

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

t: 08450 450 500
f: 01954 713149
dx: DX 729500 Cambridge 15
minicom: 01480 376743
www.scambs.gov.uk



27 October 2008

To: Chairman – Councillor Mrs PS Corney
Vice-Chairman – Councillor RJ Turner
All Members of the Planning Committee - Councillors Mrs PM Bear, BR Burling,
TD Bygott, Mrs JM Guest, Mrs SA Hatton, 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, 5 NOVEMBER 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 1 October 2008 as a correct record. These minutes have been published online at www.scambs.gov.uk/meetings	

PLANNING APPLICATIONS AND OTHER DECISION ITEMS

- | | | |
|-----------|---|----------------|
| 4. | Graveley Wind Farm (Land South of Great Parlow Close and West of Graveley, in the Parish of Offord Darcy)
For Consultation. There is a link with the electronic version of this agenda to the plan on Huntingdonshire District Council's website. | 3 - 16 |
| 5. | S/1371/92/O - Cambourne (Cambourne Sports Centre) | 17 - 20 |
| 6. | S/1386/08/F – Fulbourn (7 Hinton Road) | 21 - 26 |
| 7. | S/1714/08/F - Little Shelford (8 Bridge Lane) | 27 - 32 |
| 8. | S/1532/08/F - Little Wilbraham (The Bell House, 9 Rectory Farm Road) | 33 - 40 |
| 9. | S/1394/08/F - Great Shelford (Whitefields/Uplands, Hinton Way) | 41 - 56 |

INFORMATION ITEMS

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 29 October 2008). Should Members have any comments or questions regarding issues raised by the reports, they should contact the appropriate officers prior to the meeting.

- | | | |
|------------|---|----------------|
| 10. | Appeals against Planning Decisions and Enforcement Action
Summaries of Decisions of interest attached.
Contact officers:
Gareth Jones, Corporate Manager (Planning and Sustainable Communities) – Tel: 01954 713155
John Koch, Appeals Manager (Special Projects) – Tel: 01954 713268 | 57 - 58 |
| 11. | Appeal Statistics | |

GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL

While the District Council endeavours to ensure that visitors come to no harm when visiting South Cambridgeshire Hall, those visitors also have a responsibility to make sure that they do not risk their own or others' safety.

Security

Members of the public attending meetings in non-public areas of the Council offices must report to Reception, sign in, and at all times wear the Visitor badges issued. Before leaving the building, such visitors must sign out and return their Visitor badges to Reception.

Emergency and Evacuation

In the event of a fire, a continuous alarm will sound. Evacuate the building using the nearest escape route; from the Council Chamber or Mezzanine viewing gallery this would be via the staircase just outside the door. Go to the assembly point at the far side of the staff car park.

- **Do not** use the lifts to exit the building. If you are unable to negotiate stairs by yourself, the emergency staircase landings are provided with fire refuge areas, which afford protection for a minimum of 1.5 hours. Press the alarm button and wait for assistance from the Council fire wardens or the fire brigade.
- **Do not** re-enter the building until the officer in charge or the fire brigade confirms that it is safe to do so.

First Aid

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

Access for People with Disabilities

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. All meeting rooms are accessible to wheelchair users. There are disabled toilet facilities on each floor of the building. Hearing loops and earphones are available from reception and can be used in all meeting rooms.

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.

Smoking

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.

Food and Drink

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.

Mobile Phones

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

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'.

This page is left blank intentionally.

South Cambridgeshire District Council

Planning Committee – 5 November 2008 – Declaration of Interests

Councillor

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villiage:

Reason:

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villiage:

Reason:

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villiage:

Reason:

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villiage:

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 Committee5th November 2008**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

GRAVELEY**Erection of Wind Farm comprising Eight Wind Turbines, Substation, Anemometry Mast, Access Track and Ancillary Infrastructure, Land South of Great Parlow Close and West of Graveley, in the Parish of Offord Darcy****Recommendation: Object to the Application****Notes:**

This Application has been reported to the Planning Committee in order for the Committee to decide its comments, which will be reported to Huntingdonshire District Council, who will determine the application.

Site and Proposal

1. The 179 hectare site is a former World War II airfield entirely within Huntingdonshire District Council, but adjacent to South Cambridgeshire District Council's boundary at Graveley, which is the closest village to the site (approximately 1km to the east).
2. The site is within Cotton Farm, which comprises a farmhouse, modern barn and outbuilding. It is an open and generally flat site at an elevation of 53 to 55m AOD, although a stream in a shallow valley flows out of the site to the south west. The land is cultivated with arable crops. Across the site is a number of former Airfield tracks. There is an almost total absence of hedgerows and few trees, although Toseland Wood, a scheduled ancient monument, lies to the south of the site, the boundary of which is defined by a public footpath.
3. Land drops from the site into Graveley village with the High Street continuing to fall eastwards.
4. The application, dated 23rd July 2008, comprises:
 - (a) Installation of eight wind turbines (each with a maximum height to blade tip of 127m), aligned north west to south east in two rows of four turbines;
 - (b) Construction of approximately 1.1km of new onsite access tracks and the upgrading of 4.6km of existing access track;
 - (c) Construction of ancillary development comprising an onsite substation near a building on Cotton Farm in the north of the site, crane hard-standing areas, one external transformer adjacent to each turbine where required, connecting cabling and one permanent wind monitoring mast on the south west site boundary;

- (d) Creation of a temporary construction compound close to site entrance and one temporary wind monitoring mast which will be in place during the construction period only; and
 - (e) The use of two site entrances during the period of construction; one from the existing farm entrance off Offord Road at Cotton Farm, and the second from Toseland Road on the south east site boundary, which will be used for the delivery of all turbine components.
5. The proposed wind farm will be connected to the local distribution network via an underground cable running from the onsite substation into one of the two existing 33kv lines which run approximately 1.5km north west and 1km north of the substation.
 6. Construction is likely to be completed over twelve months. The wind farm has been designed with an operational life of 25 years, at the end of which the turbines will be dismantled and removed from the site.
 7. The application is accompanied by an Environmental Statement, Planning Statement and Design and Access Statement.

Planning Policy

National Guidance:

8. Planning Policy Statement (**PPS**) 1, 'Delivering Sustainable Development', (2005) aims to facilitate and promote sustainable and inclusive patterns of urban and rural development. It confirms that the Government is committed to protecting and enhancing the quality of the natural and historic environment, in both urban and rural areas.
9. A supplement to PPS1 titled "**Planning and Climate Change**" was published in December 2007. The Statement confirms that tackling climate change is a key Government priority for the planning system and the ambition and policies in the PPS should be fully reflected by Regional Spatial Strategies. This includes setting targets for renewable energy generation and ensuring any local approach (in Local Development Documents) to protecting the landscape and townscape is in line with PPS 22 and does not preclude the supply of any type of renewable energy other than in the most exceptional circumstances.
10. **PPS 7**, 'Sustainable Development in Rural Areas', (2004) aims to promote more sustainable patterns of development by protecting the countryside for the sake of its intrinsic character and beauty, the diversity of its landscape, heritage and wildlife, the wealth of its natural resources and so it may be enjoyed by all (para. 1(iv)). It advises that, in determining planning applications, authorities should provide for the sensitive exploitation of renewable energy sources in accordance with the policies set out in **PPS 22**.
11. **PPS 9**, 'Biodiversity and Geological Conservation', (2005) sets out Government's objectives for 'biodiversity and geological conservation'. Planning decisions should aim to maintain and enhance, restore or add to biodiversity and geological conservation interests. Development proposals should be permitted where the principal objective is to conserve or enhance biodiversity and geological interests. If significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused.

12. **PPG 15**, 'Planning and the Historic Environment', (1994) provides guidance in respect of development which will affect the historic and built environment. The historic environment includes not just buildings, but encompasses the wider landscape. It indicates that development may affect the setting of a Listed Building some way away.
13. **PPG 16**, 'Archaeology', advises that the duty to protect archaeological sites and monuments extends to their setting. Para 27 advises that there is 'a presumption against proposals which would involve significant alteration or cause damage, or which would have a significant impact on the setting of visible remains'.
14. **PPS 22**, 'Renewable Energy' (August 2004) replaced PPG 22. It aims to increase the development of renewable energy resources. Amongst key principles are:
 - (a) Renewable energy developments should be capable of being accommodated throughout England in locations where the technology is viable and environmental, economic, and social impacts can be addressed satisfactorily.
 - (b) The wider environmental and economic benefits of all proposals for renewable energy projects, whatever their scale, are material considerations that should be given significant weight in determining whether proposals should be granted planning permission.
 - (c) Small-scale projects can provide a limited but valuable contribution to overall outputs of renewable energy and to meeting energy needs both locally and nationally. Planning authorities should not therefore reject planning applications simply because the level of output is small.
 - (d) Development proposals should demonstrate any environmental, economic and social benefits as well as how any environmental and social impacts have been minimised through careful consideration of location, scale, design and other measures.

The **PPS** sets out the government's objectives and the need to generate a minimum of 10% of UK electricity from renewable sources by 2010 (with onshore and offshore wind being the largest contributors) and up to 20% by 2020 (with onshore and offshore wind biomass being the largest contributors). The fact that a target has been met is not a reason to refuse planning permission for further projects.

When considering landscape and visual effects paragraph 19 notes these are likely to vary on a case by case basis according to the type of development, its location and landscape setting. Some of these effects may be minimised by appropriate siting, design and landscape schemes. Paragraph 20 goes on to state that the impact of turbines on the landscape will vary according to the size and number of turbines and the type of landscape involved.

15. **'Planning for Renewable Energy: A Companion Guide to PPS 22' (2004)** identifies the key issues in determining planning applications. It is designed to encourage appropriate development and offers practical advice as to how policies can be implemented on the ground. At para 5.10 authorities are advised to come to an objective view on:
 - (a) The extent to which the project is in conformity with the development plan;

- (b) The extent to which the reasons for any area based designations may be compromised;
 - (c) The extent of any positive or negative impacts, and the means by which they may be mitigated, if negative; and,
 - (d) The contribution towards meeting the regional target, but recognising that a small contribution cannot be in itself a reason for refusal of permission.
16. The Companion Guide includes a very detailed technical annex upon wind. It covers issues such as noise, low frequency noise, landscape and visual impact, driver distraction and shadow flicker. It states at Para 5.4, that landscape and visual effects will only be one consideration to be balanced alongside the wider environmental, economic and social benefits.
17. **PPG 24** 'Planning and Noise', (1994) states that noise can be a material consideration in the determination of planning applications. Development should not cause an unacceptable degree of disturbance.
18. Para 15 of **Circular 1/2003**, 'Safeguarding aerodromes etc', advises that wind turbines can create certain problems for aviation. This includes signals radiated from and received by aeronautical systems.

Regional Policy:

19. The **East of England Plan** was published in May 2008.

Policy ENG2 'Renewable energy targets', states:

'The development of new facilities for renewable power generation should be supported, with the aim that by 2010, 10% of the region's energy and by 2020, 17% of the region's energy should come from renewable sources. These targets exclude energy from offshore wind, and are subject to meeting European and international obligations to protect wildlife, including migratory birds, and to revision and development through the review of this RSS.'

Adopted Local Development Framework (LDF) 2007:

20. This does not comprise the adopted Development Plan, so far as determination of this application by Huntingdonshire District Council is concerned. However, I quote **Policy NE/2** to remind the Committee of this Council's position in regard to renewable energy projects.

Policy NE/2

"The District Council will grant planning permission for proposals to generate energy from renewable sources, subject to proposals according with the development principles set out in DP/1-DP/3 and complying with the following criteria:

- (a) The proposal can be connected efficiently to existing national grid infrastructure unless it can be demonstrated that energy generation would be used on-site to meet the needs of a specific end user;
- (b) The proposal makes provision for the removal of the facilities and reinstatement of the site, should the facilities cease to be operational.

The supporting text states that individual or small groups of wind turbines may also be appropriate.

Consultation

21. **Huntingdonshire District Council (HDC)** has carried out the statutory consultation process. This Council is a consultee.
22. Internal consultations have been carried out and the following responses received. These will be sent to HDC with this Council's response.
23. **Ecology Officer** has no objections. He is satisfied that the surveys recommended by the statutory authorities (the Environment Agency and Natural England plus the Royal Society for the Protection of Birds) have been completed. Due consideration appears to have been given to the flight paths of bats and the turbines are being located with best practice in mind. Conditions are required to ensure the protection of barn owls and great crested newts. A clear scheme of habitat enhancement and creation, as well as future monitoring, should be secured by condition.
24. **Corporate Manager (Health and Environmental Services)** has carried out a very detailed assessment of the Environmental Statement in regard to noise (construction and operational), vibration, dust impact and shadow flicker.

Full and detailed noise impact assessment has been undertaken in accordance with "The Assessment and Rating of Noise from Wind Farms, ETSU-R-97" published by ETSU for the Department of Trade and Industry, which is national planning policy guidance and normal industry practice.

