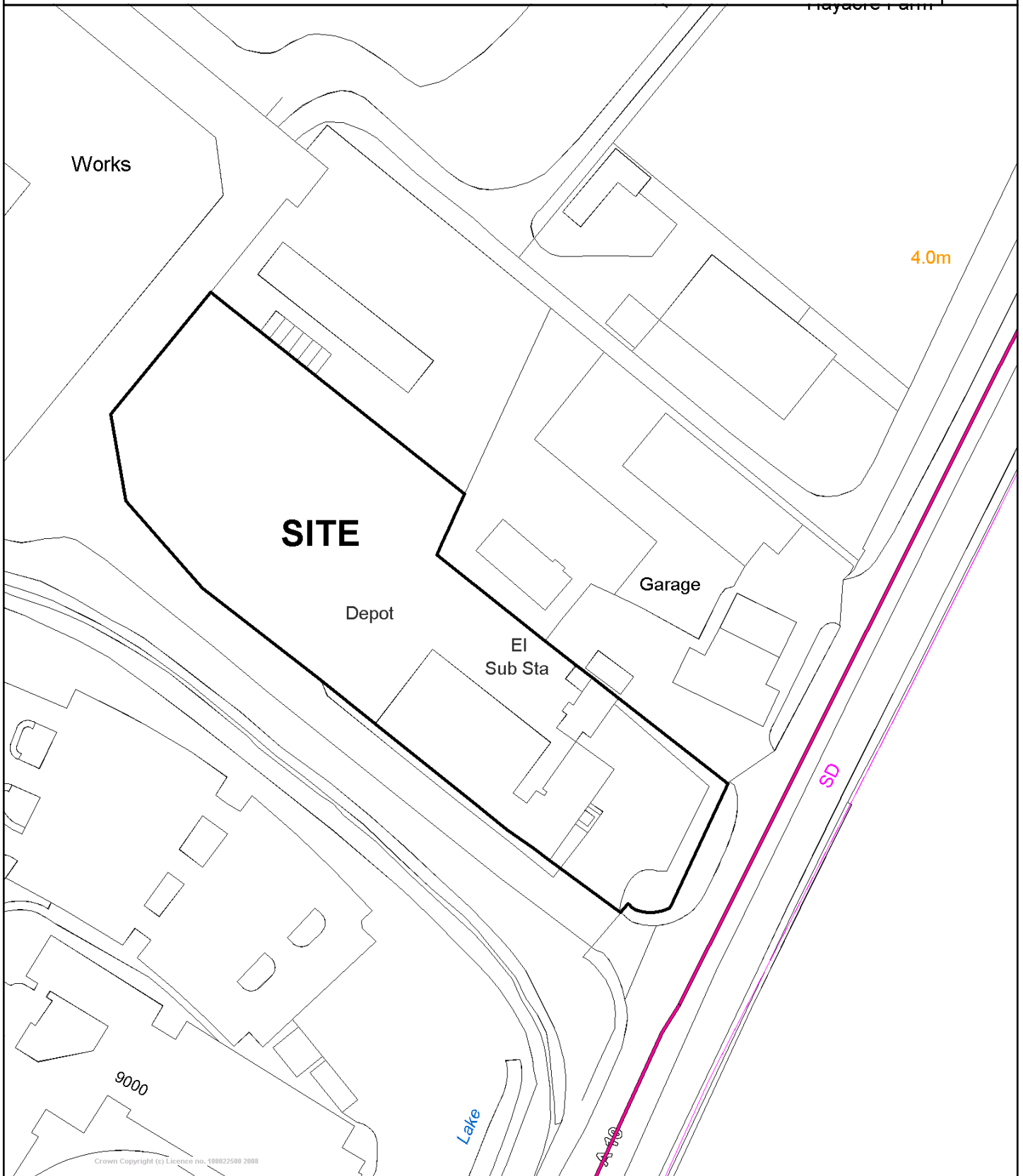
S/1141/08/F - LANDBEACH**30 Industrial Units (offering a mix of B2 & B8 Use Classes) with Associated Car Parking and Site Works following the Demolition of the Existing Workshop and Office at Former Duffield Volvo Site, A10 Ely Road for Mr R D Rubin****Recommendation: Approve****Date for Determination: 25/09/08 (Major Application)****Notes:**

This Application has been reported to the Planning Committee for determination because the Waterbeach Parish Council has recommended that the application be refused, contrary to officer recommendation.

Site and Proposal

1. The 0.785 hectare site is a former Volvo vehicle depot plant comprising of an office building, which fronts the site and a workshop attached to the rear of this building. The majority of the site comprises of a concrete surface with this area enclosed by a high-level brick wall and mesh fencing. The site has three existing access points, one providing access to the office building at the front of the site and two further access points along the southwest boundary. The access road, which leads to the site, is a wide un-adopted surface, off the A10 (Ely Road). This road is predominantly straight and follows the southwest boundary of the application site leading to other industrial sites to the northeast.
2. The boundary, which directly fronts the A10 has some minimal landscaping with a selection of trees and bushes, which appear to be struggling within their current environment. This small section of planting provides the only landscaping to the site albeit for a small belt of leylandii trees upon the north eastern boundary, which are within land belonging to the vacant stable and ménage to the north of the application site at Landbeach Pits. Approximately 100m south of the site lies the Landbeach Research Park, with the Slough Estates building dominating views from both the south and north approaches along the A10. Adjoining the site to the northeast boundary is the South Cambridgeshire Waterbeach waste depot.
3. The site is within the parish of Landbeach but is in close proximity to the Waterbeach parish boundary. The southern tip of the site is within flood zones 3 and 2. The application site is outside of the Landbeach village framework within the open countryside but is within a designated area of employment under the South Cambridgeshire Local Development Framework 2007 (see para 13 below).

S/1141/08/F Landbeach



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Scale 1/1250 Date 17/9/2008

Centre = 548549 E 268139 N

October Planning Committee

4. The application received 26th June 2008 as amended by drawings received 15th September, proposes the erection of 30 industrial units and associated car parking following the demolition of the existing buildings and boundary treatments on site. These units would be allocated for either a B2 (General Industrial) or B8 (Storage & Distribution) Use. The proposal would include an amenity area within the site along with landscaping. The total floorspace proposed is 4,156sq m, a net increase of 2,956 sq m.

Planning History

5. Planning Application **S/2165/07/F** was refused for the redevelopment of the site for 38 mixed Use industrial units and associated car parking. This application was refused on the following grounds:
 - a) Failure to provide a scheme that provides at least 10% of their predicted energy requirements from renewable energy technology;
 - b) Failure to provide scope for sufficient high quality landscaping;
 - c) Failure to encourage non-motorised modes of transport through public transport infrastructure;
 - d) Failure to provide sufficient car parking;
 - e) Failure to justify the significant increase in traffic movements and the impact upon highway safety that would result from the development;
6. Planning Application **S/1616/03/F** was approved for a change of use of land and building to B1, B2 and B8 use.
7. Planning Application **S/1089/99/F** was approved for the erection of truck and bus maintenance building, together with MOT testing facility, sales; Office and vehicle wash bay following demolition of existing buildings.
8. Planning Application **S/2412/87/F** was approved for the use for office workshops maintenance and cleaning bays for commercial vehicle distributors including trade sale of new and used commercial vehicles and spare for trade uses.

Planning Policy

South Cambridgeshire Development Control Policies DPD, 2007:

9. **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.
10. **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.
11. **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.

12. **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.
13. **ET/3 “Development in Established Employment Areas in the Countryside”** states that in defined Established Employment Areas in the Countryside, redevelopment of existing buildings, and appropriate development for employment use may be permitted (The site to the north of Cambridge Research Park, Landbeach is so allocated).
14. **ET/8 “Replacement Buildings in the Countryside”** states that when considering proposals for replacement buildings in the countryside for employment use, any increase in floor area will be strictly controlled, and must be for the benefit of the design, or in order to better integrate the development with its surroundings.
15. **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%.
16. **NE/3 “Renewable Energy Technologies in New Development** states that all development proposals for 10 dwellings or more will include technology for renewable energy to provide at least 10% of their predicted energy requirements.
17. **NE/11 “Flood Risk”** states that in relation to flood risk, applications for planning permission will be judged against national policy (currently in PPS25)
18. **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.
19. **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.
20. **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

Consultation

21. **Landbeach Parish Council** – No recommendation and no comments.
22. **Waterbeach Parish Council** – Recommends refusal. “The Council does not accept that point 5 of the refusal to S/2165/07/F has been adequately addressed. The proposal is therefore still contrary to Policy TR/1 of LDF 2007.

23. It had not been possible to determine whether there is suitable provision to deal with sewage and surface water during the development and once the development is complete. It is considered that the application should incorporate proposals and permission granted for a food outlet on site to enable provision to be provided should the demand arise and without creating issues in obtaining permission.
24. Concerns over highway safety and the Council would suggest that there should be right turn into or out of the site and that there is appropriate signage to inform users of the correct route round the roundabouts to the north and south of the site. A condition that a cycleway/footpath is provided from the Research Park to the site should be applied to encourage and ensure safe alternative non-motorised access to the site".
25. **Landscape Design Officer** – The amendments to drawing D002 Rev P14 provide some of the outdoor seating that I hoped to see. However, I should like to see additional seating closer to the individual units, recessed into the planting. I would expect this to be shown on the landscape plan in due course, but it would be good to have some written confirmation that it will be incorporated. Details of the additional planting on the frontage can also be shown on that plan.
26. **Environmental Health Officer** – Due to a number of potential noise from this development it is recommended that a number of conditions are attached to any permission to minimise the effects of the development to nearby residents and occupiers:
27. **Environmental Operations Manager** – "The area is supposed to be serviced by a septic tank but previous searches for this site have been unable to find it. The plans make no arrangements for sewage or surface water. Some of the bins are shown whilst others are not, some of the locations of these bins are too far from the buildings (see waste design guide). It is not clear from the scale whether or not the service roads and radii will allow an 11m 32 tonnes collection vehicle to gain access. The waste design tool kit pages did not appear to be submitted with this application. What provision has been made for overflow parking. The service road will be too near the junction with the A10".
28. **Environment Agency** – This application falls within flood zone 1 (low risk). "The application, as submitted, does not consider sufficiently the following issues: Surface water drainage, Foul water drainage and Pollution Control. As the site is delineated is within an area of environmental concern and potentially contaminated land, we recommend that the following condition is appended to any approval given.
 - a) Prior to the commencement of any development, a scheme for the provision and implementation of pollution control to the water environment, which shall include foul and surface water drainage, shall be submitted and agreed in writing with the Local Authority. The works/scheme shall be constructed and completed in accordance with the approved plans.
 - b) Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
 - i) A preliminary risk assessment, which has identified all previous uses potential contaminants, associated with those uses a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.

- ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- iii) The site investigation results and the detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- v) Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

29. **Local Highways Authority** – Has no objections It comments;

- a. The Highway Authority would like to see the location of the powered two wheelers and bicycle parking facilities one to front of the site and the other located towards to the rear of the site.
- b. With regards to Drawing Numbers D005 REV P0, D006 REV P0, and D007 Rev P0 the Highway Authority consider that the drawings submitted satisfy the Highway Authorities request for the tracking of vehicles to enable maneuvering within the proposed development.
- c. The figures in the Transport Assessment, which are acceptable, demonstrate that traffic movements are not increased significantly over that from the existing permitted use of the site.

30. Conditions are recommended

- a) Requiring that the manoeuvring area as shown on the drawings is maintained so that it is free of any obstruction that would prevent any vehicle from being able to manoeuvre with ease so it may enter and leave the development in a forward gear.
- b) Prior to the commencement of the development the details of the number, location and design of powered two wheelers and bicycle-parking facilities shall be submitted to and approved in writing by the local planning authority. The approved facility shall be provided before occupation and retained at all times.

31. **County Council Waste Management** – No comments received

32. **Building Control Officer** – The site is within a flood zone and therefore a scheme for surface water drainage should be agreed with the Environment Agency. Finished floor levels should be above the predicted flood level and the structures should be designed to mitigate any possible flood damage.

33. **Drainage Manager** – No comments received

34. **Ecology & Officer** – Due to the limited landscaping capabilities on site, a scheme of biodiversity enhancement should be sought through the provision of bird and bat boxes upon the proposed industrial units.
35. **Sustainability Officer** - “Whilst welcoming GCE’s commitment to “protecting and promoting sustainable solutions”, the sustainable energy issues relating to this site are problematic and the current proposals appear to fall well short of SCDC policy on these matters.
36. The development model is unusual. The inclusion of just hot water and lighting in assessing the accumulative energy loads for each block creates a major problem for the site in terms of assessing 10% of energy demand being generated from on-site renewables. The exclusion of heating (plus cooling and ventilation) and process loads means that the figures presented (just covering lighting and hot water) cover little more than 2% of the total predicted load for the site. This situation is further exacerbated by the anticipated energy generation from the PV panels appearing to be over-optimistic. In the UK polycrystalline PV units will probably generate nearer approximately 80kWh/m² and not the 150kWh/m² specified in the application. This would bring the total output down to approx 5400kWh/annum, which in turn amounts to just around 1% of the total predicted load for the site. Having said this, the almost £1,000/m² price seems a little high – especially for new build.
37. There is a real danger that without the inclusion of less carbon intensive heating (and cooling/ventilation as appropriate) and process load energy delivery solutions that the units, once in occupation, will be responsible for uncontrollably high carbon emissions at a time when all new development should be moving in very much the opposite direction.
38. What would seem more appropriate for buildings of this nature (in taking steps to make up the deficit highlighted above) is that they are designed and laid out to maximise the benefits of passive solar gain – so that heating and lighting loads are permanently minimised:
 - a. Orientation and extensive south-facing glazing to maximise natural lighting and heating loads;
 - b. Very high levels of insulation (including triple glazing) and air-tightness;
 - c. High level opening windows to provide effective natural ventilation;
 - d. Use of mechanical ventilation with heat recovery;
 - e. Use of overhangs/brises soleil to offer protection from direct sunlight in the summer (higher angle) and allow penetration of warmth in winter (lower angle);
 - f. Designing in thermal mass for each unit to slow the influence of rapid temperature changes and maintain a more comfortable environment;
 - g. Use translucent roof sheeting to increase natural light penetration;
 - h. Goods doors can make a significant contribution to heat losses – they need to be well-insulated and easy to close, and where possible include a separate personnel door to avoid unnecessary opening of the larger goods door.

39. Such measures, when integrated into a total design for the site and its units, should significantly reduce the need for additional heating and lighting.
40. Additional points:
- a. The large roof areas will offer an excellent opportunity for rainwater harvesting, which can then be used for toilet/urinal flushing and for any semi-industrial processes which require clean but not necessarily potable water.
 - b. The larger units should be zoned by floor, and ideally orientation, to allow office or activity areas to be heated separately, as and when required, so that the entire unit does not have to be heated.
 - c. When employing passive solar gain techniques and methods, it is crucial that the actual commercial occupiers of each unit fully understand how the building 'works'. This way they will appreciate and make the most of the passive systems, the comfort they can offer and the significant savings (in terms of utility bills) that will accrue to them. This latter point should be of particular interest to the developer as it will make the units more attractive to prospective occupiers.
 - d. It will also be important to put in place a robust process of post-occupancy monitoring.
41. **Old Western Internal Drainage Board** – The application is in an area where problems with surface water disposal have been encountered in the past. The proposal appears to drain to an "existing system". However, there is no detail of what the existing system is or whether this meets current design standards. In correspondence appended from the Environment Agency, a flood risk assessment is required by the agency. A flood risk assessment should be required detailing the method of surface water accommodation from the proposed development to prove its effectiveness and to protect adjacent lands and developments.