He concludes:

"that based on the analysis, and in accordance with the significance criteria derived in accordance with ETSU-R-97, the noise impact of the operational wind farm is classified as being acceptable.

ETSU-R-97 recommends that wind farm noise limits should be set at 5 dB(A) above existing background noise levels subject to a fixed minimum limit, and that these limits should reflect the variation in both turbine source noise and background noise with windspeed. The windspeeds that should be considered range between the cut-in speed for the turbine, (usually around 4ms⁻¹) and 12ms⁻¹, with windspeeds being referenced to a 10 metre measurement height.

ETSU-R-97 recommends that wind farm noise fixed minimum limits for quiet daytime periods should be 5 dB(A) above the prevailing background or a fixed minimum level within the range LA90, 10 min 35-40 dB(A), whichever is the higher. For night time periods the recommended limits are 5 dB(A) above prevailing background or a fixed minimum level of LA90, 10 min 43 dB(A), whichever is higher. The night-time minimum fixed level is derived from the sleep disturbance criteria referred to in Planning Policy Guidance Note PPG 24 which is based on World Health Organisation recommendations. Both daytime and night-time fixed minimum levels can be increased to 45 dB(A) or consideration can be given to increasing the allowable margin above background noise where the occupier of the property has a financial interest in the wind farm development.

The majority of noise predictions as detailed in Table 11.8 are below these fixed limits detailed in ETSU-R-97. To control noise emissions and ensure that predict levels are

achieved a condition could be considered requiring limits not to exceed those detailed in Table 11.8. However it could be argued that such limits at locations detailed are unreasonable and not in accordance with national guidance.

In this case it is recommended that noise conditions be attached to control noise emission to be consistent with the limits detailed in ETSU-R-97. Planning conditions relating to wind farm operational noise should always make reference to ETSU-R-97 as it provides the definitive guidance on appropriate techniques to rate and assess wind farm noise”.

On balance he has no objections in principle to the application but recommends that a number of noise conditions should be imposed to protect human health and safeguard the amenity of residential premises. These conditions aim to control site preparation, construction phases, construction noise, vibration, dust impact, site lighting, the preparation of a Construction Environmental Management Plan and operational noise.

He has assessed the impact of shadow flicker. He comments:

“Under certain combinations of geographical position, time of day and year, the sun may pass behind the rotor of a wind turbine and cast a shadow. When blades rotate and the shadow passes a narrow window then a person within that room may perceive that the shadow appears to flick on and off; this effect is known as shadow flicker. It can have health and amenity effects.

It is concluded theoretically that 16 receptor properties within the study area could be exposed to shadow flicker although for very short periods, the worst potentially affected on no more than 24 days in a year and for no more than 12.7 hours in total over the year.

One drawback of the assessment is that no survey of the receptor properties has been undertaken to assess window widths and habitable rooms, as these are required to have an actual impact. Further information could be requested under EIA regulations.

The operating frequency at which photosensitive epilepsy may be triggered varies from person to person but generally it is between 2.5 and 30 flashes per second (hertz).

It is stated that all modern commercial scale turbines, including those for Cotton Farm will operate at frequencies outside the range to cause epilepsy. This may be true but as there is an assumption in the type of turbine that will actually be installed, it is recommended that this is conditioned to eliminate the possibility of health effects arising. Further information of the blade operating frequency could have been provided to demonstrate calculation e.g. blade passing frequency.

Mitigation measures are mentioned in the form of technology to inhibit turbines operation at specific times and dates when shadow flicker is likely to occur, but no detail is provided.

The chapter does not detail magnitude/significance of impact but it can be probably considered as negligible.

However, this environmental effect has been adequately assessed in accordance with EIA regulations and mitigation measures can be precise and reliable.

The following conditions are recommended:

1. To prevent the health effects of shadow flicker, any wind turbine shall only have an operational blade frequency outside the range of 2.5 and 30 flashes per second (hertz): the general frequency at which photosensitive epilepsy may be triggered.
 2. Prior to the operation of any wind turbine a shadow flicker mitigation scheme/protocol for shadow flicker which may be experienced within habitable rooms within any dwelling, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the operation of the turbines shall be in accordance with the approved shadow flicker mitigation scheme/protocol unless the Local Planning Authority gives its prior written consent to any variation'.
25. **Landscape and Design Officer** has not commented. Any comments made will be forwarded to HDC.
26. **Strategic Sustainability Officer** is aware of the proposal but does not consider that it is appropriate to comment.
27. **Graveley Parish Council** has submitted a copy of its very comprehensive comments to this Council.

It recommends to HDC that the application be refused. The summary grounds of objection are as follows:

- (a) 'In sum, we are in no doubt that eight wind turbines up to 127 metres high on the proposed site would dominate and have a major and negative visual impact on the rural and tranquil landscape of the area in and around Graveley. Whilst there would be significant working and health and safety problems for the commercial firms at the edge of the village, the wind farm as a whole would be far too close to village homes. Within the village there would be shadow flicker problems for some and overall there would be an overbearing visual impact which would blight our properties and our lives.
- (b) We recognise that the calculation of noise effects is a complex area and find the information in the NPower Environmental Statement difficult to follow. However, the practical on-the-ground assessments which have been reported to us do not begin to support the theoretical assertions by NPower. We are persuaded that, with the turbines so very close to village properties, many homes would suffer noise and 'whooshing' at levels which would seriously degrade the quality of life for many and be wholly unacceptable. We trust that an expert in the noise field will be looking at the consultants' assumptions, figures and conclusions.
- (c) In all, we consider that the road safety implications for drivers, horse riders, pedestrians and school children are not insignificant and add to the many disadvantages which the NPower proposal would bring to the village and area.
- (d) The potential for radio and television interference would be exacerbated by the siting of the proposed wind farm so close to the village. Delay of a year or more in putting matters right would manifestly be unacceptable and, since NPower have chosen to seek a site on our very doorstep, we believe that they

should be invited now to say just how they would forestall a problem which could be readily anticipated.

- (e) We do not believe that 500m can possibly be a safe separation distance for the much larger turbines which NPower propose and we consider this aspect, together with the other potential effects on workers at the repair shops, to be matters that the Health and Safety Executive would need to examine closely'.

The Parish Council has submitted a village petition from 136 objectors, all of whom live in Graveley.

The petition states:

'Graveley Parish Council is strongly opposed to the Planning Application. Our objections are based on (but not limited to) the proximity of these huge turbines so close to our village, the affect on our local and surrounding landscape and the noise implications'.

Also attached to the Parish Council representations are 70 letters of objections. All but 9 are from residents of Graveley.

Representations

- 28. Cotton Farm Action Group (CFAG) objects. It has submitted to this Council a copy of its detailed representations. CFAG consists of villagers from The Offords, Great Paxton, Toseland, Yelling and Graveley. A CFAG door to door poll in Graveley shows 88% against, 3% for, 3% undecided and 6% undecided. In summary its objections are:
 - (a) The proposed development would be too close to many villages, would have a major negative impact on their settings and identities and on the visual relationship between the villages within the landscape. It would be the dominant feature in the landscape between the designated growth towns of Huntingdon and St Neots, would be visible from most parts of the Ouse Valley and would be at the head of the eastern tributaries to the River Ouse.
 - (b) The proposed wind farm would contravene much of the policy and guidance for the protection of listed buildings and Ancient Monuments and would have a significantly detrimental effect on several buildings and on Toseland Hall in particular.
 - (c) The proposed wind farm would have a severe impact on leisure and on the enjoyment of the countryside. There would be a loss of tranquillity in the immediate area, there could be a loss of tourism revenue and, in all, CFAG believes that the domination of the rights of way network in the area around the wind farm and the loss of visual and recreational amenity which would stem from that would be unacceptable.
 - (d) The road safety implications have not had the attention they deserve. There would be significant congestion problems during any construction phase and that, were the wind farm to be built, it would be a major distraction to drivers, as well as to horse riders, and that could lead to an increased risk of accidents.

- (e) The proposal has significant social and economic implications for the neighbouring villages and that a wind farm would have a marked detrimental effect on the local economy.
- (f) The noise assessments made and the limits used by the applicants are wholly inappropriate for this tranquil area. CFAG believes that, at best, only lip service has been paid to the policies and guidance concerning residential amenity and, as typified by the examples of College Farm and Great Paxton School, concerning the effects of industrial development. CFAG believes that the wind farm would create excessive industrial noise too close to the neighbouring rural villages, that the proposed site does not comply with planning guidelines for renewable energy development, and that the application conflicts with policies for development in rural areas in general and for the local villages in particular. No mention has been made as to whether any safety buffer has been considered for the closer properties and consider that, with the lives of those living in several hundred homes being blighted, the net effect on residents would be wholly unacceptable.
- (g) In summary, CFAG considers that the cumulative effects of the severe loss of residential amenity for so many people, the visual intrusion, the noise, the effects of shadow flicker, the impact on the local landscape and the implications for the local cultural heritage are incalculable. All this, together with the effects on the enjoyment of the countryside, coupled with the potential road and other safety problems and the social and economic implications of this development, far outweigh any potential benefits the scheme might offer.

The above objections are supported by a review carried out by CFAG of the Planning Statement and Environmental Statement, together with photomontages prepared by CFAG from a number of viewpoints.

29. This Council has also been copied in on 55 letters or emails of objection sent to HDC. 41 of these letters come from 23 properties in Graveley. I summarise below the principal grounds of objection:

- (a) Dominating visual impact on High Street and Toseland Road by reason of height, elevation and scale.
- (b) Harm to setting of Listed Buildings, particularly Graveley Church from the east.
- (c) Noise intrusion in a quiet environment and to properties downwind, especially at night.
- (d) Loss of wildlife, particularly owls, bats and many species of wild birds.
- (e) Too close to Graveley, with the nearest houses just over 600m from the turbines and the majority within 1,300m of the closest proposed turbine. These houses (seven referred to in one letter) will be overshadowed, dominated, suffer loss of outlook and suffer from shadow flicker.
- (f) Hazard to road safety by being a distraction and as a result of flickering in the setting sun.
- (g) There are no trees in the vicinity to mitigate visual impact.

- (h) Construction traffic will create problems on narrow country roads, disrupting way of life and impairing access to villages. Lighting and alarms during construction will cause further disruption.
- (i) Industrialisation of open countryside and out of proportion to the landscape.
- (j) Possible effect on TV reception.
- (k) Broken blades and ice blocks separating from blades in cold weather conditions, as well as rotor blades shearing off, would be hazardous.
- (l) Applicant's photomontages are grossly unrepresentative.
- (m) Aircraft will be in danger.
- (n) Impervious surfaces could present a problem with flooding and/or the water table.
- (o) Wind is unreliable and onshore wind energy is two and a half times more expensive than gas or nuclear energy. Wind farms are very inefficient.
- (p) Beating noise and flicker effect would startle horses and upset livestock.
- (q) Threat to health and safety of workers at Fleet Commercial Services Ltd, Toseland Road.

Planning Comments – Key Issues

30. The main issues for this Council to consider in responding to HDC are: renewable energy targets; landscape and visual impacts upon the built environment and residential amenity.

Renewable Energy Targets

31. The latest Renewable Energy Statistics published in June 2008 by Renewables East suggests that the East of England remains on course towards its 2010 overall renewable energy target in MW of installed capacity. This relies on the expectation that two off-shore developments will be generating by the end of 2010.
32. Compared with regional targets incorporated in Policy ENG2 of the East of England Plan 2008, Renewables East estimates that currently 8.7% of the region's electricity consumption is being generated from on-shore renewables. Notwithstanding these statements, Renewables East is disappointed with on-shore wind generation, with the majority of schemes failing to survive the planning system in 2008.
33. However, Committee is reminded that the fact that a target might be met is not a reason to refuse planning permission for further projects.

Landscape and Visual Impact

34. In February 2006 HDC adopted a Supplementary Planning Document (SPD) titled 'Wind Power'. It provides information on the relative sensitivity and capacity of that district's landscapes in relation to wind turbines, indicates criteria that need to be taken into account when considering specific proposals of the type; and provides guidance on potential mitigation measures where appropriate.

35. The application site falls within the South East Claylands. Here the SPD indicates that the landscape has a high capacity to accommodate a small-scale group of turbines (2-12 turbines). 'Providing it was appropriately sited, such a development would not have an adverse impact on key landscape values'.
36. The SPD requires the following guidance to be taken into account:
- (a) 'Avoid the more undulating, intact and enclosed landscape to the south (around Waresley)'. The proposal complies.
 - (b) 'Avoid those areas where there is already a large number of vertical elements (e.g. pylons and communication structures) to ensure that the development does not result in visual confusion and clutter'. There are no vertical elements on the application site and therefore the proposal complies.
 - (c) 'Relate to existing building clusters in the landscape, for example the occasional large farm buildings'. There is only one large farm building on the site, so this criteria is not a determining factor.
 - (d) 'Respond to the geometric field pattern with turbines sited in a simple linear arrangement with consistent and repetitive spacing between individual turbines'. There is no pattern of field division on the site but the turbines are sited in two lines with regular spacing between each. So the proposal complies.
 - (e) 'Relate to the landform with turbines located along contour lines as opposed to across them'. This is a generally level site so the proposal complies, although turbines 3, 5 and 7 cross a shallow valley.
 - (f) 'Respect the sites and settings of key valued landscape features, notably remnant historic features'. There are no such features in South Cambridgeshire likely to be seriously harmed.
 - (g) 'Respect the scale and setting of the small, intact villages and views to church towers and spires'.

The proposal does not satisfy this criteria. Turbines 2, 4, 6 and 8 would all be sited at an elevation of between 50m and 54m AOD, above the level of land within Graveley village. Turbine 8 would be approximately 1.1km from the Grade 2* Listed St Botolph Parish Church (at 40m AOD elevation) and approximately 830m from the western edge of the Graveley village framework at the junction of High Street, Toseland Road and Offord Road. CFAG has illustrated by two photomontages that the height, elevation and proximity of the turbines (particularly T8) would be out of scale with and dominate both the Church Tower and the High Street in the centre of the village when seen from viewpoints to the east.
 - (h) 'Consider the visual relationship with the Ouse Valley and the 'hidden' tributary valleys that cross the landscape'. This factor has no bearing on South Cambridgeshire.
 - (i) 'Avoid introducing solid built structures (transmission stations etc) into rural areas, which are generally characterised by the absence of buildings. Additional structures would be better accommodated in relation to existing

farm/utility buildings'. The proposed substation would be sensitively sited alongside an existing building. The proposal complies.

- (j) 'Seek opportunities to achieve wider landscape management objectives identified in the Huntingdonshire Landscape and Townscape Assessment in association with any proposed development'. This has no bearing on South Cambridgeshire.

Residential amenity

37. There are several residential properties on Toseland Road some 600m to 700m distant from the nearest Turbine 8. The Corporate Manager (Health and Environmental Services) has carefully considered the impact of the development upon these properties. He does not object but has recommended that, should HDC approve the application, a number of conditions be imposed to protect these properties.
38. In relation to shadow flicker, PPS22 CG indicates that this can occur inside buildings where the flicker appears through a narrow window opening. It goes on to say that flicker occurs only within ten rotor diameters of a turbine. For Cotton Wind Farm this corresponds to a distance of 900m from each turbine.
39. The applicants (NRL) recognise that:

In the event that any local residents within 10 rotor diameters of the wind farm find impacts of shadow flicker to be of annoyance once the turbines are operational, NRL will work with them in order to establish the most effective mitigation. Possible solutions can include providing blinds for the windows of rooms affected, or providing planting or landscaping in gardens at the properties concerned. It can be possible to switch off wind turbines during periods where shadow flicker can occur, taking into account the weather conditions present'.

Conditions are recommended by the Corporate Manager (Health and Environmental Services) to mitigate any impact.

40. CFAG provides evidence that the height and proximity of turbines to residential properties on Toseland Road will represent an overwhelming and dominating intrusion into their outlook. I agree with that opinion, particularly in regard to properties located south of Hillcrest Farm. Here there is very little effective tree screening on the western edge of the village.

Conclusion

41. Whilst an open and flat landscape may be able to assimilate the scale of wind farm proposed, the difficulty in this case is that the proposal is simply too close to Graveley village. These large structures sited in an elevated position relative to the village would completely dominate and overwhelm the outlook westwards from the village, the setting of St Botolph Church seen from the east and the outlook from residential properties on Toseland Road.
42. It is not considered that this objection can be mitigated without a complete re-assessment of a revised and smaller scheme.

Recommendation

43. It is recommended that Huntingdonshire District Council be advised that South Cambridgeshire District Council objects for the reasons stated in '*Conclusion*' above.

Contact Officer: David Rush – Development Control Manager
Telephone: (01954) 713153

This page is left blank intentionally.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee5th November 2008**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

**S/1371/92/O - CAMBOURNE
Cambourne Sports Centre:
Proposed Variation To Section 106 Agreement**

Recommendation: Approval

Date for Determination: N/A

Notes:

This Application has been reported to the Planning Committee for determination because there are no delegated powers to amend the Section 106 Agreement.

Background

1. Members may recall agreeing at the Committee meeting in November 2007 that the trigger point for the provision of the Cambourne sports centre be amended to 31st March 2009. This was because the original sports centre provider, Xpect leisure, had dropped out, and the developers had found another operator Leisure Connection to take on the task. Leisure Connection, in partnership with Relkin Construction, designs and build new sports centres as well as running several existing sports centres under contract for local authorities. Planning permission for the new design of the sports centre, to include a swimming pool, and available on a fully pay and play basis, was granted in September 2007, and was subsequently the subject of the S106 "Deed of Variation" agreed in November 2007. The Deed of variation has not been signed due to a number of minor points (now resolved) and due to concern about the trigger date for provision.
2. Originally, the trigger point for the provision of the sports centre was the occupation of 2,000 dwellings, and this has subsequently been changed through approvals of this Committee (and its predecessor committee) to 31st December 2007, and currently to 31st March 2009. The sports centre will take 12 months to complete.
3. The concern about the trigger for provision of the sports centre has been raised by the banks involved in its financing. After much discussion between the parties involved, the issue boils down to the banks being unwilling to allow work to start on something that cannot be finished on time, thereby leaving them at risk of action by this Council. The most appropriate way to resolve this is to change the trigger point again, which is the only way the Council can agree that no action would be taken at the 31st March 2009 date. The Project Director for the consortium has therefore written formally to request 31st December 2009 as the new date, and his letter is reproduced as an appendix to this report.
4. The letter explains the concern and also reassures that work is ready to start, having already begun in terms of site clearance and set up. If the Committee approves the

change in the trigger date there will be a 3 week lead in time to mobilise the workforce, materials supply, etc.

Planning History

5. **S/1371/92/O** – outline permission for new settlement, with S106 Agreement including specification for sports centre with 2000 occupations trigger point.
6. **S/6290/05/RM** – sports centre to comply with original S106 Agreement submitted by Cambourne Consortium in 2005, developers unwilling to make amendments until a company to build and run the centre was found. Significant interest from Xpect leisure in 2006, and negotiation towards S106 changes (which would have led to new application), but fell through in early 2007. (This 2005 application remains the Cambourne Consortium's back-up until the new centre begins construction, whereupon this will be withdrawn).
7. **S/6427/07/RM** – sports centre to design by Relkin and Leisure Connection approved September 2007. S.106 deed of variation outstanding.

Planning Policy

8. **South Cambridgeshire Local Plan 2004** saved policies
Cambourne 2 – Development in accordance with Cambourne Design Guide
SE7 – Development in accordance with Cambourne Masterplan and Design Guide.
9. **Local Development Framework Core Strategy 2007**
STa-k Objectives – arising from the Strategic Vision for South Cambridgeshire.
ST/4 Rural Centres including Cambourne – Development and redevelopment without any limit on individual scheme size will be permitted within the village frameworks of Rural Centres, as defined in the Proposals Map, provided that adequate services, facilities and infrastructure are available or can be made available as a result of the development.
10. **Local Development Framework Development Control Policies 2007**
DP/1 requires development to demonstrate that it is consistent with the principles of sustainable development.
DP/2 requires the design of new development to be of high quality, with criteria listed, and content for design and access statements.
DP/3 sets development criteria, a checklist to ensure all requirements are met.
DP/6 sets criteria for the sustainable construction methods to protect resources and amenities.
HG/1 sets criteria for housing density
HG/2 sets targets for housing mix
NE/1 requires development to demonstrate measures to increase energy efficiency and reduce carbon emissions
NE/3 requires renewable energy technologies in new development of more than 10 dwellings to provide for at least 10% of predicted energy requirements.
NE/6 requires positive biodiversity gain
NE/12 requires development to incorporate water conservation measures, including a Water Conservation Strategy for 10 or more dwellings
NE/14 sets standards for lighting proposals
TR/1 encourages planning for more sustainable travel through accessibility, alternative modes, and parking levels. This is supported by TR/2 which sets parking standards, TR/3 which requires mitigation of travel impacts, and TR/4 which encourages use of non-motorised modes.

Consultation

11. **Cambourne Parish Council** – to be reported verbally.

Planning Comments – Key Issues

12. The sports centre has been part of the makeup of Cambourne since it was first approved, being noted in the S106 Agreement and the Masterplan. Its construction is therefore acceptable in principle and complies with policy. The Deed of Variation has been negotiated to change the overall specification in order to ensure a viable centre is built, since the original sports centre proved to be unworkable in today's sporting climate. As amended, Leisure Connection will be able to build and run the centre on a fully pay and play basis including a pool. It is now a matter of timing, and it is simply unfortunate that the financial climate has caused this delay in commencement.
13. The proposed new trigger point is realistic, since the sports centre is a year's build, and reflects the likely timescale. It is therefore considered that this should be applied to the S106 Deed of Variation.
14. If the new trigger point is not agreed then there will be insufficient finance for the sports centre. Leisure Connection would be unable to continue with the project and the Cambourne Consortium of developers would have to revert to their current application, which is a basic centre with no operator in place to run it. It would certainly not be built any more quickly than the leisure Connection one.

Recommendation

15. **APPROVE** the change to the trigger point for provision of the Cambourne Sports Centre to 31st December 2009.

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- South Cambridgeshire Local Plan 2004 (saved policies)
- Planning files S/1371/92/O, S/6290/05/RM, S/6427/07/RM
- Reports to Committee on 5th April 2006, 2nd August 2006, 7th November 2007
- Letter from D Chare, Cambourne Consortium Project Director, 16th October 2008

Contact Officer: Kate Wood – Principal Planning Officer (Major Developments)
Telephone: (01954) 713264

This page is left blank intentionally.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 5th November 2008
AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S1386/08/F - FULBOURN
Conversion of Garage and Link Extension at 7 Hinton Road for Mr J Koch

Recommendation: Approval

The Planning Committee deferred this Application on 1st October in order to carry out a site visit.

Members will visit this site on 5th November 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 is contrary to the comments of the Parish Council.

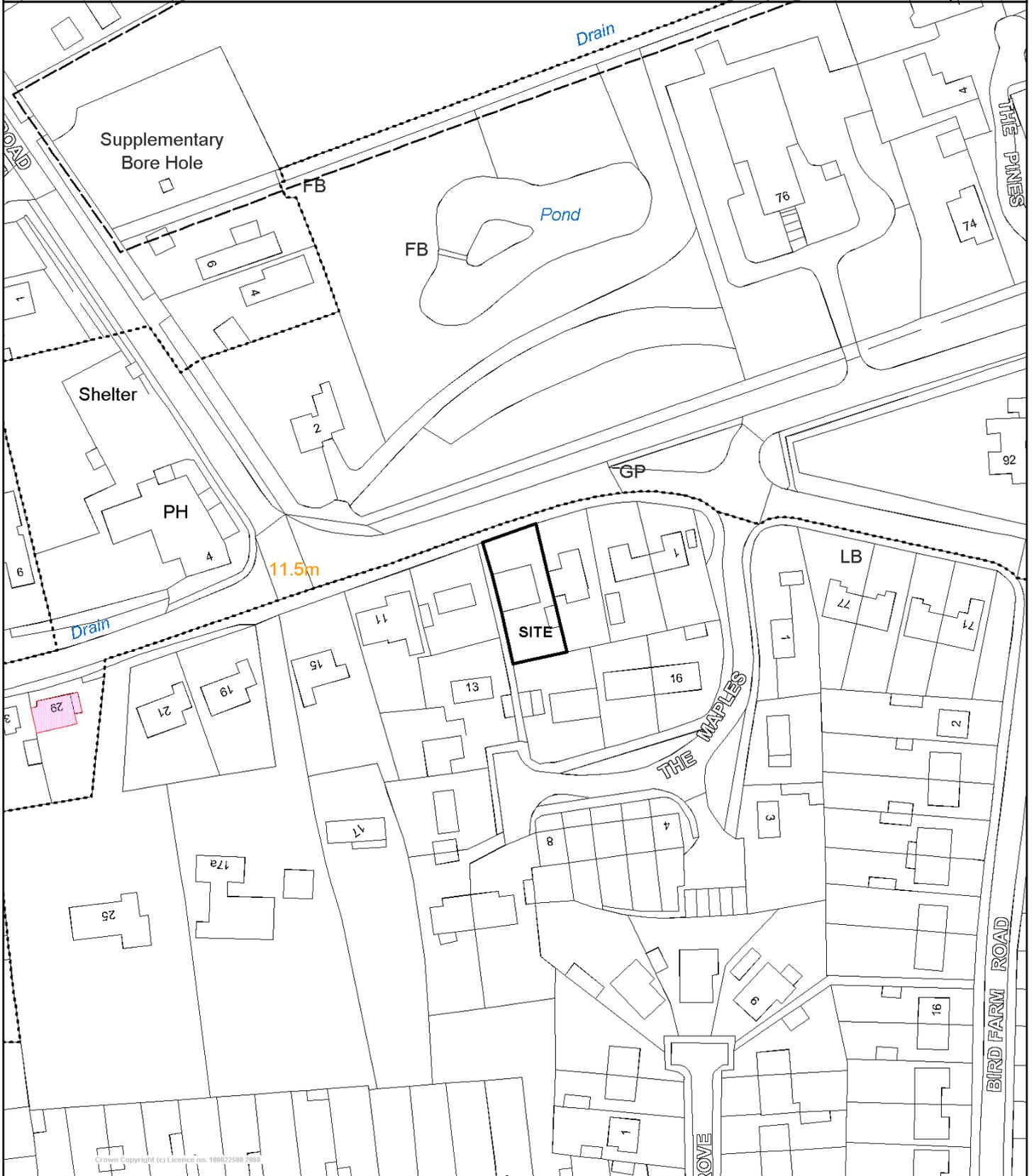
Site and Proposal

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.