Representations

42. One letter of representation has been received, from agents acting on behalf of the adjoining Cambridge Research Park. It has raised no objection to the principle of the redevelopment of the site, but has raised the following concerns:
- a. The previous refused planning application should have been refused against Policy ET/1 of the DPD 2007 on the grounds that the applicant did not provide evidence that the end users of the site would have complied with any of the "local user" constraints set out within that policy;
 - b. It is essential that any future use of the site for B1 Use Classes should not be permitted if the objectives of Policy ET/1 are to be secured. It should also be ensured that no change of use that may significantly alter levels of traffic or parking is permitted;

- c. The removal of permitted development rights for change of use should be ensured through removal of classes A, B and D of the Part 8, Schedule 2, Part 3 of the GDPO 1995;
- d. The application is speculative in nature in that it does not justify that the end user of the units would provide locally based skills or expertise in accordance with Policy ET/1 of the DPD 2007;
- e. The applicant's view that traffic flows will be insignificant is within a context of 24-hour flows, it is however the impact from peak hours that is most relevant. The flows suggested would appear modest and will have a far greater impact than is being suggested;
- f. Due to the sites access being close to the roundabout serving the Research Park, visibility and the ability to judge vehicle speeds will be difficult. The roundabout did not exist when the application site was last in use making historic traffic figures limited in value;
- g. With the Research Park within close proximity to the site there is a potential for noise and disturbance from the B2 & B8 Uses;
- h. Conditions should be imposed limiting the uses within the buildings with all external operations and storage being forbidden;
- i. Overnight parking should be limited to vehicles owned and operated by the applicants with the exception of refrigerated vehicles;
- j. All plant and equipment should be acoustically shielded to ensure that in operation there shall be no adverse impact upon surrounding businesses;
- k. The scope that has been allowed to achieve any degree of effective screening of the development is woefully inadequate in what remains a rural location:
 - i) The scale of Block A in its relationship to the sites frontage and the A10 establishes a built up frontage to the site across its full width, which allows no relief to a location that will be prominent in the view from traffic;
 - ii) The depth and scope of planning that will be possible will not allow an effective screening of the development, and a robust scale and depth of planting will be required;
 - iii) The overall footprint of the development should be reduced further to allow for more substantial planting of the site to visually enhance the quality of the locality in recognition of its rural context;
 - iv) The development would be urban in character;
 - v) Until the site has been investigated and assessed in relation to land contamination a condition requiring the completion of such investigations (and any subsequent mitigation works) prior to the implementation of any consent that may be granted;

- vi) Gas protection measures should also be considered by condition given the evidence of methane and CO₂ that has been discovered;
43. The Disability Forum outlined the following issues:
- a. Possibility of internal lifts;
 - b. Concerns over lack of disabled parking;
 - c. Toilet facilities appear satisfactory

Planning Comments

44. The proposed development complies with Policy ET/3 of the adopted Local Development Framework in that it promotes appropriate development for employment use in one of the established employment areas specified in the Policy. The scheme also complies with Policy ET/1 in that it provides 30 small - scale units, with no unit exceeding the maximum 1,850 sq m for Use Classes B2 (General Industry) and B8 (Storage). Indeed the largest unit proposed would comprise 463 sq m. The principle of the development is therefore to be welcomed.

Traffic Generation & Parking

45. The application site is within close proximity to and accessed off the busy Ely Road (A10). The research park adjacent to the site has a roundabout and slip lane in order for traffic to exit the A10 and enter the site, whereas, the application site has a bell mouth junction directly off the Ely Road. This is recognised as a busy junction, which is in heavy use from the existing industrial traffic, which use the industrial sites located to the west of the application site. The access road is in poor condition with potholes but does benefit from a pathway along the southern edge of the application site.
46. The current proposal has reduced the number of industrial units by 8 from the previously refused application. Use Class B1 has also been removed, which is the most intense use in relation to traffic generation. In light of these changes it is the opinion of the Highway Authority that the figures in the Transport Assessment are acceptable as they demonstrate that traffic movements are not increased significantly over that from the existing permitted use of the site. In light of these comments the previous objection from the Highway Authority on grounds of safety has been addressed. Reason for refusal 1 of the previously refused planning application has been overcome and the proposal is deemed acceptable against Policy DP/3 of the DPD 2007 in that the proposal would not compromise highway safety.
47. The site proposes to accommodate 85 parking spaces in total with the proposed units being within either a B2 or B8 Use Class. The proposed 85 spaces provide only 5 disabled user spaces and 2 spaces for multi use 2-wheeled vehicle provisions. Following the previous refusal, which stated that the A10 could not be argued to provide a safe and viable cycle route this application does not propose any cycle parking. However, it does provide an area of designation that could be used for future cycle provision if required. Based on the maximum threshold of the required parking standards against a B2 Use Class (1 space per 50sqm of floor space) the maximum threshold for car parking against Policy TR/2 would equate to 83 spaces. Therefore the revisions to the site plan removing 2 spaces have resulted in the development adhering to policy TR/2 as well as overcoming reason for refusal 6 of the previously refused application.

48. Much like the previously refused application this application proposes no linkages to high quality public transport links and no safe and secure pedestrian footway to serve the existing nearby bus stop. Nevertheless, It is recognised that the application does offer the provision of a green travel plan should it gain the benefit of planning permission. Furthermore, the applicant has supplied information of their attempts to engage with neighbouring businesses in order to facilitate more sustainable modes of transport such as footways to the adjacent research park and bus stop. Such attempts have been in vain. Due to the busy nature of the A10 the provision for a footway out of the site running adjacent to the A10 would require significant works to the Highway in order to meet the standards of the Highway Authority. This avenue has also been explored and has been considered unviable for the applicant. Notwithstanding the above this current proposal has decreased the number of units proposed as well removing Use Class B1. This is considered to have addressed the traffic flows to and from the site to an acceptable level from the Highways Authority's perspective and therefore the application is considered to adhere to Policy TR/1 of the DPD 2007 and has addressed reason for refusal 5 of the previously refused application.
49. The design of the site has been revised to address the confined nature and density of the units and provides a much improved road layout system with enhanced provision for the turning and manoeuvring of vehicles. This has been achieved by decreasing the number of units and removing the cul-de-sac like roads layouts and providing "U" shape in and out access roads serving all of the units. The additional drawings showing the tracking of vehicles that have been provided satisfy the Highway Authority that the site is acceptable for the manoeuvrability of refuse vehicles and Heavy Goods Vehicles (HGV's). The provision of bin storage in accessible areas has now been provided. The proposal is now considered acceptable in relation to the collection and storage of refuse, which addresses reason for refusal 4 of the previously refused planning application in accordance with Policy DP/3.

Landscape Character & Design

50. Reason for refusal 3 of the previous planning application related to the failure to provide high quality landscaping due to the site layout and high density of the units proposed. The current proposals have provided more scope for landscaping in and around the units with enhanced provision of a landscape buffer ranging from 5m to 11m width upon the southeast boundary, which is considered the most visually important aspect of the site in relation to the surrounding open countryside. It has been acknowledged by the Landscape Design Officer that the proposed landscaping proposals are acceptable in principle in that they are a marked improvement from the previous refused proposals. They also show clear indication to provide for an open amenity area within the development for its workers. It is however, clear that further work is required in relation to the planting schedule and type of species that are to be proposed as well further seating areas and communal outdoor space for workers, especially given the isolated nature of the development. Given that the principal of the landscaping has been agreed, it is considered that the further detail that is required can be achieved by condition.
51. It is unfortunate that the largest units (Block A) are proposed at the sites frontage, which is the most prominent boundary of the site from open views from the A10. Nevertheless, this part of the site does have an existing landscaped bund abutting the A10, and this feature will be retained and enhanced through a comprehensive planting scheme to be agreed by condition. Moreover the height of this block at 7.7m to the ridge and 6.1m to the eaves is acceptable and not dominating. Furthermore, the approach up the A10 from the south allows expressive views of larger office buildings that front the entrance road to the Research Park. It is not therefore

considered that the proposals as submitted would result in any adverse visual impact upon the open character of the surrounding countryside.

Renewable Energy

52. Whilst the application acknowledges LDF Policy NE/3 and the requirements to provide a scheme of renewable energy to provide 10% of the developments predicted energy requirements it fails to provide a satisfactory proposal. The information provided is deemed to cater for 1% of the proposed energy use of the development as the applicant has not taken into consideration the future use of units with the likely use of heating and further plant and machinery. The proposed scheme relates to the use of Photovoltaic Cells upon the roof slopes, which would produce electricity for lighting and the heating of water. It is acknowledged that the applicant provides the basic shell of units so that they are affordable and ready for quick occupation for small-scale, businesses. The units are not specified for any particular end user and therefore the users requirements cannot be taken into consideration. Notwithstanding this Policy NE/3 seek that development provides comprehensive schemes to re-coup 10% of the energy requirements and this has to consider all future users. In light of this it is considered essential that the renewable scheme should take heating requirements into consideration.
53. The applicant has now accepted this stance and has agreed to address this issue by incorporating a heating system within the 10% provision of renewable energy. Therefore a condition should be attached to any permission requiring that a scheme for the provision of 10% renewable energy shall be agreed before development commences. This is considered to address reason for refusal 2 of the previously refused application in accordance with policy NE/3 (Renewable Technologies within New Development) DPD 2007.

Drainage & Flood Risk

54. The consultation and representation stage of these applications has identified issues of drainage and flood risk from this proposal. The site is partially within Flood Zones 2 & 3 and appears to have a history of poor surface water drainage. This area has reached its capacity for surface water run off. A scheme to tackle this issue should be required by condition should the proposal gain the benefit of planning approval. In addition, consideration would also need to be given to the internal floor levels of the units and the design of the buildings should incorporate flood preventative measures. Details would also need to be provided into the possibilities of land contamination within the site.

Other Matters

55. The agents have acknowledged the willingness to provide bird and bat boxes as well coming to an agreement for a financial contribution towards a scheme of public art.

Recommendation

1. Approve as amended by plan Nos.D002 Rev P15, date stamped 15/09/08;

56. **Conditions**

1. Standard Condition 1 - Full Planning Permission, Time Limit (3 years) (Reason)
2. SC5 Landscape Scheme

3. SC6 Landscape Implementation
4. SC12 Boundary
5. SC13 Materials
6. SC15 Vehicle Parking
7. SC17 Turning Area
8. SC18 Travel Plan
9. Prior to the commencement of the development hereby approved a water conservation strategy shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved details shall be implemented.
(Reason - To comply with Policy NE/12 Water Conservation of the South Cambridgeshire Development Control Policies, 2007.)
10. SC38 Noise During Construction
11. SC41 Details of Power Driven Plant
12. SC58 Lighting
13. SC46 No Outside Storage
14. SC48 Restriction on Use (B2 & B8)
15. SC54 Ecology - Bird Nest and Bat Boxes
16. SC60 Levels
17. SC90 Energy Audit
18. Prior to the commencement of any development, a scheme for the provision and implementation of pollution control to the water environment, which shall include foul and surface water drainage, shall be submitted to and agreed in writing by the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans. (Reason - To ensure a satisfactory method of foul and surface water drainage and to prevent the increased risk of pollution to the water environment in accordance with Policy DP/1 of the adopted Local Development Framework 2007)
19. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
 - a) A preliminary risk assessment, which has identified all previous uses potential contaminants, associated with those uses a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.
 - b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - c) The site investigation results and the detailed risk assessment (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

- d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components shall require the express written consent of the local planning authority. The scheme shall be implemented as approved. (Reason - To prevent the increased risk of pollution to the water environment in according with Policy DP/1 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 Development Control Policies (adopted July 2007)
- Planning Application Files reference S/1141/08/F, S/2165/07/F, S/1616/03/F, S/1089/99/F and S/2412/87/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee1st October 2008**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0167/08/F - WILLINGHAM**Erection of Dwelling Following Demolition of Existing Outbuilding, and Alterations to No. 18 Mill Road at Cattell's Mill Site, Mill Road
(for Mr & Mrs Cowley)****Recommendation: Approval****Date for Determination: 17th September 2007****Notes:**

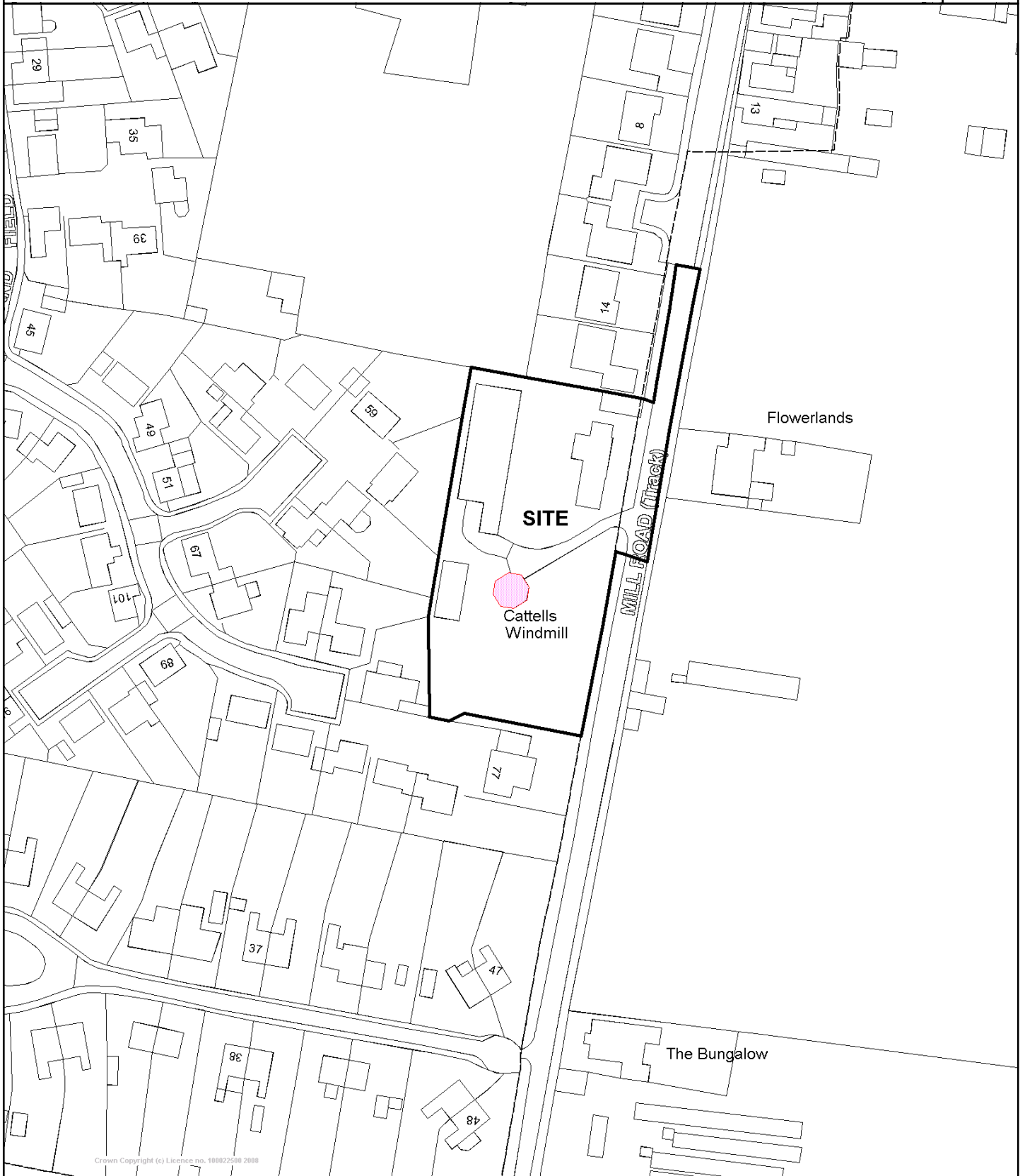
This Application has been reported to the Planning Committee for determination following a referral from the Chairman's Delegation meeting.

Members will visit this site on 1st October 2008

Site and Proposal

1. The 0.33 hectare site is an area of land including no. 18 Mill Road, and Cattell's Mill, a Grade II* Listed Building, described as a Smock Windmill of 1828. It lies inside the Willingham village framework, and is accessed along Mill Road from the north. This road is private from no. 12 Mill Road, and at this point becomes an unkept track. The mill is located to the centre of the plot, with the dwelling in the northeast corner of the site. On the northwest corner of the site is currently an outbuilding used for storage in relation to the mill and no. 18. To the west side of the mill is a visitors' centre.
2. The application, received 29th January 2008, as amended by drawings dated 23rd July 2008, is in two parts. First, the existing outbuilding would be removed and replaced with a two-storey detached property. This would front southwards and have a single storey range running parallel with the west boundary of the site. The amended design of the dwelling shows a main roof pitch height of 7.6m, with the front eaves set at 4.9m. It would measure 14.2m in width and 10.5m in length. The single storey element would measure 4.8m in height to its roof pitch, and would extend 12.5m forward of the dwelling. The density equates to 6 dwellings per hectare.
3. The second part of the scheme relates directly to no. 18 Mill Road. It currently has a two-bay garage accessed from the west side. The proposal would see these openings removed, and replaced with a single opening accessed from the east side of the dwelling.
4. The village framework is set to the western side of Mill Road. On the opposite side of this road is a single dwelling. To the north are the further dwellings of Mill Road, and an undeveloped site. This has been allocated for residential development, but no application has so far been approved. To the south and east of the site are dwellings on Balland Field.

S/0167/08/F



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Scale 1/1250 Date 16/9/2008

Centre = 540430 E 269749 N

October 2008 Planning Committee

Planning History

5. **S/0688/98/F** – Planning permission was granted for a dwelling, including a condition linking the dwelling and mill as one planning unit.
6. **S/0674/97/F** – Planning permission was granted for a visitors centre for the mill, and included a condition for the removal of the existing outbuilding within 12 months of the opening of the visitors centre. An application (S/1366/01/F) was subsequently approved to vary this condition to allow the retention of the outbuilding. This was approved subject to detailing of the building, given the presence of the listed mill.
7. **S/1455/97/F** – An application for 3 dwellings was refused on the site due to the impact upon the rural character of the area, neighbouring amenity and issues regarding the access.
8. **S/2060/89/F** – An application for 8 dwellings was refused on the site on grounds of impact upon the setting of the mill, neighbouring amenity and issues regarding the access.

Planning Policy

9. **Policy ST/5** (Minor Rural Centres) of the Local Development Framework Core Strategy 2007 classifies Willingham as a Minor Rural Centre, where residential development and redevelopment up to an indicative maximum scheme size of 30 dwellings will be permitted within village frameworks.
10. **Policy DP/1** (Sustainable Development) of the Local Development Framework Development Control Policies (LDFDCP) 2007 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, and should make efficient and effective use of land by giving priority to the use of brownfield sites.
11. **Policy DP/2** (Design of New Development) of the LDFDCP 2007 states 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.
12. **Policy DP/3** (Development Criteria) of the LDFDCP 2007 states planning permission will not be granted where the proposed development would have an unacceptable adverse impact on residential amenity and village character.
13. **Policy DP/4** (Infrastructure and New Developments) of the LDFDCP 2007 notes planning permission will only be granted for proposals that have made suitable arrangements for the improvements or provision of infrastructure necessary to make the scheme acceptable in planning terms.
14. **Policy DP/7** (Development Frameworks) of the LDFDCP 2007 states development and redevelopment of unallocated land and buildings within development frameworks will be permitted provided that, amongst others, the 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 character of the location, local features of historical importance and the amenities of neighbours.

15. **Policy HG/1** (Housing Density) of the LDFDCP 2007 seeks residential developments to make best use of sites by achieving average net densities of at least 30 dwellings per hectare unless there are exceptional local circumstances that require a different treatment.
16. **Policy NE/6** (Biodiversity) of the LDFDCP 2007 states new development should aim to maintain, enhance, restore or add to biodiversity, and opportunities should be taken to achieve positive gain through the form and design of development. Previously developed land will not be considered to be devoid of biodiversity.
17. **Policy CH/4** (Development Within the Curtilage or Setting of a Listed Building) states planning permission will not be granted for development which would adversely affect the curtilage or wider setting of a Listed Building.

Consultation

18. **Willingham Parish Council** – Recommends refusal as it entails developing a site containing a listed building. The scheme would detract from the setting of the site. There would be insufficient parking on open days at the mill, and the existing building should remain as it has traditionally formed part of overall operations of the mill. With regard to the amended scheme, these views are echoed.
19. **Conservation Officer** – With regard to the original plans, no objection to the removal of the outbuilding. It is appreciated the design is a 21st Century interpretation and not a pastiche, but recommends some changes to the detailing. The works to no. 18 Mill Road would not have a significant impact on the setting of the windmill. With regard to the amended scheme, they address the previous concerns. Recommend conditions regarding materials.
20. **Local Highways Authority** – Requests details of visibility splays, and states the width of the access to the mill should be at least 5m wide. Appropriate access is considered necessary due to the open days held at the mill
21. **English Heritage** – Questions the justification for a new dwelling, but notes the number of residential properties nearby. Given this information, the principle for the development is accepted, subject to an appropriate design. Requests some alterations to the design. An email dated 12th June 2008 regarding the amended design states given the changes, there is no objection to the south elevation, although the solar panel would rather diminish the improvements to the fenestration. English Heritage, therefore, no longer opposes the scheme.
22. **Trees and Landscape Officer** – The proposal, following trial investigations of the area to pile and beam the foundations, are acceptable to accommodate the trees off site.
23. **Old West Internal Drainage Board** – No comments from a drainage point of view.

Representations

24. 63 Balland Field – The development is far too large and totally out of keeping with the surrounding dwellings. Previous applications on the site have only been allowed on strict condition that they were for non-domestic use, and were intended to improve and support the restoration of the site into a heritage centre. The scheme would not match this criteria.

25. 61 Balland Field – Object on grounds of the impact upon the setting of the listed mill and adjacent residential properties, a lack of valid reasoning for the project given the status of no. 18 Mill Road in relation to the mill and the disrepair of the outbuilding. With regards to the amended scheme, their previous comments are reinforced.
26. 59 Balland Field – Object on grounds of the reduction of land creating the setting to the windmill and the relationship between the proposed dwelling and the mill, the impact upon the setting of the windmill, the retention of the outbuilding, the design of the proposed dwelling, the proposed materials to be used, the size and bulk of the proposal, the lack of security from the dwelling towards the mill, the impact upon the amenity of neighbouring properties, impact upon boundary trees, the lack of justification for the dwelling, the impact upon Mill Road, and the precedent for future works on the site. These views are reiterated in a letter regarding the amended plans.
27. 51 Mill Road – Concerns regarding the access onto Mill Road, given its condition.

Planning Comments – Key Issues

28. The main issues regarding the application are the principle of development, the impact upon the setting of the listed mill, the impact upon the amenity of the occupiers of neighbouring dwellings, the impact upon the adjacent trees, and the access and impact upon Mill Road.

The principle of the development

29. The site lies within the Willingham village framework, and given Willingham's classification as a Minor Rural Centre, there is a principle for development on this location subject to site specific issues. I note the comments from occupiers of neighbouring dwellings regarding the history of the site. The outbuilding was first conditioned to be removed, and then conditioned to be repaired, and neither of these appear to have taken place. However, the removal of the existing outbuilding is supported, as it does not contribute positively to the character of the area.
30. No. 18 Mill Road was granted consent through application S/0688/98/F and condition 2 of this consent linked the ownership of the dwelling and the mill. The applicant is happy for a similar condition to be placed on any consent for the proposed dwelling.

Impact upon the setting of the listed building

31. Cattell's Mill is a grade II* listed building, and is a landmark on the Willingham horizon. The proposed dwelling would be located within 17m of the mill itself. The proposed dwelling is larger, taller and closer to the mill than the existing outbuilding on the site. However, its relationship would be similar to that of no. 18 Mill Road. This property is within 18m of the mill at its closest point, and is only 0.2m lower than that proposed.
32. I note the comments from the Council's Conservation Officer and English Heritage regarding the impact upon the listed mill. The scheme has been altered, taking comments from both parties on board and it is believed a satisfactory solution has been reached. The only outstanding issue relating to the scheme is the presence of solar panels in the south elevation. These have been positioned to blend in with the design of the dwelling, above the full height glazed opening.

The impact upon the amenity of the occupiers of neighbouring dwellings

33. The dwelling would be located close to the west boundary of the site. The original plans had the main two-storey element located approximately 1.9m from the boundary with the rear gardens of nos. 59 and 61 Balland Field, with a height to the ridge of 7.4m. Having visited the rear gardens of both of these properties, it was considered that the development would be overbearing from these rear gardens. The amended scheme has moved the highest part of the proposed roof 3.8m from the boundary. The roof height in this location has been increased to 7.7m in order to alter the design. Despite the increase in height, the shifting of this element away from the boundary is considered to improve the relationship between the proposal and the two neighbouring dwellings to an acceptable level. The original plans also had a dormer window in the front elevation that would have caused overlooking into the rear garden of no. 61 Balland Field. This has been removed in the amended plan.
34. The amended plans do keep a single storey element close to the boundary with the properties on Balland Field. This would remain within 1.9m of the boundary. However, it has a low eaves height of 2m, and although the pitch rises to 4.7m, it is not considered that this range would be overbearing to the occupiers of nos. 59 and more importantly no. 61 Balland Field. The relationship would be similar to that of the visitor centre to nos. 63 and 73 Balland Field.
35. Given the orientation of the site, the proposal should not cause a serious loss of light to the rear gardens of these dwellings. Its orientation directly east of the garden of nos. 59 and 61 Balland Field may cause a loss of some early morning sunlight, but this relationship is considered acceptable. I note the comments from the occupiers of nos. 59 and 61 regarding the proposals.
36. The dwelling would be located approximately 5.5m at its closest point from the northern boundary of the site. The highest part of the roof would be 11.6m from this boundary. Given these distances, there should be no undue loss of light to the rear garden of no. 16 Mill Road to the north. Conditions can ensure that no overlooking would occur to the rear garden of this property. Conditions can also ensure that no further windows are added to any elevation, to prevent any overlooking or openings that would be detrimental to the design of the dwelling. Permitted development rights for extensions can also be removed given the sensitive nature of the site, and the potential for serious impact to the amenity of neighbours and the design of the property from extensions that would not require planning permission.

The impact upon the adjacent trees

37. Along the west side of the application site but outside of the ownership of the applicant are a small number of trees. These are not protected in their own right, but provide a pleasant green feature in the street scene. Retention is to be encouraged. The applicant has provided a landscape statement that states trial pits have been dug in the existing floor to ascertain the extent of roots, which have been found to have travelled under the structure. The proposed dwelling would therefore have to be piled to an agreed specification to limit root severance. A condition can be added as such. I note the comments from the Council's Trees and Landscape Officer regarding this issue.
38. The Landscape Statement also states that crown control would also be required. This would be done through agreement between the owners of the trees and the applicants. There is no objection to the removal of the planting along Mill Road to create a new access for no. 18 Mill Road.

The access and impact upon Mill Road

39. Mill Road is a cul-de-sac, adopted by the Local Highways Authority up to a point by no. 12 Mill Road. From this point, the road is an unkept track, and is in disrepair. The road itself serves 7 dwellings, as well as the visitors centre for the mill. As the site is situated only 110m from the adopted section, I do not believe the erection of a further dwelling would create an undue pressure on the road surface. In any event this is a private matter between the relevant owners.
40. The Local Highways Authority has requested that visibility splays are provided, and the access shall be at least 5m in width as opposed to the existing 2.6m access. The existing access serves the mill and its visitor centre, along with no. 18 Mill Road. The proposal would change the access to no. 18, and create a new dwelling. The access would therefore serve the same amount of vehicular traffic as a result of the proposal. It is therefore considered unreasonable to require alterations to the existing access. A condition can be added to ensure the works to no. 18 and its access are completed prior to the occupation of the new dwelling, ensuring the access does not have a more intensive use. A condition regarding pedestrian visibility splays for the proposed new access to no. 18 can also be added. The amended site plan shows a set of gates by the access to the mill site, but no further details are provided. A condition can ensure these gates do not form part of the approved consent. Highway safety will not therefore be prejudiced by the proposal.
41. I note the comments from the occupier of no. 51 Mill Road, regarding its ownership and repair. Given the road is privately owned, it would be a civil matter between the applicant and the owners regarding rights of access. I note the applicant has served certificate D as part of the application, as the ownership of the road is unknown.

Other matters

42. There is no objection to the works to no. 18 Mill Road, and I note the comments of the Conservation Officer on this matter. The new access would involve the removal of a small number of immature bushes, which is not considered to be harmful to the street scene. There is adequate parking to the front of the garage for a further parking space to allow adequate off road parking at the site. The existing openings should be removed and replaced with appropriate materials.

Recommendation

43. Approval (as amended by revised site area, amended plans, landscape statement and revised ownership certificates date stamped 23rd July 2008).

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. Both the dwelling hereby permitted and the adjoining windmill shall be occupied as one property and not subdivided or sublet. (Reason – To protect the amenities of the future occupiers of the dwelling, and the setting of the adjacent listed mill in accordance with Policies DP/3 and CH/4 of the adopted Local Development Framework 2007.)

3. No development shall commence until details of the solar panels in the front elevation shown have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details. (Reason - Insufficient information was submitted with the application to assure the Local Planning Authority that the solar panels would not detract from the setting of the adjacent listed mill in accordance with Policy CH/4 of the adopted Local Development Framework 2007.)
4. 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 development within Classes A, B, C, D & E of Part 1 of Schedule 2 and Class A of Part 40 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf. (Reason – To prevent the addition of works that would not otherwise require planning permission that may compromise the design of the dwelling and the setting of the listed building in accordance with Policies DP/2 and CH/4 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 dwelling unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf. (Reason - To safeguard the privacy of adjoining occupiers and the design of the dwelling in accordance with Policies DP/2 and DP/3 of the adopted Local Development Framework 2007.)
6. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock. (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.)
7. Apart from any top hung vent, the proposed first floor windows in the side elevations of the dwelling, hereby permitted, shall 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.)
8. The carport area and store in the single storey element, hereby permitted, shall not be used as additional living accommodation and no trade or business shall be carried on therefrom. (Reason - To ensure the continued provision of off-street parking space in the interests of highway safety and to safeguard the setting of the adjacent listed mill in accordance with Policies DP/3 and CH/4 of the adopted Local Development Framework 2007.)