Update–Amendment Submitted 6th October 2008.

4. The applicant has submitted an amendment, to prevent any unnecessary boundary disputes, by ensuring the guttering and foundations of his neighbour's garage at No 5 Hinton Road, are not compromised. It is also the view of the applicant that this amendment would result in the properties, No 5 and No 7, not being linked as a result of this application.

S/1386/08/F - Fulbourn



Crown Copyright (c) License no. 100022500 2008



Reproduced from the 2008 Ordnance Survey mapping with the permission of the controller of Her Majesty's stationary office (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Scale 1/1250 Date 21/10/2008

Centre = 551206 E 256392 N

November Planning Committee

5. The amendment proposes to move the eastern wall of the proposed link extension 300mm to the west, away from the neighbour at No 5 Hinton Road.
6. As a result of this amendment the single window on the front elevation of the link extension would be moved 150mm west, away from the neighbour at No 5 Hinton Road. The rear of the proposed extension, which is currently a garage would remain in its present position.

Planning History

7. **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

8. South Cambridgeshire Local Development Framework (LDF) Development Control Policies Document 2007:
9. **Policy DP/2 “Design of New Development”** requires all new development to be of a high quality design and indicates the specific elements to be achieved where appropriate.
10. **Policy DP/3 “Development Criteria”** sets out what all new development should provide, as appropriate to its nature, scale and economic viability and clearly sets out circumstances where development will not be granted on grounds of an unacceptable adverse impact e.g. residential amenity and traffic generation.
11. **Policy 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

12. **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.”
13. **Local Highway Authority** - No significant effect upon the public highway should result from this proposal.
14. The period for comments to be made on the amended plans expires 23rd October 2008.

Representations

15. 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.

16 Councillor Scarr has supported the comments of the Parish Council.

Planning Comments – Key Issues

17. 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.
18. 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.
19. 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.
20. 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.
21. The plans show that the garage would be converted to a 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.
22. 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.
23. 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. However, the amended plans demonstrate that a 300mm gap will be provided between the link extension and the neighbour's garage west wall. 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

24. Approval (as amended by letter dated 6th October 2008 and plans JK.08.2 Rev A and JK.08.4 Rev A)

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

This page is left blank intentionally.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 5th November 2008
AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/1714/08/F – LITTLE SHELFORD
Erection of an Extension and Garage/Store following Demolition of Existing Garage/Outbuildings at 8 Bridge Lane, for Mr A Green

Recommendation: Delegated Approval

Date for Determination: 6th November 2008

Notes:

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

Members will visit this site on 5th November 2008.

Conservation Area

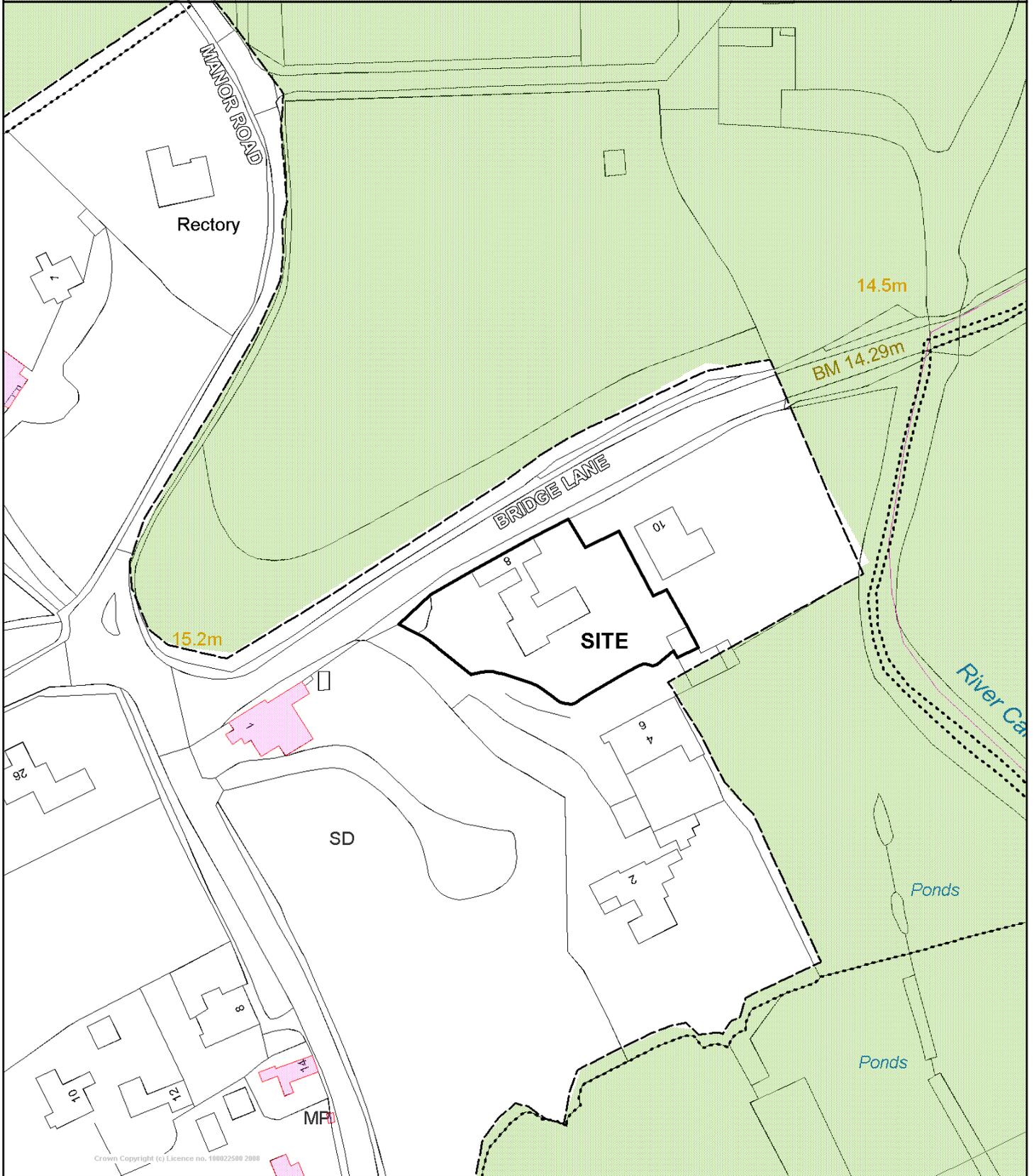
Site and Proposal

1. The application relates to a recently constructed replacement chalet-style dwelling located within the village framework and conservation area. The site adjoins Bridge Lane to the north, from where access is gained. There is a 2m high wall along Bridge Lane which provides visual screening of the site, except through its access. To the south west, the site is adjacent to the curtilage of 1, Whittlesford Road, Old Shelford House, a grade II listed building.
2. The full application, dated 10 September 2008, proposes a single-storey extension to the north elevation to occupy the area between the new dwelling and the boundary wall fronting Bridge Lane. The extension would provide two additional bedrooms, each with en-suite facilities. A partly constructed single-storey garage and store which stands at present on this part of the site, and which occupies a similar footprint, is proposed for demolition. The proposal also includes the erection of a detached 2-bay garage and store adjacent to the western boundary of the site, close to the entrance.
3. The extension is proposed to be provided with roof tiles and bricks to match the existing dwelling. The garage/store is to be roofed in clay plain tiles and clad with feather-edged board on a brick plinth.

Planning History

4. **S/1669/07/F-** erection of a replacement dwelling and garage/workshop/garden store. Approved with conditions 24 October 2007
5. **S/1119/07/F-** alterations to roof to include dormer windows. Approved with conditions 1 August 2007.

S/1714/08/F - Little Shelford



Crown Copyright (c) Licence no. 100022500 2008



Reproduced from the 2008 Ordnance Survey mapping with the permission of the controller of Her Majesty's stationary office (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Scale 1/789 Date 22/10/2008

Centre = 545489 E 251663 N

November Planning Committee

6. **Enforcement** - An Enforcement Notice and a Stop Notice were served on the applicant on 7 September 2007, following unauthorised demolition of the former dwelling and commencement of construction of a replacement dwelling. The Notices required building works to cease and the removal of all such works as had been effected. The Notices were withdrawn on 25 October 2007 following the granting of planning permission S/1669/07/F.

Planning Policy

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

8. **Policy DP/2 “Design of New Development”** requires all new development to be of a high quality design and indicates the specific elements to be achieved where appropriate. It also sets out the requirements for Design and Access Statements.
9. **Policy DP/3 “Development Criteria”** sets out what all new development should provide, as appropriate to its nature, scale and economic viability and clearly sets out circumstances where development will not be granted on grounds of an unacceptable adverse impact e.g. residential amenity and traffic generation.
10. **Policy CH/4 “Development within the Curtilage or Setting of a Listed Building”** Planning permission will not be granted for development which would harm the setting of a listed building.
11. **Policy CH/5 ‘Conservation Areas’** indicates that national guidance will be followed in considering the impact of new development on the character and appearance of a Conservation Area.

Consultation

12. **Little Shelford Parish Council** - Recommends refusal and comments that “The Parish Council objected to the ‘original’ proposal of roof extending at full height along the boundary wall at Bridge Lane. This was amended to reduce the visual bulk. This application increases the overall height and bulk of development along this elevation. The new garage represents a large element along the opposite boundary, which would be very visible from the road. This proposal represents ‘development by stealth’! Especially given the past history of this development. We request that this goes to Planning Committee and a site visit is carried out”.
13. **Conservation Manager** - Comments that “8 Bridge Street is within the Little Shelford Conservation Area and next to a Grade II Listed building, Old Shelford House. The wall following the boundary with Bridge Street is a significant and attractive feature within the townscape. The application follows previous consent for rebuilding of the bungalow and garage.
14. The roadside building is very prominent and relates to the historic walls along this road. In the past it was allowed to be widened specifically on one end to allow for a garage. The proposal is to retain the widened section with complex roof; however with the change of use an enhancement is possible by reverting to the simple narrow form. I attach a sketch suggestion which also shows the windows to the shower rooms much smaller so not to be prominent above the historic wall, but it would be preferable to avoid windows altogether.

15. The proposed garage is close to the boundary with the Listed building and therefore its design is too heavy, bulky and complex for this sensitive location. I attach a sketch showing the same size footprint but in a simpler and lower form.
16. As submitted, the proposal would detract from the Conservation Area and the adjacent Listed building by means of its bulk and design and therefore I would recommend refusal. Subject to other planning issues, it may be possible to redesign in a more satisfactory manner, as the sketches attached”.

Representations

17. **Councillor Nightingale** supports the comments of Little Shelford Parish Council.

Planning Comments

18. The main issues to be considered during the determination of this application are the impact of the development upon the character and appearance of the Conservation Area and the setting of the adjacent listed building.
19. The proposed side extension is taller than that approved as part of S/1669/07/F. The approved and partly implemented garage store has consent for two ridge levels, being 4.4m over the garage at the front, and 3.9m over the store at the rear. The proposed extension also has a stepped ridge, being 5.0m at the front and 4.3m at the rear. The increase in height (between 0.4m and 0.6m) would be clearly visible over the front boundary wall, and would have an unduly dominating impact on the Conservation Area, unless amended by lowering the ridge height and simplifying the roof form as advised by the Conservation Manager.
20. The proposed garage/store is a new proposal for the site. It is shown to have a complex hipped roof with a height of 4.5m, which would be visible from Bridge Lane through the entrance. This would be set back some 12m from the entrance, and if this were to be reduced in scale and designed with a simpler roof form spanning just 4m depth with a 2m deep lean-to at the rear, as recommended by the Conservation Manager, this could be successfully incorporated into the Conservation Area.
21. I am concerned at the impact of the proposal on the character and appearance of the Conservation Area and the setting of the listed building at No. 1 Whittlesford Road as the application currently stands, but would be happy to recommend approval if the scheme is revised in line with the comments of the Conservation Manager.
22. The extension and garage would not seriously harm the amenities of neighbours, separated as it is from the garden of No. 1 Whittlesford Road, by vehicular access to Nos. 2, 4 and 6 Bridge Lane to the rear.

Recommendation

23. Subject to amended plans being received that address the Conservation Managers objections, it is recommended that the application be approved, subject to conditions:
 1. Standard condition 1 (Reason 1).

2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the extension and garage, 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 development preserves the character and appearance of the Conservation Area in accordance with Policy CH/5 of the adopted Local Development Framework 2007.)
3. All joinery shall be of timber construction.
(Reason - To ensure the development preserves the character and appearance of the Conservation Area in accordance with Policy CH/5 of the adopted Local Development Framework 2007.)
4. No development shall take place until details of the materials to be used for hard surfaced area within the site 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 development preserves the character and appearance of the Conservation Area in accordance with Policy CH/5 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 north side elevation or roof slopes of the extension, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.
(Reason - To preserve the character and appearance of the Conservation Area in accordance with Policy CH/5 of the adopted Local Development Framework 2007.)

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

- Planning File References S/1714/08/F, S/1669/07/F and S/1119/07/F.
- South Cambridgeshire Local Development Framework Development Control Policies Document 2007

Contact Officer: Karen Bonnett – Senior Planning Officer
Telephone: (01954) 713230

This page is left blank intentionally.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 5th November 2008
AUTHOR/S: Executive Director / Corporate Manager - Planning and
Sustainable Communities

S/1532/08/F – LITTLE WILBRAHAM
Erection of Dwelling with Replacement Access to Existing Dwelling at
9 Bell House, Rectory Farm Road
for Mr & Mrs Lee

Recommendation: Refusal

Date for Determination: 27th October 2008

Notes:

This Application has been reported to the Planning Committee for determination because the Officer recommendation is contrary to the comments of Little Wilbraham Parish Council and because the site adjoins the home of Councillor Turner.

Members will visit this site on 5th November 2008

Conservation Area

Site and Proposal

1. The application site (0.0837 hectare) is located within the Little Wilbraham Conservation Area and within the eastern outskirts of the village Framework. Bell House is a detached two-storey dwelling, which has been extended at single storey level to its rear with a converted outbuilding upon the rear western boundary. The site benefits from a garden behind the main dwelling and to the south, which comprises the application site. There is also an extensive garden area to the front of the property, which also serves as a driveway to the dwelling. Bell House appears to have once been a terrace of small cottages, which has since been converted into one dwelling with a Victorian façade added to its frontage. It is thought that the original terrace predates the 19th century. The dwelling is now rendered and painted a salmon pink with a traditional slate roof.
2. This part of Rectory Farm Road (west) contains several large properties in reasonably large plots. One of these is Reed Cottage, which is a Grade II Listed Building to the south of Bell House located on the corner of Rectory Farm Road and Church Road. Reed Cottage is a detached one and half storey reed thatched cottage thought to have been built in the late 18th century. The building is constructed in a yellow grey brick and contains a modern two-storey addition to its rear.
3. The west side of the Rectory Farm Road contains a dense and well-established hedgerow frontage, which effectively screens the Bell House and Reed Cottage from views when travelling south down the Rectory Road. The opposite side of the road (east) is very different with a more open appearance to the street scene with many of the dwellings have open front gardens laid to lawn. The pattern of development within

S/1532/08/F - Little Wilbraham



Crown Copyright (c) Licence no. 10002508 2008



Reproduced from the 2008 Ordnance Survey mapping with the permission of the controller of Her Majesty's stationary office (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Scale 1/1250 Date 22/10/2008

Centre = 554629 E 258550 N

November Planning Committee

the vicinity is very much linear with all development following the line of Rectory Farm Road to the junction with Church Road.

4. The application, submitted on 1st September 2008, as amended by drawing no. 08/625L/20A proposes the subdivision of the south garden of Bell House for the erection of a detached one and a half storey dwelling. The building would utilise the existing vehicular access for the site with a newly proposed access created to serve Bell House further north upon the eastern boundary. The proposed dwelling would have a traditional chalet style frontage incorporating three lead clad dormers with a more contemporary single storey rear element with flat sedum roof. The proposal would contain separate fuel and bin and bike stores to the front of the dwelling. The house would be designed with Lime render walls and a plain clay tile. The rear single storey element would be faced with timber boarding on the south side under the 'green' roof. The resultant density, inclusive of Bell House, would be 8.7 dwellings per hectare (dph).

Planning History

5. Outline Planning Application **S/0352/77/O** was approved for the erection of a dwelling and garage at land within the garden south of Bell House.
6. Planning Application **S/1038/79/F** was approved for a single storey rear extension to the dwelling house.
7. Planning Applications **S/0764/85/O** and **S/0763/85/O** for the erection of a dwelling on land south and north respectively of the Bell House were refused on the adverse impact upon Bell House and the character of the area. Planning Application **S/0763/85/O** for a dwelling on the north side was later allowed upon appeal. The Inspector considered the development represented an acceptable infill, which would not detract from the form and character of this part of the village. He noted that a Conservation Area was proposed. Development was conditioned to single storey.

Planning Policy

8. **Government Planning Policy Guidance Note 15** "Planning and the Historic Environment" 1994.

This confirms that planning decisions in respect of development proposed in a Conservation Area must give a high priority to the objective of preserving or enhancing the character or appearance of the area.

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

9. **Policy ST/7 "Infill Villages"** only permits development and redevelopment within village frameworks to no more than two dwellings within a gap in a built up frontage to an existing road, amongst others.
10. **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.

11. **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.
12. **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.
13. **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 in relation to public open space.
14. **Policy DP/7 “Development Frameworks”** permits development within village frameworks provided that retention of the site in its present state does not form an essential part of the local character; it would be sensitive to the character of the location, local features of landscape, ecological or historic importance, and the amenities of neighbours; there is the necessary infrastructure capacity to support the development; and it would not result in the loss of local employment, or a local service or facility.
15. **CH/4 “Development Within the Curtilage or Setting of a Listed Building”** states that planning permission would not be granted for development, which would adversely affect the curtilage or wider setting of a Listed Building.
16. **Policy CH/5 “Conservation Areas”** states planning applications for development proposals in or affecting Conservation Areas will be determined in accordance with legislative and national policy. The content of PPG15 (Planning and the Historic Environment) seeks development to preserve or enhance its character and appearance.
17. **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.
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 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**.
20. **Policy SF/11 “Open Space Standards”** The minimum standard for outdoor play space and informal open space is 2.8 hectares per 1,000 people, comprising:

- a) Outdoor Sport – 1.6 hectares per 1,000 people;
- b) Children’s Playspace – 0.8 hectares per 1,000 people;
- c) Informal Open Space – 0.4 hectares per 1,000 people;

21. **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

22. **Little Wilbraham Parish Council** recommends that the application be approved noting that several Councillors expressed regret at the loss of a fine garden.
23. The **Conservation and Design Officer** recommends that the application be refused as being contrary to Policies CH/4 and CH/5 of the Development Control Policies DPD 2007. This is on the grounds that the proposal would harm the rural setting of the Grade II Listed Building and this part of the Little Wilbraham Conservation Area by reducing the viability and reasonable provision of garden space to the Bell House, which is deemed a significant building within the Conservation Area. Furthermore, the design of the proposed dwelling would harm the character of this setting, by reason of the appearance of the front canopy and of the flat roof single storey range.
24. The **Trees and Landscape Officer** had no objection to the removal of the Horse Chestnut, Apple, Judus and Birch Trees or to the creation of a new access.
25. The **Local Highway Authority** had concerns over the location of the proposed access to the new dwelling due to the close proximity of the Church Road / Rectory Farm Road junction. Visibility to the south from the new access would only be in the region of 32m, which is short of that considered acceptable within a 30mph speed limit.
26. To overcome this issue the proposed dwelling should utilise the existing vehicular access, which serves Bell House. Whilst this may not be ideal, this access is used by traffic associated with a residential unit so could not object to it continuing to be used to serve traffic associated with one residential unit. The newly proposed access to serve Bell House is deemed acceptable. The scheme has been amended accordingly.

Representations

27. None received

Planning Comments – Key Issues

Housing Context

28. Little Wilbraham is defined as an infill village and therefore development sites are restricted to development of up to 2 dwellings only. The application site is considered as a gap within a built up frontage, which fronts the roadside. The pattern of development within Rectory Farm Road is linear with examples of detached dwellings within large plots. At the minimum density of 30 dwellings per hectare the site could accommodate up to 2 dwellings. However, given the sensitive nature of the area with the site being adjacent to a Listed Building and within the Conservation Area a single dwelling is deemed to be the limit of development potential as a principle only. The

application site is within the development framework of Little Wilbraham and the principle of the proposal would therefore conform to Policies ST/7 and HG/1 of the Local Development Framework 2007).

Historic Environment

29. The application site is adjacent to a Grade II Listed Building and is within the Little Wilbraham Conservation Area. As such the proposal must be determined against Policies CH/4 and CH/5 of the DPD 2007 as well as Planning Policy Guidance Note 15, (PPG15, 1994). The Policy guidance seeks development to either preserve or enhance the special character and appearance of Conservation Areas with the use of traditional materials where appropriate. In addition, planning permission will not be granted for development, which would adversely affect the curtilage or wider setting of a listed building.
30. The application site in its undeveloped form contributes to the residential capacity and character of Bell House. Planning Application S/0763/85/O was allowed upon appeal for the erection of a detached dwelling within the garden land of the north of Bell House. Within this decision the Inspector indicated that the garden land to the south of Bell House was sufficient in size to serve Bell House if the land to the north was subdivided as a separate housing plot. It is my understanding that this statement was made in reference to assessing the capacity of residential amenity to serve Bell House and not an assessment on the character of the area. Nevertheless, due to the substantial size of Bell House, this garden land is essential to its residential amenity and the character of the Conservation Area. It should therefore be retained as open space.
31. The development is also deemed to be detrimental to the setting of the adjacent Listed Building at Reed Cottage (No.1 Rectory Farm Road). The immediate setting of Reed Cottage is semi rural with an open appearance to the street scene. The erection of a dwelling adjacent to this setting would therefore break down this rural open character and provide a harmful urban addition to the setting of this Listed Building. It is however noted that the revised access arrangements would limit the open views of the application site from the street scene. Furthermore, at present when travelling south down Rectory Farm Road, Reed Cottage is not clearly visible until the approach of the junction with Church Road. I am of the opinion that the proposed dwelling would not deplete views of this Listed Building due to the extensive landscaping that exists upon the eastern boundary along with the fact that the building envelope of the dwelling would be set in line with the built form of the area.
32. The proposal's design has been criticised by the Conservation and Design Officer on the grounds that it is not sympathetic of the sensitive setting to which the dwelling would sit. The front porch canopy and single storey sedum roof rear range are deemed to be in conflict with the traditional forms of the main façade of the proposed dwelling as well as its neighbouring dwellings. It is argued that these elements would be visibly prominent from views of the Listed Building. Chimneys are a strong feature within the group of buildings in the vicinity and a single chimney to the proposed dwelling is deemed insufficient. In conclusion the contemporary aspect to the rear of the proposed dwelling is at odds with the more traditional form of the proposals frontage, which, as a consequence, would fail to preserve the character of the Conservation Area as well as being unduly harmful upon the setting and character of the adjacent Listed Building.

Access & Parking

33. The revised plan 08/625L/20A has addressed the concerns of the Highway Authority in that the proposed dwelling would now be served by the existing vehicular access, which currently serves Bell House, whilst a new access is to be created approximately 15m to the north to serve Bell House. This amendment now allows improved vehicle-to-vehicle visibility from the application site to the south to the junction of Rectory Farm Road and Church Road. The existing access already serves one residential unit and its re-use to serve one dwelling would be acceptable. The proposal would provide sufficient space to the front of both the proposed dwelling and the existing for the off road parking of at least two vehicles per dwelling. These areas also included suitable manoeuvring area for vehicles to enter and exit the site within forward gear.

Residential & Visual Amenity

34. The proposed dwelling would be located so that its north flank elevation would abut the newly proposed common boundary with Bell House with its side elevation forming the vast amount of southern boundary treatment to the rear garden of Bell House. This rear wing is approximately 18m in length with 3.5m being at two-storey level and the remaining 14.5m consisting of an approximate 3m high flat sedum roof element with facing brick work to the garden of Bell House. Despite Bell House being located approximately 5m away from the mass of this boundary treatment the height and length of this brick wall is considered excessive and unduly overbearing along a south garden boundary. At present Bell House benefits from open garden space denoted by soft landscaped boundaries, which contribute towards the open character of this part of the Conservation Area.
35. Notwithstanding the design appraisal within paragraph 32, the traditional form of the frontage of the proposed dwelling is considered to assimilate well within the street from a visual perspective. The building is subservient to Bell House in terms of its height and the building envelope conforms to the linear building line on the western side of Rectory Farm Road.
36. The applicant is willing to make a financial contribution towards informal public open space in accordance with Policies DP/4, SF10 and SF11 of the DPD 2007.