9. 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.)
10. No development shall take place until foundation details to be used for the construction of the dwelling hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details. (Reason - To protect the trees on adjacent land which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)
11. No development shall begin until details of a scheme for the provision of outdoor 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 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.)
12. The repositioning of the garage openings and works to the access of no. 18 Mill Road shall be completed prior to the occupation of the new dwelling, hereby permitted. (Reason - To ensure safe access to the mill site in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
13. 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 edge of the carriageway . (Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
14. The external materials to be used for the rear elevation of no. 18 Mill Road following the removal of the garage doors shall be identical to the existing materials for the garage element in this elevation unless otherwise agreed in writing with the Local Planning Authority. (Reason – To ensure the use of suitable materials given the proximity of the adjacent listed building, in accordance with Policy CH/4 of the adopted Local Development Framework 2007.)
15. No development shall commence until details of the gates indicated on the proposed site layout plan date 06.152.14-401D date stamped 23rd July 2008 have been submitted to and approved in writing by the Local Planning

Authority; the development shall be carried out in accordance with the approved details. (Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007 and to protect the setting of the Listed Building, in accordance with Policy CH/4 of the adopted Local Development Framework 2007.)

Informatives

The applicant is reminded that condition 2 of application S/0688/98/F links no. 18 Mill Road and Cattell's Mill as one property, not to be sub-divided or sublet. An application would be required to vary this condition if no. 18 Mill Road is no longer needed in association with the running of the mill, and any such application would be judged on its merits.

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

- Local Development Framework Core Strategy (adopted January 2007)
- Local Development Framework Development Control Policies (adopted July 2007)
- Planning File Ref: S/0167/08/F, S/0688/98/F, S/0674/97/F, S/1455/97/F and S/2060/89/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

1st October 2008

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

S/1319/08/F - SAWSTON

Erection of 22 Flats With Associated Parking Following Demolition of Existing Health Centre, Link Road, Sawston for Bedfordshire Pilgrims Housing Association

Recommendation: Delegated Approval

Date for Determination: 30th October 2008 (Major Application)

Notes:

This application has been reported to the Planning Committee for determination because it is a major application and Sawston Parish Council requests specific conditions, which cannot necessarily be justified.

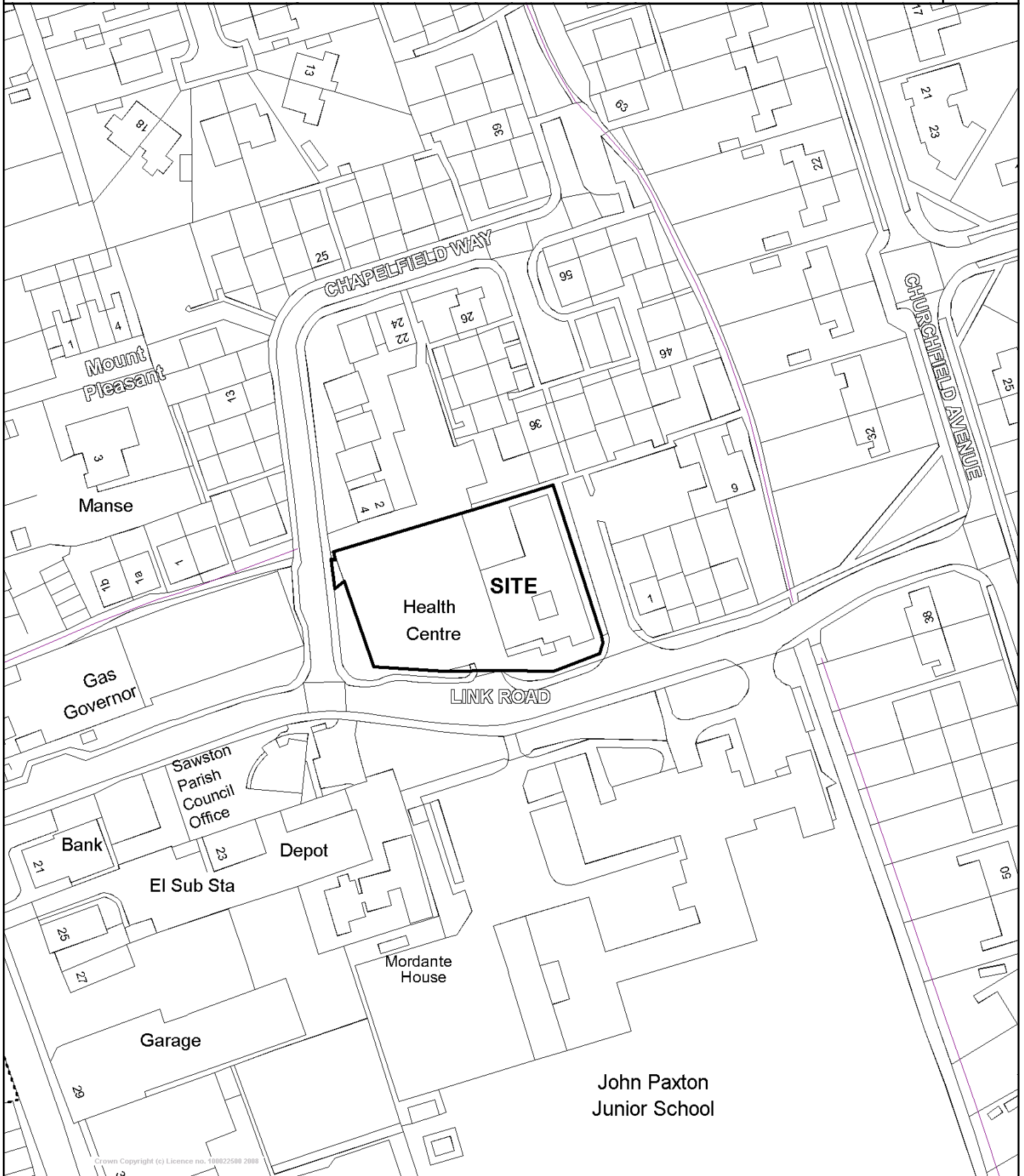
Site and Proposal

1. The site is situated within Sawston framework. It measures 0.19 of a hectare in area and currently comprises a, 1960s, part two-storey (6 metres high) and part single storey, flat roof building that was previously used as a health centre on the eastern side, and a hard surfaced parking area to the west. The site is surrounded by two metre high timber close boarded fencing and metal herrass fencing.
2. Residential development lies to the north, east and west of the site. Link Road to the east consists of a terrace of two-storey houses. Chapelfield Way to the north and west comprises a mix of terraced and semi-detached bungalows and two-storey flats. The Bellbird School is situated on the opposite side of the road to the south. It is being redeveloped.
3. This full planning application, received 3rd July 2008, proposes demolition of the existing health centre and the erection of 22 affordable flats. The built form would be within three blocks and comprise 10 x 1 bedroom dwellings and 12 x 2 bedroom dwellings. Two, two and a half storey blocks would front Link Road and measure approximately 9 metres in height and one, two storey block would front Chapelfield Way and measure approximately 7.8 metres in height. The proposed materials are buff brick/ timber cladding for the walls, and tiles for the roof. A new access measuring 4.5 metres in width would be provided off Chapelfield Way. The area to the rear of the building would consist of 28 car parking spaces, 22 cycle parking spaces and two stores for bins. A 1.8 metre high brick wall would form the eastern and northern boundaries of the site. A landscaping strip would surround the southern and western sides of the buildings to include the two existing small trees on the site. No open space is proposed as part of the redevelopment scheme.

Planning History

4. Temporary planning permissions were granted for a medical facility on the site in 2002 and 2005 (references **S/1240/05/F** and **S/1482/02/F**) whilst planning permission was

S/1319/08/F Sawston



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granted and construction completed of the new medical centre on London Road, Sawston (references **S/2392/02/O** and **S/1964/04/RM**).

5. Planning permission was granted for a health centre on the site in 1968 (reference **S/0049/68/F**). An extension to the health centre and additional car parking facilities were granted planning permission in 1975 (reference **S/0994/75/F**).

Planning Policy

6. **Policy ST/4** of the **South Cambridgeshire Local Development Framework Core Strategy 2007** identifies Sawston as a Rural Centre. There is no limit on the amount of development that will be permitted within the village frameworks of these settlements provided that adequate services, facilities, and infrastructure are available or can be made available as a result of the development.
7. **Policy DP/7** of the **South Cambridgeshire Local Development Framework Development Control Policies Document 2007** states that the redevelopment of unallocated land within village frameworks will be permitted provided that the site in its present state does not form an essential part of village character; the development would be sensitive to the character of the location, local features of landscape, ecological or historic importance, and the amenities of neighbours; there is necessary infrastructure capacity to support the development; and the development would not result in the loss of local employment or a local service or facility
8. **Policy ENV7** of the **East of England Plan 2008** and **Policy DP/2** of the **South Cambridgeshire Local Development Framework Development Control Policies Document 2007** seek all new developments to incorporate high standards of design that respond to the distinctive character of the local built environment.
9. **Policy DP/3** of the **South Cambridgeshire Local Development Framework Development Control Policies Document 2007** states that planning permission will not be granted where the proposed development would have an unacceptable adverse impact on, amongst other criteria, residential amenity, traffic generated, village character, and recreation and other community facilities.
10. **Policy HG/1** of the **South Cambridgeshire Local Development Framework Development Control Policies Document 2007** seeks residential developments to make the best use of sites by achieving average net densities of 40 dwellings per hectare in sustainable locations close to a good range of existing services and facilities.
11. **Policy HG/2** of the **South Cambridgeshire Local Development Framework Development Control Policies Document 2007** states that residential developments will contain a mix of units providing accommodation in a range of sizes, types and affordability, to meet local needs. Affordable Housing should be of an appropriate mix to respond to identified needs at the time of the development, in accordance with HG/3.
12. **Policy HG/3** of the **South Cambridgeshire Local Development Framework Development Control Policies Document 2007** states that proposals for housing developments will only be permitted if they provide an agreed mix of affordable housing to meet local needs.
13. **Policy SF/10** of the **South Cambridgeshire Local Development Framework Development Control Policies Document 2007** states that all residential developments will be required to contribute towards outdoor playing space and informal open space to meet the additional need generated by the development. Where

appropriate, provision should be made on the development site. However, an appropriate contribution will be required for 'off site' provision of the types of space not provided on-site. This could be for new provision or improvements to existing facilities.

14. **Policy SF/1 of the South Cambridgeshire Local Development Framework Development Control Policies Document 2007** states that planning permission will be refused for proposals that would result in the loss of a village service where such a loss would result cause an unacceptable reduction in the level of community of serve provision in the locality.
15. **Policy NE/3 of the South Cambridgeshire Local Development Framework Development Control Policies Document 2007** states that all development proposals for 10 dwellings or more will include technology for renewable energy to provide at least 10% of their predicted energy requirements.
16. **Policy NE/6 of the South Cambridgeshire Local Development Framework Development Control Policies Document 2007** seeks all new developments to maintain, enhance, restore or add to biodiversity.
17. **Policy TR/1 of the South Cambridgeshire Local Development Framework Development Control Policies Document 2007** 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 a sufficient standard of accessibility to offer an appropriate choice of travel by public transport or other non-car travel modes.
18. **Policy TR/2 of the South Cambridgeshire Local Development Framework Development Control Policies Document 2007** states that car parking should be provided in accordance with the maximum standards to reduce over reliance on the car and to promote more sustainable forms of transport. Cycle parking should be provided in accordance with the minimum standards.

Consultation

19. **Sawston Parish Council** - Recommends approval subject to conditions. It comments that the building is supported, all flats must be offered to Sawston people (unlike Stanley Webb Close Phase 2 where this should have happened and did not), and a pelican crossing should be provided in Link Road, as it is opposite the increased size new Bellbird Shool and the flats will increase the traffic flow in Link Road. It should be noted that when Link Road was resurfaced cables were put in a conduit under the road to make a crossing less costly in the future. Cycle parking should be provided in accordance with the minimum standards.
20. **Environment Agency** - The application falls under operational development of less than 1 hectare within flood zone 1 (low risk). No objections are raised. The applicant should be advised of a number of informatives aimed at good practice towards surface water management.
21. **Trees and Landscapes Officer** - The two trees should be protected during construction if they are to be retained, but there are no objections should they be removed, as they are of poor quality.
22. **Ecology Officer** - Considers that a bat and bird survey should be undertaken as a result of the poor nature of repair of the building. Mitigation or compensatory measures may need to be incorporated into the scheme. Condition the provision of nest boxes.

23. **Environmental Health Officer**- Concerned that problems could arise from noise and disturbance and suggests working hours conditions to protect the amenity of neighbours. Also suggests a condition for a site investigation into contamination and informatives relating to the burning of waste and demolition of the existing building.
24. **Housing Development Manager** - Supports the project and comments that the development will provide a much needed, mixed tenure scheme for Sawston. The proposal has been fully worked up with the Housing Development Team and the RSL was successful in obtaining grant funding for this project in the last National Affordable Housing Programme bid round for 2008/11.
25. **County Education Officer** - An education contribution is not required as the development is for 100% affordable housing.
26. **Local Highway Authority** - Comments are awaited and will be reported verbally at the meeting.
27. **Landscape Design Officer** - Comments are awaited and will be reported verbally at the meeting.
28. **Police Architectural Liaison Officer** - Comments are awaited and will be reported verbally at the meeting.
29. **Cambridgeshire Fire & Rescue Service** - Comments are awaited and will be reported verbally at the meeting.
30. **Building Inspector** - Comments are awaited and will be reported verbally at the meeting.
31. **Environment Operations Manager** - Comments are awaited and will be reported verbally at the meeting.

Representations

32. The occupier of No. 24 Chapelfield Way has queried the treatment to the northern boundary of the car park and whether there would be an access point.
33. A resident of Washington Drive supports the removal of the old health centre.

Planning Comments – Key Issues

34. The main issues to be considered during the determination of this application relate to the principle of redevelopment of the site for housing, loss of a village service/ local employment site, density, mix and affordable housing, open space, impact of the built form upon the character and appearance of the area with regards to its layout, scale, design, and materials, neighbour amenity, highway safety, landscaping and ecology.

Principle of Redevelopment of the Site for Housing

35. The site lies within the framework. Sawston is a sustainable village that is designated as a rural centre. There is no limit to the number of dwellings that can be constructed in such locations and therefore the erection of 22 residential units is considered acceptable in principle subject to other normal planning considerations. The existing health centre is a vacant and unattractive building and there are no objections to its demolition.

Loss of a Village Service/ Local Employment Site

36. The site formerly comprised a health centre. The loss of such an important community facility and a local employment site within the village would have been an important issue. However, a new replacement medical centre has recently been built elsewhere in the village. No objections are therefore raised to redevelopment of the site for housing.

Density, Mix and Affordable Housing

37. The erection of 22 residential units on the site equates to a density of 115 dwellings per hectare. This is clearly above the minimum density requirement of approximately 40 dwellings per hectare in villages such as Sawston. However, it is considered to be appropriate level, as it would be situated in a sustainable location close to a range of services and facilities, and make the best use of previously developed land.
38. The development comprises a mix of one and two bedroom dwellings. Although no larger units are to be provided as part of the scheme, this mix is considered to be satisfactory, given that the Sawston Housing Needs Survey 2004 identified a need for 75% of properties to be one and two bedroom.
39. The development comprises 100% affordable housing. The application specifies that eight properties will be socially rented and fourteen intermediate. Confirmation from the housing officer is awaited on whether the houses will be offered to residents in housing need outside the village of Sawston contrary to the Parish Council's comments.
40. However this is not an exception site under Policy HG/5 since the proposal complies with settlement and housing policies of the adopted Local Development Framework 2007. Under Policy HG/3, therefore, the identified need is considered on a district - wide basis for Major Developments, Rural Centres and a Minor Rural Centres.

Open Space

41. The development requires the on-site provision of 84 square metres of formal children's play space, 84 square metres of informal children's play space, and 138 square metres of informal open space. No open space is provided on site as the area surrounding the buildings form incidental landscaping to the scheme. Therefore, a financial contribution of approximately £33,000.00 towards the provision and maintenance of open space 'off site' would be required. This would be part of a planning obligation subject to a condition of any consent.

Character of Area

42. The area is characterised by development fronting Chapelfield Way and Link Road. Whilst it is acknowledged that the proposed buildings would be situated on a different part of the site to the existing building and forward of the existing building lines, the layout is considered to respect the existing pattern of development in the area. The flats would be divided into three separate blocks and situated on the southern and western boundaries of the site with parking to the north. Landscaping would be provided to the front of the flats adjacent to Link Road and Chapelfield Way with a feature area in the south western corner.
43. The site is surrounded by a mixture of scales and types of residential development ranging from single storey terraces of small bungalows to two-storey blocks of flats.

Whilst the proposed two and a half storey flats would be higher than the existing health centre and the surrounding residential development, their eaves height would be lower than the health centre and some accommodation would be provided within the roof space. I do not therefore consider that they would result in unduly dominant and bulky features that would harm the character and appearance of the area through having an unacceptable visual impact upon the appearance of the street scene. The bulk of the development would be minimised by the building being divided up into three blocks rather than one large building.

- 44. The buildings have a fairly traditional two-storey design with two of the blocks having accommodation in a hipped mansard style roof served by dormer windows and roof lights. This is considered to be in keeping with the design of surrounding residential properties in the area.
- 45. The use of buff brick / timber cladding for the walls and tiles for the roof would be appropriate. The cladding would provide a relief and break up the mass of the buildings.

Neighbour Amenity

- 46. The buildings would not seriously harm the amenities of neighbours through resulting in an unduly overbearing mass when viewed from the windows or gardens of dwellings at No. 1 Link Road or Nos. 2-36 Chapelfield Way, given their position and distance from those properties. Block A would be situated 12 metres from the blank side elevation of Nos. 2 and 4 Chapelfield Way, and Block C would be situated 10 metres from the blank side elevation of No. 1 Link Road. Blocks B and C would be situated at least 22 metres from 34 and 36 Chapelfield Way.
- 47. I also do not consider that the buildings would lead to a significant loss of sunlight or daylight. Whilst it is acknowledged that they would be higher than the existing building and orientated to the south of most of the adjacent neighbouring properties, they would be situated an adequate distance away to not result in overshadowing.
- 48. The first and second floor windows in the buildings are not considered to result in overlooking that would lead to a loss of privacy to neighbours. The first and second floor windows in the north elevations of Blocks B and C would be situated a distance of 22 metres from the nearest windows and gardens. The first and second floor windows in the east elevation of Block A would be at a very oblique angle to Nos. 2 and 4 Chapelfield Way. The first and second floor windows in the east elevation of Block C would be obscure glazed and fixed as a condition of any consent.
- 49. I do not believe that the development would result in a significant rise in the level of noise and disturbance. Whilst the parking area would be situated very close to the rear gardens of Nos. 2, 4, 36 and 38 Chapelfield Way, it would be screened from these neighbours by a solid, 1.8 metre high brick wall.

Highway Safety

- 50. The proposed access would be off Chapelfield Way. No objections are raised to the principle of such an access in this position subject to the comments of the Local Highway Authority. However, the width of the access, vehicular visibility splays and pedestrian visibility splays appear to be substandard and would need to be improved.
- 51. The parking area shows a total of 28 parking spaces. This results in one parking space for each dwelling and 6 visitor spaces. Although these figures are below the

average standards, they are considered acceptable for a sustainable village such as Sawston, given that the units are small, and that the site lies within a central location and close to public transport links. No disabled parking spaces have been provided but the applicant will be asked to provide at least one. The measurements of the parking spaces and turning area comply with Local Highway Authority requirements.

52. A total of 22 cycle spaces have been provided. This amounts to one space per dwelling. This is in accordance with the standards. The cycle parking should, however, be within covered, enclosures. This siting of a cycle store close to the junction of the proposed car park access and Chapelfield Way may also be a safety concern.
53. The Local Highway Authority will be consulted on the need for a pedestrian crossing in Link Road as requested by the Parish Council as a condition of the consent. The meeting will be verbally updated on its advice.

Landscaping

54. The proposal would not result in the loss of any important trees. The landscaping scheme is acceptable subject to confirmation from the Landscape Design Officer. The applicant will be asked to incorporate landscaping within the parking area to the rear.

Ecology

55. The proposal is unlikely to result in the loss of any protected species or important habitats, but confirmation from the Ecology Officer is awaited. If such habitats would be at risk, mitigation or compensatory measures would need to be submitted as part of a condition of any consent.

Other Matters

56. The site lies within flood zone 1 (low risk). The development is not considered to increase the risk of flooding to the site and surrounding area.
57. Confirmation from the Building Inspector will ensure that the proposal provides at least 10% of its energy through renewable sources. A renewable energy production calculation submitted with the application calculates the need to provide approximately 20 sq m (0.9 m per flat) of solar hot water heating panels. These would be located over the main entrance stairwells.

Recommendation

58. Subject to the nature of outstanding comments, delegated approval is sought with the safeguarding conditions.

Conditions

1. Standards Conditions 1 - (Reason 1) Time Limit.
2. SC13 (RC13) Materials
3. SC5 (RC5) Landscaping
4. SC6 (RC6) Landscaping Imp
5. SC8 (RC8) Tree Protection

6.	SC12 (RC12)	Boundary Treatment
7.	SC22b (RC22)	Visibility Splays
8.	SC20 (RC20)	Visibility Splays
9.	SC15 (RC15)	Car Parking - Buildings Occupied Parking and Turing
10.	SC16 (RC16)	Cycle Parking Buildings Occupied
11.	C2 (RC2)	(Old Condition Highways)
12.	SC27 (RC27)	Contamination
13.	SC38 (RC38)	Noise
14.	SC31 (RC31)	1 st and 2 nd Floor East Elevation Block C of Building
15.	SC62 (RC62)	(delete i & ii) Affordable Housing Policy SF/10
16.	SC63 (RC63)	Recreational Infrastructure (S/F Open Space)
17.	SC54 (RC54)	Nesting Boxes

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 2007
- South Cambridgeshire Local Development Framework Development Control Policies Document 2007
- Planning File References: S/1319/08/F, S/1240/05/F, S/1482/02/F, S/0994/75/F, S/0049/68/F, S/1964/04/RM and S/2392/02/O.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee1st October 2008**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

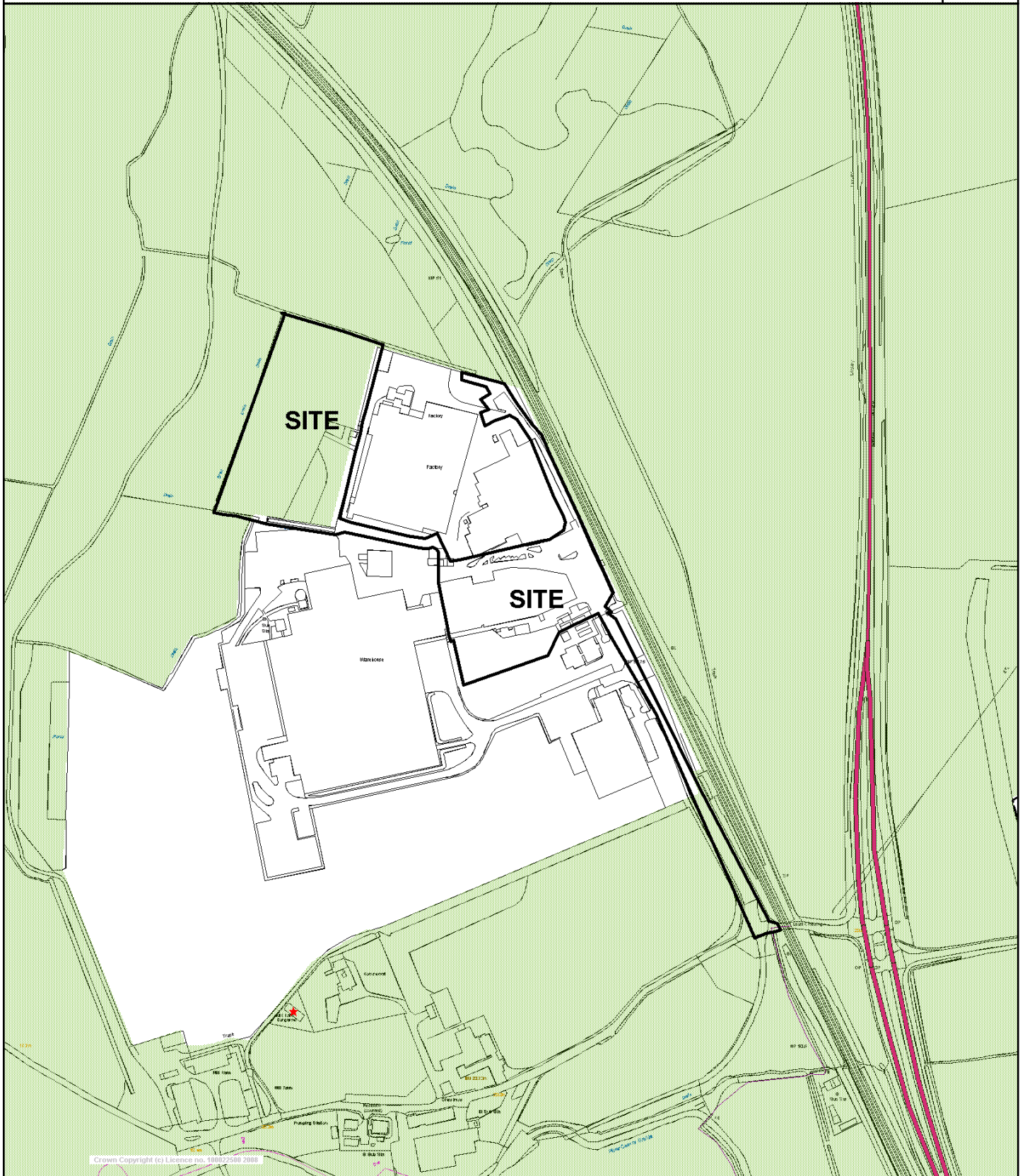
S/1332/08/F - SAWSTON**Phase 1- Redevelopment of Sawston Business Park for a Mixed B1(c), B2, and B8 Scheme and Associated Infrastructure and Landscape Work; Sawston Business Park, Mill Lane for Wrenbridge (CPT) Ltd.****Recommendation: Delegated approval****Date for Determination: 31st October 2008**

This Application has been reported to the Planning Committee for determination because Sawston Parish Council has recommended refusal of planning permission, contrary to Officer recommendation.

Major Application**Departure Application****Site and Proposal**

1. The 4.36 hectare site comprises a variety of vacant industrial and office buildings formerly occupied by John Dickinson Stationery as a paper factory, located in the countryside to the north west of Sawston, to the west of the A1301 London Road/ Sawston bypass and Cambridge-London Liverpool Street railway. Access to the site is via a level crossing. The buildings adjoin an adjacent distribution depot and headquarters occupied by Spicers Ltd. The development site area is approximately 1.5ha.
2. There are several constraints and designations on land around the site. To the west, Flood Zone 3 (high risk) encroaches onto a field included within the site for mounding. The built development falls within Flood Zone 1 (low risk). To the north, across the railway line, is located a Site of Special Scientific Interest (SSSI) at Dernford Fen, and to the north of that Dernford Farm grassland is a County wildlife site. To the south, some 150m from the site, Borough Hill is an Iron Age hill fort and a scheduled ancient monument. The industrial estate is surrounded by the Cambridge Green Belt. Footpath Sawston 15 emerges onto the access road where it meets the level railway crossing.
3. The full application, dated 18 July 2008, proposes the demolition of existing buildings and the erection of 11 units arranged in two blocks, A and B, for a mix of light industrial, general industrial and storage uses, Classes B1c, B2 and B8 totalling 5,252 sqm and associated infrastructure and landscaping works. The proposal includes 165 car parking spaces including 14 mobility spaces, and cycle parking (132 spaces).

S/1332/08/F Sawston



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4. The proposal includes the deposit of waste spoil from the development on adjacent agricultural land which has reverted to scrub to the north west, as part of a sustainable waste management strategy. The proposal is to build up the site in its north western quadrant with a mound to a height of 3.0m. This land, which lies within the Cambridge Green Belt, has an area of 1.8ha. It is this land which encroaches into Flood Zone 3. The landscaped south western part of this area is to be retained.
5. The industrial units are to be provided with profiled steel cladding coloured grey. Block A is to be 8.9m high, and Block B 11.2m in height.
6. Schemes for the landscaping of the site and the planting and profiling of the area for mounding have been submitted.
7. The application is supported by several reports: Planning Statement, Design and Access Statement, Transport Assessment, Travel Plan Framework, Waste Management Plan, Ecological Assessment, Flood Risk Assessment, Remediation and Soil Re-use Strategy, and a Building Services Renewables Report.

Planning History

8. **S/1172/91/O** - Outline planning permission was granted in 1993 on the whole estate (Spicers Ltd and John Dickinson Stationary sites combined) for new industrial and warehousing development and a new access road, bridge and altered junction onto the A1301 to replace the existing Sawston level crossing. This application was renewed in 1997 (**S/0800/97/F**) and in 1998 (**S/1147/98/F** and **S/1148/98/F**). Records for planning applications for industrial development on these sites extend back to 1959.
9. **S/2062/98/F**- extension to offices John Dickinson Stationary Ltd -Approved 5th February 1999.