Other Matters

37. This proposal was subject to informal advice and support from a former senior officer of the Conservation Team, although the letter of support suggests that he understood the appeal decision of 1986 to grant permission of land south of Bell House, rather than to the north.
38. Planning Application S/0352/77/O was approved for the erection of a dwelling and garage upon the southern garden of Bell House, but this permission was never implemented. Consent was granted in 1977. Since then a material change in circumstances has occurred, namely in relation to Planning Policy. PPG15 was published in 1994 and the South Cambridgeshire Local Development Framework adopted in 2007. Furthermore, Reed Cottage was Listed in 1984, and the Little Wilbraham Conservation Area was designated in 1986. Therefore it is considered that a sufficient change in circumstances have taken place to justify the refusal of this current proposal.

Recommendation

39. Refuse

1. The retention of the open garden land south of Bell House is essential to the character of this part of the Little Wilbraham Conservation Area and the addition of a dwelling within this location would result in the adverse impact upon the setting of the adjacent Listed Building “Reed Cottage”, by virtue of the depletion of the open rural nature of the setting of the Listed Building. The proposal would therefore be contrary to Policies CH/4 and CH/5 of the South Cambridgeshire Development Control Policies DPD 2007, which seek that development preserves or enhances the special character and appearance of Conservation Areas and that planning permission will not be granted where the proposed development would adversely affect the curtilage or wider setting of a listed building. For those reasons the proposal would also be contrary to Policy DP/7 of the above-mentioned DPD since retention of the site in its present state forms an essential part of the local character and development would not be sensitive to the character of the location.
2. The design of the modern contemporary single storey range projecting to the rear of the proposed dwelling would contrast with the period architecture of the surrounding neighbouring properties. Despite the use of traditional materials this range would not be sympathetic to its surroundings and would fail to preserve or enhance the special character and appearance of the Conservation Area whilst adversely impacting upon the adjacent Listed Building.
3. The proposed single storey rear element of the proposal with a height of 3m and a projection of some 14m along the common boundary with The Bell House “No.9 Rectory Farm Road” would be unduly overbearing and un-neighbourly in terms of its height and length along the southern garden boundary. The proposal would therefore be contrary to Policy DP/3 of the South Cambridgeshire Development Control Policies DPD 2007, which states that planning permission will not be granted where the proposed development would have an unacceptable adverse impact upon residential amenity.

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- Planning Policy Guidance Note 15 “Planning and the Historic Environment” (1994)
- Planning Applications S/0763/85/O, S/0352/77/O; S/0764/85/O, S/1038/79/F and S/1532/08/F

Contact Officer: Mike Jones – Senior Planning Officer
Telephone: (01954) 713253

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 5th November 2008
AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/1394/08/F – GREAT SHELFORD
Hotel and Associated Car Parking and Landscaping – Whitefields/Uplands, Hinton Way
for Quinlan & Francis Terry LLP Architects

Recommendation: Delegated Approval

Date for Determination: 12th November 2008 (Major Application)

Notes:

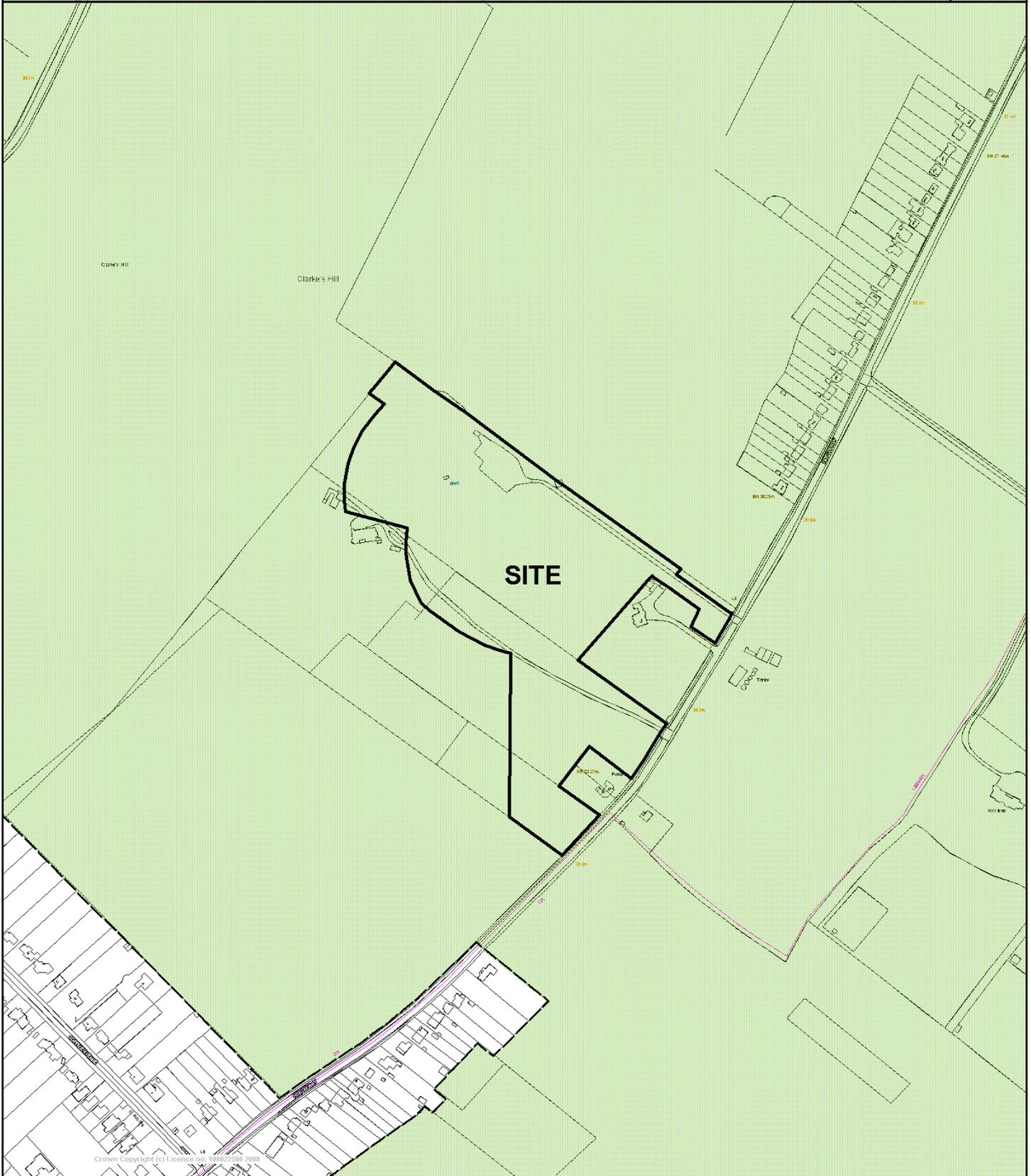
This Application has been reported to the Planning Committee for determination because the application is a Departure from the Development Plan.

Departure Application

Site and Proposal

1. The application site, an area of approximately 6.2 hectares/17 acres, is located in the countryside and Green Belt on the outskirts of Great Shelford. The land generally rises to the north and east and is well screened by trees and hedgerow planting within the site and around its perimeter. The site comprises the extensive gardens of Whitefields, formerly a substantial two-storey house that has been demolished, and Uplands, a fire damaged shell of what was once a country house and hotel. On the north-west side of Hinton Way, outside the application site, are a pair of semi-detached cottages and a detached house. Opposite the former is a detached cottage. Other than this, the site is surrounded by agricultural land which separates the site from a ribbon of houses on Hinton Way to the north-east. Some belts of trees within the site are protected by a Tree Preservation Order. Planning permission for a golf course has been granted on land to the north-east, north-west and south-west of the site.
2. The full application, submitted on 13th August 2008, proposes the erection of a 99-bedroom luxury 5 star hotel with associated car parking and landscaping. The proposed hotel would be sited on land to the south-east of where Whitefields once stood. Its principal orientation would be north-south with cross wings at either end. The application states that the gross floor area of the building would be 17,867 square metres. The hotel would be of a classical design, with a parapet wall height of 13.6 metres and ridge height of 18.2 metres. The accommodation would be spread over four floors, plus two basement levels, with the lower basement providing space for underground parking for 119 cars. The lower ground floor level or upper basement would include a health club/spa, ballroom and kitchen facilities. At its nearest point, the building would be approximately 65 metres from the boundary with No.197 Hinton Way to the south-east. Access to the hotel would be via the existing access to Whitefields, which would be widened to 5.5 metres (6 metres for the first 15 metres back from Hinton Way), whilst the existing access to Uplands would be stopped up.

S/1394/08/F - Great Shelford



Reproduced from the 2008 Ordnance Survey mapping with the permission of the controller of Her Majesty's stationary office (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Scale 1/5000 Date 22/10/2008

Centre = 547315 E 253351 N

November Planning Committee

3. The application has been accompanied by the following additional information: Design and access statement; planning statement; transport statement; landscape and arboricultural method statement; biodiversity report; sustainability statement and health impact assessment; and a sustainable design issues report.

Planning History

4. In the 1970's, various permissions were given in respect of the use of, and extensions to, Uplands for hotel-related purposes.
5. In 1989, an appeal against refusal of an outline application for a 31 bedroom hotel extension to Uplands with associated car parking, squash courts, enclosed swimming pool and a third tennis court was allowed (**S/0036/88/O**).
6. In 1990, a full application for extensions to Uplands as hotel (33 suites/66 rooms) and leisure accommodation with parking for 100 cars was approved (**S/0754/90/F**). Consent was renewed in 1995 (**S/1936/94/F**).
7. In 1997, outline planning permission was granted for the erection of a hotel with associated parking on the larger site of Uplands and Whitefields (**S/1633/96/O**). It was accompanied by a Section 106 Agreement which required the hotel and grounds to be occupied and managed as a single planning unit, precluded implementation of earlier consents, prevented the use of the site by helicopters and limited use of the grounds to informal recreation by guests or visitors only.
8. A reserved matters application was subsequently approved under reference **S/0778/97/RM** for a hotel with pool, fitness room, bar, lounge, restaurant and function, meeting and administration rooms. It comprised 7,440 square metres (80,000 square feet) total floorspace, including three floors of accommodation, with a part basement and part fourth floor, 115 bedrooms and parking for 217 vehicles.
9. The 1997 outline permission was renewed in 2000 under application reference **S/1883/99/O**.
10. A full application for a 99 bedroom hotel, with 91 car parking spaces in the basement and a further 38 car parking spaces on land south-west of Whitefields, was approved in February 2004, following the completion of a Section 106 Agreement (**S/1229/00/F**). The proposal comprised a 4 storey building, including basement, with attic accommodation above. The application stated that the gross floor area would be 12,722 square metres (136,940 square feet). The hotel was to be positioned on the lawn to the south and south-east of Whitefields, which was to be demolished. Its principal orientation was north-south with cross-wings at either end. It was of a classical design with a height to parapet wall above ground floor level of 13.8 metres and to roof/ridge level of 18.5 metres. On the roof was a domed cupola 8.5 metres high. Basement and ground floor finished levels were 40m and 44m respectively, and approximate ground levels on the north and south sides of the building were 44m and 41m respectively. The approved hotel was to be accessed via the existing access to Whitefields, which was shown widened to 5.5m for the first 15 metres back from Hinton Way. This consented scheme remains extant. The Section 106 agreement required a contribution towards traffic calming, construction of a foot/cycle path, revocation of the earlier planning approval, requirement for the hotel and golf course to remain as a single planning unit, and lorry routing restrictions.

11. In 2006, a revised application for a hotel (amended design) sought consent for a 100 bed hotel (**S/0835/06/F**). The building was again of a classical design and was submitted to address the specific design and construction requirements of Mandarin Oriental Hotel Group that were not adequately satisfied by the approved hotel design. The proposed hotel took the form of a U shaped building, sited to the south-east of Whitefields in a very similar location to the previously approved hotel. The hotel extended over four floors and had a gross floor area of approximately 19,799 square metres. The ridge height of the hotel extended from between 15.9 metres – 18.1 metres (rising to 21 metres and 23 metres on the southern elevation as the natural level of the land falls). The application was refused at Planning Committee in July 2006, in accordance with Officer recommendation, for the following reasons:
- a) The proposal was considered to constitute inappropriate development in the Green Belt and, whilst there is an extant permission for a hotel on the site, there were considered to be no very special circumstances to justify the enlarged hotel proposed;
 - b) Due to the formal architectural design of the building and its larger footprint and massing compared to the approved scheme, the development was not considered to sit comfortably into the context of the site and to have a greater and unacceptable impact on the openness and rural character of the countryside and Green Belt;
 - c) The application failed to demonstrate that protected trees close to the end of the proposed rear wings could be retained;
 - d) The site was known to contain habitat for great crested newts. No detail or investigation in respect of this was submitted as part of the application;
 - e) No information was submitted to demonstrate investigations had been made with respect to badgers or bats;
 - f) The site contains an interesting mix of habitats, notably woodland, scrub and chalk grassland, and the application failed to clarify how these habitats would be treated within the future operation of the site.
12. In 2001, an application for the construction of a golf course was submitted alongside the accompanying application for the revised hotel design (**S/2257/01/F**). Consent was granted for an 18 hole golf course, a 1,963 square metre clubhouse, landscaping, maintenance facilities and related surface car parking (36 spaces).
13. In 2006, a revised application for an amended clubhouse design was approved (**S/0836/06/F**).

Planning Policy

East of England Plan, Regional Spatial Strategy 2008

14. **Policy E6** requires proposals for tourism development to be fully sustainable in terms of their impacts on host communities, local distinctiveness and the natural and built environments.
15. **Policy ENV7** states that new development should be of a high quality which complements the distinctiveness, character and best qualities of the local area and promotes urban renaissance and regeneration.

South Cambridgeshire Local Development Framework Development Control Policies DPD 2007

16. **Policy DP/1** states that development will only be permitted where it can be demonstrated that it is consistent with the principles of sustainable development, including, where practicable: use of sustainable building methods and locally sourced materials; minimisation of use of energy and resources; maximisation of use of renewable energy sources; use of water conservation measures and sustainable urban drainage systems; conservation/enhancement of biodiversity of wildlife and natural environment and local landscape character.
17. **Policy DP/2** requires all new development to be of high quality design and to: preserve or enhance the character of the local area; conserve or enhance important environmental assets; include variety and interest within a coherent design; and include high quality landscaping compatible with the scale and character of the development and its surroundings.
18. **Policy DP/3** states that permission will not be granted for proposals that would have an unacceptable adverse impact on (amongst other issues): residential amenity; from traffic generated; on village character; on the countryside and landscape character; from undue environmental disturbance; on ecological, wildlife and archaeological interests; and on flooding and flood risk.
19. **Policy DP/7** states that outside village frameworks, only development for agriculture and other uses that need to be located in the countryside will be permitted.
20. **Policy GB/1** states that there is a presumption against inappropriate development in the Green Belt. The supporting text to the policy states that the main purpose of a Green Belt is to keep land open by placing a permanent and severe restriction on inappropriate development. As a result, most types of development can only be permitted in exceptional circumstances. Such exceptional circumstances will be regarded as Departures from the Development Plan and will only be permitted where other considerations outweigh the harm to the Green Belt. It is not sufficient justification to override Green Belt policies because a development would be inconspicuous or would not harm the site or locality.
21. **Policy GB/2** states that any development considered to be appropriate in the Green Belt must be located and designed so that it does not have an adverse effect on the rural character and openness of the Green Belt.
22. **Policy ET/10** states that, outside development frameworks overnight visitor accommodation, holiday accommodation, public houses and restaurants will only be permitted by change of use/conversion, or through the appropriate replacement of buildings not requiring large extensions, or by appropriate modest extensions to existing facilities. The supporting text to this policy states that there is a significant demand for tourist accommodation in the area and that developments may be more suited to Rural Centres. Focusing new tourist accommodation into the larger villages allows access for visitors to the public transport network and local services, thus promoting sustainable development goals.
23. **Policy NE/1** requires development to demonstrate that it would achieve a high degree of measures to increase the energy efficiency of new and converted buildings, and encourages developers to reduce carbon dioxide emissions by 10% compared to the minimum requirement.

24. **Policy NE/3** requires all new development proposals greater than 1000 square metres to include technology for renewable energy to provide at least 10% of their predicted energy requirements.
25. **Policy NE/4** states that development will only be permitted where it respects and retains or enhances the local character and distinctiveness of the Landscape Character Area in which it is located.
26. **Policy NE/6** requires new development to maintain, enhance, restore or add to biodiversity.
27. **Policy NE/11** states that, in relation to flood risk, applications will be judged against national policy.
28. **Policy NE/12** requires development to incorporate all practicable water conservation measures.
29. **Policy NE/14** requires developments that include external lighting to give due consideration to a detailed lighting scheme.
30. **Policy TR/1** advises that planning permission will not be granted for developments likely to give rise to a material increase in travel demands unless a sufficient standard of accessibility to an appropriate choice of transport modes, other than private car, is available.
31. **Policy TR/2** requires applications to adhere to the Council's car and cycle parking standards.

Consultations

32. **Great Shelford Parish Council** makes no overall recommendation, stating:

“The proposed hotel has almost the same footprint as that previously approved so as long as the tree officer and ecology officer are satisfied that the issues relating to the impact of the development on trees and the biodiversity of the site have been resolved the parish council has no objections to the proposed development.”
33. The comments of **Stapleford Parish Council** will be reported verbally at the meeting.
34. **The Trees Officer** states that many of the trees on the site are protected by preservation orders. Objections are raised to the following:
 - a) The proposal to crown lift the beech trees alongside the proposed access road is not acceptable. The access road should be moved to avoid any requirement or works to these trees to facilitate the new development. Whilst a no-dig driveway is proposed, this is a significant row of mature trees and any root disturbance within the root protection area will compromise these trees;
 - b) The proposed construction access route needs to be submitted to ensure no trees are compromised along the north-eastern boundary;
 - c) The design of the turning area impacts heavily on two very significant and protected trees;
 - d) Objections are also raised to the impact of the development on the following trees – T10, T9, T8, G302A and B, G376B, and G1-384 and 386;
 - e) Any TPO'd tree removed from the site must be replaced with a specimen tree as part of a landscaping scheme.

Generally, all tree protection must be installed on site prior to any construction vehicles starting demolition etc, with interim site inspections to be undertaken by an arboricultural consultant during development. A full arboricultural implication study and method statement needs to be submitted.

35. **The Landscape Design Officer** raises no objections subject to being able to influence the design of the proposed woodland belt. Care should be taken not to shade or compete with the fine existing trees that form the current boundary to the site. The trees nearest to them should be small to medium size (eg – thorns and field maple) with additional large scale trees in the middle or northern edge of the belt. Given the exposed nature of the site, there should be a range of sizes (at maturity) within the belt to provide wind filtering close to the ground and at higher levels. A landscape plan should be submitted in due course.
36. **The Ecology Officer** states that the submitted biodiversity report is very detailed and shows an excellent understanding of various biodiversity issues concerned with the site. Great crested newts, bats, badgers and breeding birds have to be taken into account. The report includes a range of proposals to ensure no net loss of species occurs as a result of the development. It also proposes enhancement measures to increase the potential of the site for bats, to protect important areas of wildflower habitats, and provides a badger observation area. A condition requiring an Ecological Monitoring and Management Plan should be attached to any approval.
37. **The Environmental Health Officer** raises no objections subject to conditions 13 – 17 of the previous decision notice being reapplied.
38. **The Disability Forum** considers the parking spaces to be substandard in size. They should be a minimum of 2.4m x 4.8m. The disabled parking spaces should be provided in a single row adjacent to the entrance/lift. A number of other comments relating to the detailed internal layout were also made:
 - a) Basement - smaller lift too small;
 - b) Lower ground floor - are there any disabled shower facilities and toilets?;
 - c) Ground floor - door to disabled toilet should open outwards, dropped bar counter needed, no ramps to outside courtyards, restaurant tables not to be fixed;
 - d) First and second floors – there should be no stepped access to balconies from the executive suites;
 - e) Third floor – lifts need mirrors on rear walls and raised number plates.
39. **The Local Highways Authority** states that the highway network has significantly changed since the previous application was granted. The entire visibility splays should be shown on the drawings. These splays must be within the land owned by the applicant or public maintainable highway showing that the 2.4m x 120m can be achieved in both directions. The highway boundary position denoted on the proposed site access drawing needs to be clarified, as does whether the access would be 5.5m or 6m wide for the first 15m from the bellmouth. In addition, the applicant needs to justify why 10.5m junction radii are required. The proposed radii will enable vehicles to enter the site at speed which could be detrimental to the safety of other highway users, in particular pedestrians and cyclists. The dimensions for the proposed footway should be shown on the plans.

In addition to the above, it is requested that the speed and volume information that has been submitted be carried out during 3 neutral days (Tuesday, Wednesday and Thursday) over a three week period in the vicinity of the site and not within the vicinity

of Orchard Road. These surveys should be commissioned prior to the beginning of December to avoid the Christmas period.

An amendment to the existing Section 106 Agreement via a Deed of Variation will be sought due to the changes in the highway network.

40. **The Environment Agency** states that the application does not fully demonstrate the practicality of surface water drainage schemes. A considerable amount of work would be necessary before any development could commence on site to ensure that the risk of flooding to third parties, and the proposed development, were not increased. The application proposes to discharge foul drainage to the mains sewer. Confirmation needs to be sought from the statutory undertaker to demonstrate that sufficient residual capacity exists within the sewerage infrastructure to accept the proposed discharge without detriment to the water environment. Full details of grey water required. Conditions requiring details of: surface water drainage; foul water drainage; pollution control; and any associated intrusive ground works, should be added to any permission.
41. **Anglian Water** advises that the applicant will need to make a request under the Water Industry Act to provide water to the development.
42. **The Cambridgeshire Fire and Rescue Service** states that adequate provision should be made for fire hydrants by way of a Section 106 Agreement or planning condition.
43. Any comments received from the **Police Architectural Liaison Officer, Commission for Protection of the Rural Environment, Cambridge Preservation Society** and **Natural England** will be reported verbally at the Committee meeting.
44. **Gisby Harrison Solicitors** – the solicitors acting for Great Shelford Parish Council – state that the proposal involves the provision of land being gifted to the Parish Council for the provision of open space. The question of a commuted sum for the maintenance of open space was not pursued by the Parish Council at the time – would this now be required? Also, how will traffic calming sums be dealt with? It is argued that a new agreement would be required rather than a Deed of Variation to the original Section 106 Agreement, as the earlier agreement was time limited and will expire before the period for implementation of any new planning consent.

Representations

Letters of Objection

45. Letters of objection have been received from Nos. 231, 235 and 245 Hinton Way. The main points raised are:
 - a) The proposed hotel will be about 50% bigger in floor area and have about 50% more parking spaces. These are not immaterial changes. It would mean more users with greater impact on the environment and greater congestion on the access roads;
 - b) In each revision to the scheme on this site, the applicants have sought to massively increase the scale of the development by successive incremental additions. The scale of the development has grown way beyond that originally envisaged. The development is now too large for a small rural Green Belt location and will not improve the character and appearance of the area;

- c) The current application proposes a 39% increase in floor area and an 11% increase in the external width of the building. In the previous application, the applicants argued that the needs of the hotel had been underestimated. The same argument is continued in the current application. Are the current estimates realistic?
- d) The proposal to remove surface parking is welcome, but it is unrealistic that a 99 room hotel with restaurant and conference facilities and employing 200+ staff will have its parking needs satisfied by 119 spaces (this is fewer spaces than the 128 proposed in the previous application). Where will non residents park? Are the estimates of number of employees realistic?
- e) There will be funding for a 2 metre wide footpath and cycleway along Hinton Way, but where would this be situated?
- f) There is presently poor visibility from No.235 Hinton Way to the right and this could cause safety problems for future users of the cycleway;
- g) What form of traffic calming is being funded along Hinton Way? Obstacles enforcing one lane of traffic to give way to oncoming vehicles would result in noise disturbance to nearby residents and could obstruct access to nearby driveways. Rumble strips would also result in noise disturbance;
- h) Proposals relating to energy efficiency are vague;
- l) A realistic assessment of noise impacts is required;
- j) Details of lighting are required.

Letter of Support

46. No.103 Hinton Way considers the hotel to be an enhancement to the area.

Supporting information submitted by the applicant's agent

47. As stated in paragraph 3, a number of supporting documents have been submitted with the application. The planning statement explains that the proposal represents an amendment to the extant planning permission S/1229/00/F. The consented scheme has a number of deficiencies that it is argued would inhibit the objective of providing a luxury 5 star hotel. These are: insufficient back of house space; inadequate circulation space; insufficient plant; inadequate car parking (129 spaces were shown but detailed modelling showed that the basement was only able to accommodate 70 spaces rather than the 91 shown, bringing the total number of spaces that could be provided on site down to 108); inadequate spa, restaurant and bar sizes; and limited meeting/banqueting facilities.
48. The statement goes on to say that, since the previous refusal, a detailed review of the approved hotel design has been undertaken to identify how the overall footprint and use of internal floor space could be adapted to enable essential additional floor space to be provided. The main differences between the current and approved schemes are:
- a) Provision of a sub-basement with 119 underground parking spaces;
 - b) Floor area increased from 12,810 square metres to 17,867 square metres. The overall height, scale and mass of the hotel remain unchanged;
 - c) The previously approved basement would now be a lower ground floor – including a delivery yard, storage, kitchen, foyer, ballroom, health centre, spa and business centre;
 - d) The main central wing of the hotel has been increased in depth by 2.2m, from 20.5m to 22.7m, due to revised internal staircase and lift access requirements and the need to increase width of corridors and bedrooms along the main corridor;
 - e) The terrace on the ground floor level has been extended

- f) The porte-cochere design has been revised from stone to cast iron;
- g) The provision of a sunken/sculptured lawn to the rear of the hotel beyond the terrace.