Planning Policy

10. **East of England Plan (2008):**
Policy SS1 (Achieving Sustainable Development)
Policy SS2 (Overall Spatial Strategy)
Policy E1 (Job Growth)
Policy E2 (Provision of Land for Employment)
Policy ENV7 (Quality in the Built Environment)
Policy CSR2 (Employment-Generating Development)
Policy CSR3 (Green Belt)
11. **Cambridgeshire and Peterborough Structure Plan 2003:**
P2/5 (Distribution, Warehousing and Manufacturing)
12. **South Cambridgeshire Local Development Framework (LDF) Core Strategy (2007):**
ST/8 (Employment Provision)

13. **South Cambridgeshire Development Control Policies Development Plan Document (2007):**

DP/1 (Sustainable Development)
DP/2 (Design of New Development)
DP/3 (Development Criteria)
DP/4 (Infrastructure and New Developments)
DP/6 (Construction Methods)
ET/1 (Limitations on the Occupancy of New Premises in South Cambridgeshire)
ET/3 (Development in Established Employment Areas in the Countryside)
ET/5 (Development for the Expansion of Firms)
GB/1 (Development in the Green Belt)
GB/2 (Mitigating the Impact of Development in the Green Belt)
GB/3 (Mitigating the Impact of Development Adjoining the Green Belt)
SF/6 (Public Art and New Development)
NE/1 (Energy Efficiency)
NE/3 (Renewable Energy Technologies in New Development)
NE/4 (Landscape Character Areas)
NE/6 (Biodiversity)
NE/7 (Sites of Biodiversity or Geological Importance)
NE/11 (Flood Risk)
NE/12 (Water Conservation)
CH/2 (Archaeological Sites)
TR/1 (Planning for More Sustainable Travel)
TR/2 (Car and Cycle Parking Standards)
TR/3 (Mitigating Travel Impact)

14. **South Cambridgeshire LDF Adopted Proposals Map (2008):**

Inset Map No.87: The built development site is shown to be within the designated area under Policy ET/3 part K 'Spicers Ltd, Sawston'. This establishes the principle that appropriate employment development is acceptable. The land proposed for mounding is not within this allocation but is within the Green Belt.

Consultations

15. **Sawston Parish Council:** Recommendation of refusal unless the following conditions are addressed:

- a) Improvement to access (a principle was established in the early 1990's for a flyover in a planning application).
- b) Archaeological investigations need to take place at the Iron Age hill fort on the site.
- c) Cycle paths need to be in place as well as safe pedestrian access.
- d) An independent traffic survey is asked for based upon up to date information as there have been 6 recorded injury accidents in the last three years at this site.
- e) Consultations need to take place with the rail company as it is likely that the London Liverpool Street service is being upgraded in the near future meaning more trains on the line.

The Parish Council does however support the building work if these conditions can be met.

16. **Highways Agency** – No objection as there will be no material impact upon the operational capacity of the M11/A11. The applicant should be encouraged to prepare and implement a Travel Plan.
17. **Corporate Manager (Health and Environmental Services)** In respect of possible land contamination, no objection in principle, subject to a condition requiring the submission of a Remediation Method Statement.
18. **Cambridgeshire Archaeology**: No objection in principle. As the site may contain evidence of late prehistoric settlement a condition requiring a scheme of archaeological investigation is recommended.
19. **Sustrans Cambridge Area Manager** – Recommendation that the developer be required to make a financial contribution towards the provision of a new length of shared-use footway north and south from the site along the west side of the A1301, Sawston By-pass.
20. **English Heritage** has no objections and has no comments to make.
21. Consultation responses are awaited from the Local Highway Authority, Network Rail, Natural England, Cambridgeshire Wildlife Trust, the Council's Environment Operations Manager, Arts Development Officer, Landscape Design Officer, Ecology Officer and Sustainability Officer.

Representations

22. None received.

Planning Comments

23. Members should note that the application has been treated as a departure from the development plan on account of the proposal to create a landscaped mound on land within the Green Belt. Such engineering works would constitute inappropriate development by virtue of it reducing the openness of the Green Belt.

Scale

24. The development of Phase 1 proposes the demolition of 5,900 sqm of floorspace and its replacement with 5,252 sqm, representing a net reduction of 648sqm, or 11%. The buildings have been arranged so as the higher buildings are located more centrally, to minimise any visual impact upon the adjoining countryside. The size of units varies from 142sqm in Block A to 1665sqm in Block B, which complies with Policy ET/1. I consider that the scale of development is appropriate. In order to retain control over floorspace changes, I recommend that a condition to prevent further mezzanine floorspace be attached. The proposal would also comply with the principles of Policy ET/3 of the Local Development Framework.

Parking and Highway Impact

25. The parking provision of 165 spaces equates to one space per 31.8 sqm. The maximum provision in the highest of the standards relating to B1 uses is one space per 30 sqm. Subject to the comments of the local highway authority, I consider that this level of provision will comply with Policy TR/2.

26. The application is supported by a Transport Assessment. This predicts that the existing facility and the proposed development will generate similar or slightly reduced volumes of traffic over the estate as a whole, including Spicers Ltd. The analysis considers the impact on the junction with London Road and the level crossing with queuing traffic, based on a traffic surveys conducted in 2001 and 2005, with traffic growth prediction factors. This concludes that even at peak times over the period to 2023 the slip road will be adequate to accommodate queuing traffic arising from the estate. The analysis takes into account the three-year accident data for the junction of Mill Lane with the A1301.
27. I await the comments of the local highway authority, however I consider that the proposal will not have a material impact upon the operational capacity of the A1301, and that the requirement for a new access that was envisaged in planning permission S/1172/91/O will not be necessary.

Other issues

28. A number of issues remain outstanding at the time of compiling this report, which are awaiting the response of consultees. These relate to drainage, landscaping, ecology and impact upon the Green Belt. I will provide an update to members at the meeting, with a view to seeking delegated powers to determine the application.
29. Infrastructure provision in respect of public art and ten per cent renewable energy will be required by condition and subsequent legal agreement, as will the implementation of the Travel Plan.

Green Belt

30. Although the applicant has not specifically identified very special circumstances to overcome the harm by reason of inappropriateness in the Green Belt, the accompanying documents attempt to explain the rationale for the engineering operations:
- (a) To deliver a sustainable waste management strategy;
 - (b) To reduce the necessity to remove excavated material from the site in line with current thinking on sustainability;
 - (c) To reduce the amount of demolition waste sent to landfill.
 - (d) To benefit nature conservation and long term enhancement ensuring overall the development proposal would be neutral to beneficial in terms of the effects to nature conservation interest. Further details are included in the Ecological Assessment.
 - (e) To comply with Policy DP/6 of the Local Development Framework , which requires development to recycle construction waste.
 - (f) To reduce the impact upon local roads and environment during construction.
31. Subject to outstanding consultee responses, I consider these factors to have positive environmental, ecological and waste management impacts, which cumulatively would outweigh harm by reason of inappropriateness.

32. I have also had regard to Circular 11/2005, The Town and Country Planning (Green Belt) Direction 2005, specifically paragraphs 10-17 inclusive. I do not consider that the circumstances in this case would generate such an impact upon the Green Belt as envisaged in this Circular to warrant the application being referred to the Secretary of State.

Recommendation

33. Delegated approval of the application dated 18th July 2008.

Conditions

1. Standard Condition 1 (Reason)
2. Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification) - for a period of ten years from the date of first occupation of each of the hereby permitted buildings, they shall only be used and occupied as follows:
 - (a) Offices
 - (i) Normally to the provision of a local or sub-regional service or administrative facility principally for persons resident or organisations situated in the Cambridge area excluding national or regional headquarters offices; or
 - (ii) To a maximum floorspace of normally 300 square metres; and/or
 - (b) Research and Development
 - (i) To the provision for high technology research and development firms, or organisations, which can show a special need to be closely related to the universities, or other established facilities or associated services in the Cambridge area; and/or
 - (c) Light industry, General Industry and Storage Distribution to a maximum planning unit size of 1,850 square metres of floorspace.
(Reason - To comply with Policy ET/1 of the adopted Local Development Framework 2007, which limits employment development in the Cambridge area to uses that need to be located close to Cambridge.)
3. 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.)

4. No further mezzanine floors other than those approved by virtue of this planning permission shall be inserted in any of the units hereby approved unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.
(Reason: In order to limit the demand for additional vehicular parking provision within the site)
5. 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.)
6. No materials or equipment shall be stored on the site outside the buildings save that waste materials may be kept in bins for removal periodically.
(Reason - In the interests of visual amenity in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
7. No development shall commence until details of schemes for the provision of:
(a) public art, (b) renewable energy infrastructure, and (c) the implementation of the Travel Plan to meet the needs of the development in accordance with South Cambridgeshire Development Control Policies Development Plan Document (2007) SF/6 (Public Art and New Development) NE/3 (Renewable Energy Technologies in New Development) and TR/3 (Mitigating Travel Impact) have been submitted to and approved in writing by the Local Planning Authority. The schemes shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.
(Reason- To ensure the development complies with Policies SF/6, NE/3 and TR/3 of the South Cambridgeshire Development Control Policies Development Plan Document 2007.)
8. Necessary conditions as required by consultees.

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

- ODPM Circular 11/2005 The Town and Country Planning (Green Belt) Direction 2005.
- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- South Cambridgeshire Development Control Policies Development Plan Document (2007)
- Cambridgeshire and Peterborough Structure Plan 2003
- East of England Plan 2008
- Planning File ref S/1332/08/F, S/1148/98/F, S/1147/98/F, S/0800/97/F and S/1172/91/O.

Contact Officer: Ray McMurray – Principal Planning Officer
Telephone: (01954) 713259

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee1st October 2008**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

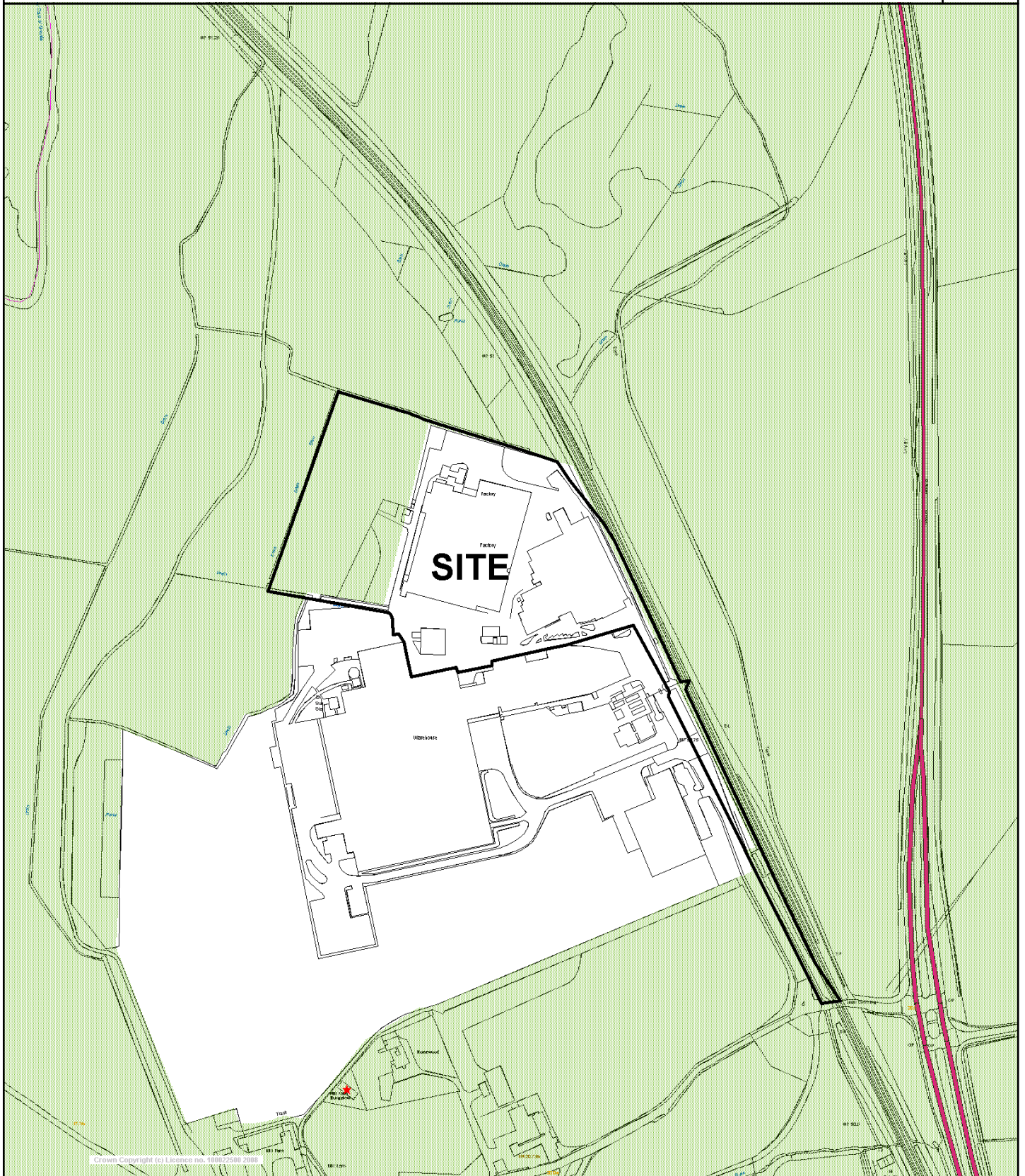
S/1302/08/O - SAWSTON**Phase 2- Redevelopment of Sawston Business Park for a Mixed B1(c), B2, and B8 scheme and associated infrastructure and landscape work; Sawston Business Park, Mill Lane for Wrenbridge (CPT) Ltd.****Recommendation: Delegated approval****Date for Determination: 24 October 2008**

This Application has been reported to the Planning Committee for determination because Sawston Parish Council has recommended refusal of planning permission, contrary to the Officer recommendation.

Major Application**Departure Application**

1. The site comprises a variety of vacant industrial and office buildings formerly occupied by John Dickinson Stationery as a paper factory, located in the countryside to the north west of Sawston, to the west of the A1301 London Road/ Sawston bypass and main Cambridge-London, Liverpool Street railway. Access to the site is via a level crossing. The buildings adjoin an adjacent distribution depot and headquarters occupied by Spicers Ltd. The development site area (excluding access road) is approximately 6.05ha.
2. There are several constraints and designations on land around the site. To the west, Flood Zone 3 (high risk) encroaches onto a field included within the site for mounding. The built development falls within Flood Zone 1 (low risk). To the north, across the railway line, is located a site of special scientific interest (SSSI) at Dernford Fen, and to the north of that Dernford Farm grassland is a County wildlife site. To the south, some 150m from the site, Borough Hill is an Iron Age hill fort and a scheduled ancient monument. The industrial estate is surrounded by the Cambridge Green Belt. Footpath Sawston 15 emerges onto the access road where it meets the level railway crossing.
3. The outline application, dated 18 July 2008, proposes the demolition of existing buildings comprising 19,179 sq m and the erection of new buildings having a mix of light industrial, general industrial and storage uses, Classes B1c, B2 and B8, and associated infrastructure and landscaping works. All detailed matters except for access have been reserved for subsequent approval.
4. An indicative layout plan has been submitted. This shows replacement buildings comprising 14 units arranged in five blocks, (C to G). These have a combined floor area of 16,043 sqm, which represents a reduction in floor area of 3,136 sqm or 16.3 per cent below existing. The precise details of scale and layout have been reserved for

S/1302/08/O Sawston



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Scale 1/5000 Date 17/9/2008

Centre = 547196 E 249918 N

October Planning Committee

subsequent approval in order to respond to occupier interest, but ridge heights of between 10.8m and 15.0m are indicated. Indicative unit sizes range from 552 sqm to 2,338sqm. The larger units have been located to the rear of the plot with large service areas shielded from view. Some of the units are to be provided with first floor ancillary offices. The indicative plan shows a total of 364 car spaces, which represents a ratio of one space per 44 sqm floorspace. Surface water will be discharged to the surrounding network of drains.

5. The proposal includes the deposit of waste spoil from the development on adjacent agricultural land which has reverted to scrub to the north west, as part of a sustainable waste management strategy. The proposal is to build up the site in its north western quadrant with a mound to a height of 3.0m, which is to be extended from the mound proposed under Phase 1. This land, which lies within the Cambridge Green Belt, has an area of 1.8ha. It is this land which encroaches into Flood Zone 3. The landscaped south western part of this area is to be retained.
6. The application is supported by several reports: Planning Statement, Design and Access Statement, Transport Assessment, Travel Plan Framework, Waste Management Plan, Ecological Assessment, Flood Risk Assessment, Remediation and Soil Re-use Strategy, and a Building Services Renewables Report.

Planning History

7. **S/1172/91/O** - Outline planning permission was granted in 1993 on the whole estate (Spicers Ltd and John Dickinson Stationary sites combined) for new industrial and warehousing development and a new access road, bridge and altered junction onto the A1301 to replace the existing Sawston level crossing. This application was renewed in 1997 (S/0800/97/F) and in 1998 (S/1147/98/F and S/1148/98/F). Records for planning applications for industrial development on these sites extend back to 1959.
8. **S/2062/98/F**- extension to offices John Dickinson Stationary Ltd -Approved 5 February 1999.

Planning Policy

9. **East of England Plan (2008)**
Policy SS1 (Achieving Sustainable Development)
Policy SS2 (Overall Spatial Strategy)
Policy E1 (Job Growth)
Policy E2 (Provision of Land for Employment)
Policy ENV7 (Quality in the Built Environment)
Policy CSR2 (Employment-Generating Development)
Policy CSR3 (Green Belt)
10. **Cambridgeshire and Peterborough Structure Plan 2003**
P2/5 (Distribution, Warehousing and Manufacturing)
11. **South Cambridgeshire Local Development Framework (LDF) Core Strategy (2007)**
ST/8 (Employment Provision)
12. **South Cambridgeshire Development Control Policies Development Plan Document (2007)**

DP/1 (Sustainable Development)
DP/2 (Design of New Development)
DP/3 (Development Criteria)
DP/4 (Infrastructure and New Developments)
DP/6 (Construction Methods)
ET/1 (Limitations on the Occupancy of New Premises in South Cambridgeshire)
ET/3 (Development in Established Employment Areas in the Countryside)
ET/5 (Development for the Expansion of Firms)
GB/1 (Development in the Green Belt)
GB/2 (Mitigating the Impact of Development in the Green Belt)
GB/3 (Mitigating the Impact of Development Adjoining the Green Belt)
SF/6 (Public Art and New Development)
NE/1 (Energy Efficiency)
NE/3 (Renewable Energy Technologies in New Development)
NE/4 (Landscape Character Areas)
NE/6 (Biodiversity)
NE/7 (Sites of Biodiversity or Geological Importance)
NE/11 (Flood Risk)
NE/12 (Water Conservation)
CH/2 (Archaeological Sites)
TR/1 (Planning for More Sustainable Travel)
TR/2 (Car and Cycle Parking Standards)
TR/3 (Mitigating Travel Impact)

13. **South Cambridgeshire LDF Adopted Proposals Map (2008)**

Inset Map No.87: The built development site is shown to be partly within the designated area under Policy ET/3 part K 'Spicers Ltd, Sawston'. This establishes the principle that appropriate employment development is acceptable. The land proposed for mounding is not within this allocation but is within the Green Belt.

Consultations

14. **Sawston Parish Council:** Recommendation of refusal unless the following conditions are addressed:

- a) Improvement to access (a principle was established in the early 1990's for a flyover in a planning application).
- b) Archaeological investigations need to take place at the Iron Age hill fort on the site.
- c) Cycle paths need to be in place as well as safe pedestrian access.
- d) An independent traffic survey is asked for based upon up to date information, as there have been 6 recorded injury accidents in the last three years at this site.
- e) Consultations need to take place with the rail company, as it is likely that the London Liverpool Street service is being upgraded in the near future meaning more trains on the line.

The Parish Council does however support the building work if these conditions can be met.

15. **Highways Agency** – No objection as there will be no material impact upon the operational capacity of the M11/A11. The applicant should be encouraged to prepare and implement a Travel Plan.
16. **Corporate Manager (Health and Environmental Services)** In respect of possible land contamination, no objection in principle, subject to a condition requiring the submission of a Remediation Method Statement.
17. **Cambridgeshire Archaeology**: No objection in principle. As the site may contain evidence of late prehistoric settlement a condition requiring a scheme of archaeological investigation is recommended.
18. **English Heritage**: No objection and no comments to make.
19. **Sustrans Cambridge Area Manager** – Recommendation that the developer be required to make a financial contribution towards the provision of a new length of shared-use footway north and south from the site along the west side of the A1301.
20. Consultation responses are awaited from the Local Highway Authority, Network Rail, Natural England, Cambridgeshire Wildlife Trust, the Council's Environment Operations Manager, Arts Development Officer, Landscape Design Officer, Ecology Officer and Sustainability Officer.

Representations

21. None received.

Planning Comments

22. Members should note that the application has been treated as a departure from the development plan on account of the proposal to create a landscaped mound on land within the Green Belt. Such engineering works would constitute inappropriate development by virtue of it reducing the openness of the Green Belt

Scale

23. The scale of development is a matter to be determined in a subsequent reserved matters application. The scale parameters indicate buildings that will be appropriate to the scale of existing buildings at Spicers Ltd. The indicative layout plan and supporting statements show two buildings comprising Block E to exceed the maximum unit size of 1850 sqm for any single occupier provided in policy ET/1. The development as a whole represents the breaking up of a large single user into 14 smaller units, and in this context I consider that the breaching of the policy limitation on size to be acceptable in respect of two units. I recommend that a condition be attached to limit the floorspace provided in the development and the maximum size of units and a condition to prevent further mezzanine floorspace.

Parking and Highway Impact

24. The indicative parking provision of 364 spaces, equating to one space per 44 sqm, falls short of the maximum provision in the highest of the standards relating to B1 uses (one space per 30 sqm) but above the maximum standard for the next highest standard of Class B2 (one space per 50sqm). As the detailed layout of the scheme is not determined at this stage, I do not consider this to be a ground for concern, subject

to the comments of the local highway authority, and to the mitigation put forward in the submitted Travel Plan.

25. The application is supported by a Transport Assessment. This predicts that the existing facility and the proposed development will generate similar or slightly reduced volumes of traffic over the estate as a whole, including Spicers Ltd. The analysis considers the impact on the junction with London Road and the level crossing with queuing traffic, based on a traffic surveys conducted in 2001 and 2005, with traffic growth prediction factors. This concludes that even at peak times over the period to 2023 the slip road will be adequate to accommodate queuing traffic arising from the estate. The analysis takes into account the three-year accident data for the junction of Mill Lane with the A1301.
26. I await the comments of the local highway authority, however I note that the proposal represents a reduction in floorspace on the site. I consider that the proposal will not have a material impact upon the operational capacity of the A1301, and that the requirement for a new access that was envisaged in planning permission S/1172/91/O will not be necessary.

Other issues

27. A number of issues remain outstanding at the time of compiling this report, which are awaiting the response of consultees. These relate to drainage, landscaping, ecology and impact upon the Green Belt. I will provide an update to members at the meeting, with a view to seeking delegated powers to determine the application.
28. Infrastructure provision in respect of public art and ten per cent renewable energy will be required by condition and subsequent legal agreement, as will the implementation of the Travel Plan.
29. Although the applicant has not specifically identified very special circumstances to overcome the harm by reason of inappropriateness in the Green Belt, the accompanying documents although to explain the rationale for the engineering operations:
 - a) To deliver a sustainable waste management strategy;
 - b) To reduce the necessity to remove excavated material from the site in line with current thinking on sustainability;
 - c) To reduce the amount of demolition waste sent to landfill;
 - d) To benefit nature conservation and long term enhancement ensuring overall the development proposal would be neutral to beneficial in term of the effects to nature conservation interest. Further details are included in the Ecological Assessment.
 - e) To comply with Policy DP/6 of the LDF, which requires development to recycle construction waste.
 - f) To reduce the impact upon local roads and environment during construction.
30. Subject to outstanding consultee responses, I consider these factors to have positive environmental, ecological and waste management impacts, which cumulatively would outweigh harm by reason of inappropriateness.

31. I have also had regard to Circular 11/2005, The Town and Country Planning (Green Belt) Direction 2005, specifically paragraphs 10 - 17 inclusive. I do not consider that the circumstances in this case would generate such an impact upon the Green Belt as envisaged in this Circular to warrant the application being referred to the Secretary of State.

Recommendation

32. Delegated approval of the application dated 18 July 2008

Conditions

1. Approval of the details of the layout of the site, the scale and appearance of buildings, and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced. (Reason- 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. (Reason- 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.
(Reason- The application is in outline only.)
4. Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification) - for a period of ten years from the date of first occupation of each of the hereby permitted buildings, they shall only be used and occupied as follows:
 - (a) Offices
 - (i) Normally to the provision of a local or sub-regional service or administrative facility principally for persons resident or organisations situated in the Cambridge area excluding national or regional headquarters offices; or
 - (ii) To a maximum floorspace of normally 300 square metres;
and/or
 - (b) Research and Development
 - (i) To the provision for high technology research and development firms, or organisations, which can show a special need to be closely related to the universities, or other established facilities or associated services in the Cambridge area;
and/or
 - (c) Light industry, General Industry and Storage and Distribution to a maximum planning unit size in respect of not more than two industrial units not to exceed 2,500 square metres of floorspace and in the case of remaining units not to exceed 1,850 square metres of floorspace.

(Reason - To comply with Policy ET/1 of the adopted Local Development Framework 2007, which limits employment development in the Cambridge area to uses that need to be located close to Cambridge.)

5. The maximum amount of gross external floorspace of business/ industrial/ storage and distribution units excluding ancillary buildings and plant on the site shall not exceed 16,050 square metres. (Reason- To ensure that development is of a scale appropriate to the rural location and setting and in the interests of highway safety in accordance with Policies ET/3, DP/1 and DP/3)
6. No further mezzanine floors other than those approved by virtue of this planning permission shall be inserted in any of the units hereby approved unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.
(Reason: In order to limit the demand for additional vehicular parking provision within the site)
7. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.
(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.)
8. 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.)
9. 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.)
10. No materials or equipment shall be stored on the site outside the buildings save that waste materials may be kept in bins for removal periodically.
(Reason - In the interests of visual amenity in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

11. No development shall commence until details of schemes for the provision of: (a) public art; (b) renewable energy infrastructure; and (c) the implementation of the Travel Plan, to meet the needs of the development in accordance with South Cambridgeshire Development Control Policies Development Plan Document (2007) SF/6 (Public Art and New Development) NE/3 (Renewable Energy Technologies in New Development) and TR/3 (Mitigating Travel Impact) has been submitted to and approved in writing by the LPA. 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 the development complies with Policies SF/6, NE/3 and TR/3 of the South Cambridgeshire Development Control Policies Development Plan Document 2007.)
12. Necessary conditions as required by consultees.

Informatives

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

- ODPM Circular 11/2005 The Town and Country Planning (Green Belt) Direction 2005.
- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- South Cambridgeshire Development Control Policies Development Plan Document (2007)
- Cambridgeshire and Peterborough Structure Plan 2003
- East of England Plan 2008
- Planning File ref S/1302/08/O, S/1148/98/F, S/1147/98/F, S/0800/97/F & S/1172/91/O.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Planning Committee	1 October 2008
AUTHOR/S:	Executive Director / Corporate Manager (Planning and Sustainable Communities) / Democratic Services Manager	

PLANNING SUB-COMMITTEE – FUTURE ARRANGEMENTS FOR ENFORCEMENT AGAINST BREACHES OF PLANNING CONTROL**Purpose**

1. The purpose of this report is to review the way in which South Cambridgeshire District Council should deal with all aspects of regulation where there has been a breach of planning control.

Background

2. The Minutes of the inaugural Planning Sub-Committee meeting held on 4 August 2006 include the following text:

“At its meeting on 1 June 2005, the Development and Conservation Control Committee had established the Development and Conservation Control (Advisory) Committee by Resolving:

- (1) That an Advisory Committee be established;
- (2) That the role of that body be to focus on enforcement issues on traveller sites, and to evolve a course of action prior to make a recommendation for action by the Development and Conservation Control Committee;
- (3) That it be responsible for determining enforcement action on traveller sites in line with strategy developed by the Cabinet;
- (4) That all Members of Council be invited to attend meetings, and be encouraged to assist in developing recommendations to the Development and Conservation Control Committee;
- (5) That the new body be called the Development and Conservation Control (Advisory) Committee; and
- (6) That the Advisory Committee consist of the Chairman and Vice-Chairman of the Development and Conservation Control Committee, and those four other members of the Development and Conservation Control Committee whose Executive functions relate to Leader of the Council and to the portfolios for Planning and Economic Development, Environmental Health and Community Development.

At its meeting on 7 June 2006, the Development and Conservation Control Committee appointed the Chairman and Vice Chairman of the Development and Conservation Control Committee (Councillors NIC Wright and SGM Kindersley), and re-appointed Councillors Dr DR Bard, Mrs DP Roberts, and Mrs DSK Spink to the body formally known as the Development and Conservation Control (Advisory)

Committee, but now to be a Sub-Committee with executive powers. The Committee elected Councillor Mrs HM Smith as the sixth Member of the Sub-Committee.

At its meeting on 27 June 2006, full Council resolved to rename Development and Conservation Control Committee as the Planning Committee. Accordingly, the Development and Conservation Control Sub-Committee became the Planning Sub-Committee.

The Planning Sub-Committee agreed that its Terms of Reference should reflect those originally drawn up for the Development and Conservation Control (Advisory) Committee.

The Planning Sub-Committee **RESOLVED**

- (1) That the role of the Planning Sub-Committee should be to focus on regulatory issues on traveller sites, and to develop an appropriate course of action
- (2) That it be responsible for determining regulatory action on traveller sites in line with strategy developed by the Cabinet;
- (3) That all Members of Council be invited to attend meetings, and be encouraged to assist in developing the Council's regulatory approach to Travellers."

Considerations

3. It is considered that the original terms of reference established by the Development and Conservation Control Committee and adapted to reflect the name change are in need of review so that they do not conflict in any way with the Council's Equalities and Diversity Strategy.. Specifically, Members may feel that it is unacceptable that the Planning Sub-Committee should focus solely on Travellers sites and that it should, instead, take over from the parent Committee responsibility for monitoring enforcement and other regulatory action in respect of breaches of planning control throughout the District.
4. At the moment, Planning Committee receives an Enforcement Action Progress Report, on a quarterly basis. In the interests of sustainability, and acknowledging that the report is for members' information only, the main report is included on the Council's website and in the Weekly Bulletin only. A short 'executive summary' is attached to the paper copy of the Planning Committee agenda.
5. If the Planning Sub-Committee was to take on responsibility for the monitoring of all enforcement action, the progress report would no longer be presented to the Planning Committee. Instead, a report would be made to the Planning Sub-Committee on the same basis, that is an executive summary on the paper copy of the agenda and the full report on the website and in the Weekly Bulletin.
6. The power to authorise enforcement action would be delegated downwards from the main committee; this potentially would cause delay as it does not allow planning committee to pass a double-resolution, that is, to refuse retrospective permission and also to authorise enforcement action. The alternative would be to take the quarterly information report to sub- not main committee. This would not address the anomaly that traveller enforcement goes to the sub-committee for authorisation yet enforcement of breaches on other sites does not.

7. Whereas the progress report is currently presented to the Planning Committee on a quarterly basis, the Planning Sub-Committee is scheduled to meet every six weeks, subject to meetings not being called if there is insufficient business to transact (typically if there are no decisions to be made).
8. Ultimately, the aim should be to make sure that everyone subject to enforcement action, whether from the travelling or the “settled” community, is treated equally and fairly. This would imply that everyone should be subject to regulation within the same forum.
9. It should be remembered that, when the original sub-Committee was established (consisting of 5-7 members) one of the reasons was to make it easier to call meetings quickly. At the time, the parent Committee consisted of 35 members. Today, Planning Committee has 14 members.

Options

10. The Planning Committee has three options. It can either
 - (a) Review the Sub-Committee’s terms of reference, as it deems appropriate.
 - (b) Leave those terms of reference as they currently are
 - (c) Abolish the Planning Sub-Committee altogether and refer all enforcement issues requiring Member decisions to the parent Committee. This option achieves the aim of ensuring equality and fairness while addressing the concerns raised in paragraphs 6, 13 and 14 of this report.

Implications

11. Financial	There would be a significant financial saving if the Planning Sub-Committee was abolished in terms of printing, officer time and travel expenses. Otherwise, savings would be minimal.
Legal	Neutral
Staffing	Slight increase in officer time spent preparing the Action Progress Report on a more regular basis, if the Planning Sub-Committee is retained with adjusted terms of reference.
Risk Management	None
Equal Opportunities	The Planning Sub-Committee’s current terms of reference could be viewed as conflicting with the Council’s equalities and diversity policies as being discriminatory.

Consultations

12. The Council’s Principal Solicitor has been consulted.
13. The Enforcement Officer (Development Control) has made the following comments in relation to changing the Sub-Committee’s terms of reference:

“...I presume that there would be no need to make any changes to the constitution re authority to take action? Very occasionally there is need to bring an enforcement matter to planning committee to seek authority to take action... I presume that if the recommendation was accepted any future report would go directly to Planning Sub Committee for the necessary authority. I take it that Planning Committee would still have the authority to authorise enforcement action and that we would then report the progress of the case at sub committee. There would be a slight increase of officer time spent preparing the Action Progress Report on a more regular basis.”

14. The Development Control Manager has made the following comments in relation to changing the Sub-Committee's terms of reference:

"The Council's delegation procedures include authority to take appropriate enforcement action in consultation with Local Member(s) and Chairman of Planning Committee. If such a decision were to require a Committee resolution it would be speedier to report to a monthly Planning Committee, rather than a Sub-Committee meeting at 6 weekly intervals. Quarterly monitoring of progress of enforcement action seems appropriate given the lengthy time periods involved, often including appeals. Consequently I have some reservations regarding the benefits from an enforcement point of view of an expansion of the Planning Sub-Committee's remit."

Effect on Corporate Objectives and Service Priorities

15.	Work in partnership to manage growth to benefit everyone in South Cambridgeshire now and in the future
	Not applicable
	Deliver high quality services that represent best value and are accessible to all our community
	Not applicable
	Enhance quality of life and build a sustainable South Cambridgeshire where everyone is proud to live and work
	Not applicable

Recommendations

16. It is recommended that the Planning Sub-Committee be abolished with immediate effect and that all enforcement issues requiring Member decisions be referred to the Planning Committee (Option (c) in paragraph 10 above).

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

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Planning Committee	1 October 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

Stannifer Developments Ltd – Proposed new settlement at Mereham and associated improvements to A10 and the Jane Coston Bridge – Appeals dismissed. Applications for costs against the appellant dismissed.

2. These appeals concerned proposals to build a new settlement comprising up to around 5,000 homes; up to around 8,000m² retail and related uses, up to around 45,000m² employment uses and supporting leisure, community and education uses on land between Haddenham and Stretham. As part of the proposals, an application was made to South Cambridgeshire District Council to widen much of the A10 between the appeal site and the A10/A14 junction and to "improve" the Jane Coston Bridge to allow passage by buses.
3. The appeals were considered at a public inquiry lasting seven weeks during October and November 2007. The inquiry took place at Haddenham. East Cambridgeshire District Council, South Cambridgeshire District Council and the Cambridgeshire County Council gave evidence. Simon Bird of Counsel represented all the three Councils. Several members of the public gave evidence as did Cllrs Hazel Smith and Mike Mason. The Secretary of State recovered the appeals for her own determination. A separate appeal made to Cambridge City Council was dealt with by written representations.
4. The Inspector recommended that all three appeals were dismissed. In particular, so far as the road network is concerned, he concluded:

"... should Mereham proceed, the adverse effect of the traffic from the new settlement would be insignificant on the A14 trunk road, providing it is reconfigured in accordance with the amended proposals and the Milton interchange is improved as proposed by the appellant. The adverse effect in terms of delayed journeys and driver and passenger frustration and inconvenience would be appreciable on the B1049, discernable on the A1123 and above all, so significant on the A10 as in my view to seriously inconvenience a significant number of people and businesses in parts of South and East Cambridgeshire and thus adversely affect the regional economy."
(emphasis added)

5. By letter dated 28 August 2008, the Secretary of State agreed with the Inspector's conclusions.
6. The Secretary of State recognised that the housing numbers in the East of England Plan are minima and that there is a shortfall of housing land in the Cambridge Sub Region. She considered that the proposed level of affordable housing would accord with the development plan, although she was not satisfied that the proposed Section 106 Unilateral Undertaking would necessarily ensure the delivery of the proposed level of affordable housing. The Secretary of State considered that the proposed development has the potential to deliver other benefits including a high quality public transport service, a significant amount of employment and a number of sustainable measures, including a commitment to build in line with the Sustainable Buildings Code and BREEAM Code for non-residential buildings.
7. However, the Secretary of State considered that, overall, the appeal proposals did not accord with the development plan and the proposal had substantial deficiencies in terms of its failure to meet the locational policy set out in the East of England Plan. She further considered that ECDC has a 5-year supply of deliverable housing land. Whilst she recognised that, on the basis of available evidence, there appears to be a minor housing shortfall in the CSR, she did not consider this shortfall significant so as to justify permitting the appeal proposals. The Secretary of State also had concerns about the early deliverability of the site, owing to her reservations with the Section 106 Unilateral Undertaking and concerns regarding the timing of delivery of the necessary supporting infrastructure.
8. Whilst the Secretary of State acknowledged that there would be some transport benefit, including the proposed high quality public transport service, she considered this to be heavily outweighed by the increased traffic congestion on the already partially congested A10, which she considered would not only be unsustainable in the life of existing communities and businesses in the area and the proposed community at Mereham, but also prejudicial to the effective operation of the public transport service that the new settlement is intended to support. Overall, she considered that the transport proposals for this scheme, forming the two main appeals were inadequate.
9. In addition, the Secretary of State considered that the proposed settlement would clearly result in a physical change to the local landscape and, even with the proposed mitigation measures, the visual impact of the proposed development would be significant. She also considered that, with the additional traffic, there was bound to be some adverse environmental impact from the proposed development on other villages in terms of noise, vibration, severance and pollution. Furthermore, with respect to the proposals to widen the A10, the Secretary of State considered that the proposals would, on the evidence provided, harmfully impact on the landscape character of the A10 between Milton and the proposed new settlement.
10. The Secretary of State concluded that there were no material considerations of sufficient weight to indicate that the appeals should be determined other than in accordance with the development plan and that planning permission for the proposed new settlement and improvements to the A10 should therefore be refused. Furthermore, she considers that the appeal concerning the lawfulness of works to the Jane Coston Bridge should be refused and that a lawful development certificate should not be issued.

11. All three Councils were involved in substantial time and costs. In summary they argued the appellant should pay the parties' costs because it must have been obvious to the appellant that he had no chance of success; the proposed development conflicted substantially with the development plan, there were no material planning considerations which suggested a different decision; and the complexities of land ownership meant the development could not be delivered.
12. The inspector disagreed that the appellant had acted unreasonably in pursuing the appeals. The appellant's employment of junior and senior counsel and various professional witnesses did not support this; the government wants affordable housing; the appellant's case did not fly in the face of all national policies; and while the evidence fell somewhat short of a compelling case in terms of deliverability, it was acceptable in terms of the multiplicity of land ownerships. The Secretary of State agreed with these conclusions.
13. Officers have since considered there is no real merit in challenging the non-award of costs even though the appellant's case fell well short in many areas.

Mr H Price – Retention of Gypsy caravan site – Land at Moor Drove, Histon – Appeal allowed

14. The land has been occupied as a six-pitch Gypsy site since December 2003. Appeals against enforcement notices were dismissed in August 2005 with the effect that the occupants were to leave the site by November 2005. The appeals were dismissed on the grounds of harm to the Green Belt, highway safety and the residential amenities to the occupants of Beck Farm. In 2006, the Council declined to consider a further planning application. The occupants subsequently instructed consultants to proposed alternative access arrangements into the site and a further planning application was received in October 2007. This application was refused in November 2007 on the basis the Council did not consider the proposals overcame the previous reasons for refusal.
15. In light of the new Gypsy and Traveller Circular issued in February 2006, the Council carefully considered the appropriateness of a temporary permission. This was ruled out because of the harm to highway safety, residential amenity and concerns that the applicants did not own all of the land to which the application related. An appeal was lodged in December 2007
16. In April 2007, the Council had applied to the High Court for an injunction to evict the site residents. In a judgement dated 5 June 2008, the judge found that it would be disproportionate to grant the injunction as there was a real (i.e in the sense of "actual") prospect that the appeal might succeed.
17. The appeal was heard at a public inquiry lasting four days. The occupant of Beck farm gave evidence and the inspector visited her property during the inquiry.
18. The inspector found that there is harm to the Green Belt by reason of inappropriateness and there is limited additional harm to the character and appearance of the area. The issue of highway safety resulted in the appellant putting forward a number of different options to improve the junction of Moor Drove with Cottenham Road. The respective highways experts disagreed over many of the various technical requirements, but the inspector found that all four of the highway options put forward would be acceptable to maintain highway safety. These allow for a new right-angled junction to be constructed.

19. Ultimately, the inspector disagreed with his previous colleague in the impact on the residents of Beck Farm. He concluded that the noise and disturbance generated from traffic using Moor Drove would not be so great as to be unacceptable. Conditions could be imposed to control commercial use of the site and the stationing or parking of large commercial vehicles. There was nothing to be gained by moving the carriageway a few metres to the south as proposed in some of the highway options as the consequent loss of trees and shrubs would harm the character and appearance of the area.
20. Balanced against this harm, the inspector found there were a number of considerations when taken together carried significant weight. These included the need for Gypsy sites in the area, which will not be addressed on the ground for 3-4 years; the immediate needs of the appellant and other residents for a site; the lack of any identified suitable alternative, affordable sites; access to medical care; the children's education; the need for Mr Smith to live near land where he keeps his horses (as part of his livelihood); and the substantial hardship and costs the residents would face if forced to move with nowhere to go. These were sufficient to amount to very special circumstances which justified approval, subject to conditions.
21. Planning permission was therefore granted subject to conditions. These include occupation personal to the existing occupants; a limit on the number of pitches and caravans; no commercial activities or parking of commercial vehicles on the site; provision of a new access into the site; the provision of traffic signs to identify the junction; agreement for foul and surface water drainage, external lighting, tree hedge and shrub planting and a flood evacuation plan. The appellant has three months to submit the necessary details and once approved these will need to be implemented within an as yet unspecified time.

Comment:

22. This decision is disappointing, insofar as the inspector could have considered whether the grant of a temporary planning permission would have been sufficient to meet the family's needs. A temporary permission would have answered many of the identified very special circumstances as well as giving the Council the opportunity to find a site to which the families could relocate. Counsel has been asked to consider whether there is any merit in a challenge. His response is that there are no reasonable grounds on which the decision could be challenged.

INDEX OF CURRENT ENFORCEMENT CASES
1st October 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. Planning permission S/1653/07/F approved 12 th August 2008. Site visit to be made after 15 th November 2008 to confirm compliance
10/03	Plot 12 Victoria View, Smithy Fen COTTENHAM	9-11	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 allowed, planning conditions to be monitored.
9/04	Land adjacent to Cow Fen Drove SWAVESEY	15-17	Defendant appeared at Cambridge Magistrates Court on 10 th January 2008. Each fined £700 with £200 costs. Refusal of planning permission S/1823/07/F and S/1834/07/F appealed.
13/05	Plots 5, 5a, 6, 10 & 11 Orchard Drive COTTENHAM	17-18	Planning Appeal dismissed. Report to be considered by Planning Sub Committee.
18/05	Land off Schole Road (known as Cadwin Lane) WILLINGHAM	18-19	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. File submitted for an application for an injunction.
5/06	Plot 17 Adjacent to Pine View Smithy Fen COTTENHAM	21-22	Enforcement Notice complied with. Remove from active list.
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. Planning application S/1017/08/F refused at Planning Committee 3 rd September 2008.
5/07	107 Jeavons Lane CAMBOURNE	24	Enforcement notice complied with. Remove from active list.
7/07	The Drift Cambridge Road BARTON	24-25	Appeal dismissed on the 1 st April 2008. Compliance date 1 st October 2008
8/07	Land adjacent to Church Farm STEEPLE MORDEN	25	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	25-26	Enforcement Notice complied with. Remove from active list.
12/07	The Firs 117 Duxford Road WHITTLESFORD	26	Enforcement Notice issued for unauthorised wall. Appeal dismissed. Planning application S/0360/08/F approved 25 th April 2008. Monitoring planning conditions.
15/07	17 Glebe Way HISTON	26	Enforcement Notice complied with. Remove from active list.

Ref No	Location	See Page No for full update	Remarks
16/07	38 Silver Street WILLINGHAM	27	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, approved 19 th March 2008 complies with first part of the Enforcement Notice. Site is being monitored for compliance.
17/07	Lordship Cottage Fardells Lane ELSWORTH	27	Enforcement Notice appealed.
18/07	North Hall Farm Barley Road GREAT CHISHILL	27	Enforcement Notice issued 6 th December 2007 for unauthorised use of farm offices. Enforcement Notice appealed.
1/08	7 Flitmead CAMBOURNE	27-28	Appeal dismissed 16 th June 2008. Enforcement Notice compliance date 16 th July 2008 not complied with. Prosecution file currently being prepared.
2/08	8 Buck Lane LITTLE EVERSDEN	28	Appeal dismissed. Compliance date 29 th October 2008.
3/08	33 Cambridge Road LITTLE ABINGTON	28	Enforcement Notice complied with. Remove from active list.
4/08	33 West End WHITTLESFORD	28	Enforcement Notice complied with. Remove from active list.
5/08	27/28 Newfields Fen Road Chesterton MILTON	29	Enforcement Notice appealed.
6/08	6 Sunningdale Fen Road Chesterton MILTON	29	Enforcement Notice appealed.
7/08	Lower Camps Hall Farm CASTLE CAMPS	29	Enforcement action authorised by Planning Committee. File submitted to Legal for the issue of an Enforcement Notice.

Ref No	Location	See Page No for full update	Remarks
8/08	43 Fowlemere Road Heydon.	29	Enforcement action authorised by Planning Committee on 2 nd July 2008. File submitted to legal for the issue of an Enforcement Notice.