49. The planning statement acknowledges that a new hotel is inappropriate development in the Green Belt by definition and that permission should not be granted unless very special circumstances can be demonstrated. The following very special circumstances are put forward:

- a) An extant consent for a 99 bedroom hotel exists on the site;
- b) There would be a 39% increase in floor area but 89% of this (4,424 square metres) would be located underground. The additional above ground space amounts to 632 square metres. This is argued to cause no greater harm to the openness and rural character of the site and Green Belt;
- c) Moving the previously approved 38 surface parking spaces (amounting to 924 square metres of hardstanding) underground would have a beneficial impact on the openness and rural character of the Green Belt;
- d) The extant planning consent includes no requirement to provide sustainable forms of development or to incorporate renewable energy technologies. The current proposal includes sustainability measures to ensure the provision of a highly efficient building that would not otherwise be delivered. Energy efficient measures to reduce the energy demands of the building would seek to improve heat loss and air tightness, to maximise solar gain and use of natural light, and to increase water efficiency (mainly through rainwater harvesting and re-use of grey water). Renewable energy technologies to generate at least 10% of energy used, to include solar heating and ground source heating and cooling systems, would be used;
- e) Ecology – PPS9 was published in 2005 after the previous permission was issued. This placed more stringent requirements on developers to consider ecology issues. Protected species surveys have been undertaken and the application includes a package of mitigation measures and enhancement strategies that were not provided in the original scheme (eg – the cupola has been specifically designed to support bat roosts);
- f) Environmental and community benefits: It is argued that the building is of an extremely high architectural quality that can be enjoyed by the local and wider community and will provide additional employment opportunities. It would employ 200-220 staff, with up to 100 on site at any one time. It would also ensure the delivery of the adjacent golf course (the S106 requires them to remain as one planning unit), and would deliver the funding of traffic calming measures, a footpath/cycleway, a public bridleway and cycle path.

Planning Comments – Key Issues

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

- a) Whether there are any very special circumstances to set aside the presumption against inappropriate development in the Green Belt;
- b) The design and impact of the development upon the openness and rural character of the countryside and Green Belt;
- c) Impact on trees;
- d) Highways issues;
- e) Neighbour amenity

51. The proposal constitutes inappropriate development in the Green Belt by definition, is contrary to LDF Policy ET/10 and has been advertised as a departure from the

development plan. However, there is an extant consent for an approximately 12,800 square metre hotel on the site, so the principle of erecting a hotel on the land has previously been established. As was the case with the previously refused application, the current revised scheme has been submitted to address deficiencies (identified by the applicants) with the existing permission. The current consent would only allow for the construction of a four star facility, and the extra floor space is required to enable the hotel group to carry out the improvements and modifications necessary to provide a luxury five star hotel. The reasoning behind the need for additional floorspace, namely the desire to construct a five star rather than four star facility, does not constitute the justification required to support inappropriate development in the Green Belt. It is therefore necessary to consider whether there are any other very special circumstances in this instance to set aside the in-principle objection to the erection of a larger hotel building on the site.

Design and visual impact

52. The previously refused scheme, in seeking to comply with Mandarin Oriental's requirements for improved facilities, resulted in a building that was over 7,000 square metres (55%) larger than the approved hotel, including a 19% increase in the above ground floor area. The design of the building was altered to a more formal classical structure that, to succeed, was considered to require a substantial landscaped parkland setting. Due to the relatively modest size of the site, the proposed building was not considered to sit comfortably into its context and, due to its larger footprint and massing, was considered to have a greater and unacceptable impact upon the character and openness of the Green Belt.
53. The current application has sought to address the shortcomings of the previously refused scheme. The hotel group has re-employed the architects who designed the approved scheme, with the result that the current proposal is very similar in appearance to the extant scheme. The proposal still involves the provision of just over 5,000 square metres of additional floorspace (a 39% increase). However, the vast majority of this floorspace (over 4,400 square metres or 88%) is to be provided underground so would not materially alter the scale or appearance of the building. The above ground increase in floor space amounts to less than 5% of the size of the approved scheme and has been achieved by increasing the depth of the connecting wing by around 2 metres. The parapet and ridge heights of the building remain identical to the previous permission. As the building is an H-shaped structure with two end wings, the increase in depth of the connecting element would have no material effect on the scale and mass of the building and would not increase its impact upon its surroundings. There would also be an increase in the size of the terrace garden but this change would only be discernible from within the hotel's grounds on the south side of the building.
54. In the extant consent, 38 car parking spaces were to be provided above ground approximately 110 metres to the north-west of the hotel building itself. The current application seeks to site all parking underground within the sub-basement level of the building. When compared to the approved scheme, this would result in the removal of almost 1,000 square metres of hardstanding, thereby providing a visual enhancement of the site.
55. The supporting text to Policy GB/1 states that a development appearing inconspicuous is not sufficient justification to override Green Belt policies. However, the applicant's agent has provided a number of examples of appeal decisions where Inspectors have taken the view that basement accommodation can be acceptable in Green Belt locations where it is not considered to compromise the aims of the Green Belt, namely,

in this case, to maintain openness. In one case, the lack of any perceptible difference between what had already been approved and the current proposal was deemed to constitute the very special circumstances required to support the proposal. I consider the current proposal to be very similar to the quoted appeal examples in this respect, in that the proposed scheme would not have a materially greater impact on its surroundings than the fall-back position of the extant consent.

Trees

56. The Council's Trees Officer has raised a strong objection to the application principally due to the impact of the proposed access works and turning area upon protected trees. These elements of the proposal, however, are identical to the extant scheme and, as argued by the applicant's agent, can be implemented at any stage. In the scheme refused in 2006, the proposal sought to significantly increase the length of the main wings, thereby extending the building further to the south towards a group of protected trees. Part of the reason behind the refusal of this scheme related to the fact that the application failed to demonstrate that these additional protected trees would not be compromised by the development.
57. The current proposal has sought to address this problem by adding the extra floorspace to the connecting element rather than by extending the length of the end wings. The basement and terrace garden does encroach further to the south and involves additional excavation closer to protected trees than proposed in the approved scheme. I have sought the specific comments of the Trees Officer on this aspect of the proposal but, to the best of my knowledge, no specific concerns have been directed towards this element of the scheme.
58. Notwithstanding the fall-back position, there is scope in the application to address some of the concerns raised by the Trees Officer and, hence, to improve the impact of the development upon trees when compared to the approved scheme. The applicant's agent has proposed to alter the main access. After the first 15 metres, it is proposed to narrow the width of the access drive to 4.1 metres, and this would allow the access to be moved 1.4 metres further away from the tree belt. In addition, the possibility of reducing the size of the turning/circulation area is being explored, with a view to securing the retention of protected trees. These issues are still presently under discussion and will require liaison with the Local Highways Authority to ensure that any amendments achieved will not compromise highways requirements. Members will be updated verbally at the Committee meeting. As the situation stands, at present, if improvements can be made to secure the retention of trees that might otherwise be lost or, at the very least, to minimise the impact of the development upon trees when compared to the approved scheme, this would constitute an additional very special reason for supporting the current proposal.

Highway safety/parking issues

59. The proposed access arrangements remain identical to the previously approved scheme (namely an increase in width to 6 metres for the first 15 metres back from Hinton Way then reducing to 5.5 metres thereafter), albeit this could now be subject to alteration to minimise the impact upon significant trees (see preceding paragraph). The supporting planning and transport statements argue that the current proposal, although some 5,000 square metres larger than the approved hotel, would not result in significantly different traffic impacts than the extant scheme. The application indicates that the increase in facilities now proposed (enlarged restaurant and bar, banqueting areas, conference facilities and health club and spa) are primarily for hotel guests but will also be available for non-residents (mostly during off-peak

periods). The current permission is subject to a Section 106 legal agreement which, in respect of highways issues, requires the following:

- a) A £50,000 contribution for traffic calming measures along Hinton Way, to include a pedestrian crossing in the vicinity of the shops in Hinton Way, interactive signs along Hinton Way and other speed reduction measures;
- b) A £24,000 contribution for the provision of a cycleway along Hinton Way to the Babraham Road junction;
- c) Provision of a new 2m wide foot/cycleway; and
- d) Lorry routing restrictions.

60. However, the Local Highways Authority has commented that the highway network has changed significantly since the previous permission. In addition to requiring further information to be shown on the plans (namely visibility splays, position of the highway boundary and dimensions of the footpath), the LHA has requested justification of the need for 10.5m kerb radii as well as the carrying out of further traffic surveys before December.

61. I have sought further clarification from the Local Highways Authority on the following points:

- a) Whether it is generally satisfied that, as argued within the submitted transport statement, the proposal would not significantly increase traffic levels when compared to the approved scheme;
- b) The reasoning behind the requirement for further traffic surveys to be carried out during neutral days; and
- c) What amendments are likely to be required to the existing Section 106 legal agreement? Would this take the form of an increase in the financial contribution required, or are the fundamental requirements likely to differ?

62. The car parking standards, as set out within the Local Development Framework, require a maximum of 13 spaces for every 10 guest rooms, which equates to a maximum of 129 spaces for the proposed 99 room hotel. For the sake of clarification, these standards are designed to account for the dual use of hotels by residents and visitors. The applicants state that the previous scheme only realistically resulted in the provision of 108 spaces, and that 119 have been proposed in the current application. Although this figure is 10 spaces below the standard stipulated within the Local Development Framework, the standard is a maximum rather than minimum requirement and I am satisfied that there are alternative means of accessing the site. There is a bus stop 200 metres to the north, the Babraham Road park and ride site is around 1 kilometre away, and the railway station in Great Shelford is approximately 1.6 kilometres to the south-west. In addition, a total of 60 cycle spaces have been provided and, as a requirement of any consent for the hotel and golf course, improvements will be made to the cycle network in the vicinity of the site. As such, I consider the number of spaces provided to be acceptable. The applicants have advised that the basement can accommodate 119 spaces at the required minimum dimensions of 2.4m x 4.8m and the basement plan will be amended accordingly. The amended plan will also reposition the disabled parking spaces so that they are as close as possible to the lift/entrance. With regards to the other points raised by the Disability Forum, these relate to the detailed internal layout of the building and are matters that would need to be resolved at the building regulations rather than planning stage.

Residential amenity

63. The proposal would extend the garden closer to the boundary with No.197 Hinton Way than the approved scheme. However, the garden would be some 55 metres away from No.197's rear garden boundary and there is a substantial intervening area of woodland that would be retained and strengthened. As such, I am satisfied that the occupiers of No.197 would not suffer serious additional harm as a result of the increased size of the building.

Sustainability Issues

64. The applicants have argued that the current scheme would bring forward advances in relation to the sustainability of the proposal that would not otherwise happen if the extant permission were to be implemented. This is certainly the case. Since February 2004, when consent was granted for the previous scheme, there has been a change in planning policies relating to sustainability issues. In particular, Policy NE/3 requires all new development proposals greater than 1000 square metres to include technology for renewable energy to provide at least 10% of their predicted energy requirements. This is not a requirement of the current planning permission but would need to be conditioned as part of any subsequent consent. The building also includes a number of energy efficient measures to reduce the energy demands of the building.
65. The provision of an energy efficient building incorporating sustainable construction methods and renewable energy technologies, that would not otherwise be delivered, is considered to constitute an additional very special circumstance that further outweighs any harm caused by reason of inappropriateness.

Ecology Issues

66. The applicants argue that policy requirements relating to ecology issues have changed since the previous permission and that the proposal contains a range of enhancements that would not otherwise be provided, thereby providing further very special circumstances. Whilst the Ecology Officer is extremely supportive of the measures put forward in the application, the previous permission was subject to pre-commencement ecological conditions requiring:
- a) A habitat survey and appropriate mitigation measures to be carried out; and
 - b) The implementation of a great crested newt mitigation scheme.
67. As the ecological enhancements proposed in the application were likely to have been required anyway in seeking to discharge the requirements of the previous permission, I do not consider the current proposal brings forward benefits that would not otherwise have been provided.

Environmental/Community Benefits

68. None of the environmental and community benefits set out in the accompanying planning statement (ie – the design quality of the building, provision of a luxury hotel, provision of extra employment opportunities in the area, ensuring the delivery of the adjacent golf course, traffic calming measures) result in benefits over and above the approved scheme. As such, I do not consider any of these factors constitute the very special circumstances required to support the proposal.
69. If planning permission is granted for this revised scheme, the consent would need to be subject to a new legal agreement or deed of variation to the existing agreement. I am

awaiting clarification from the Local Highways Authority as to whether any new S106 requirements arise as a result of the latest application prior to issuing an instruction to the Council's legal department. The Parish Council's solicitors have argued that a new agreement should be required and has queried whether there would be a need for open space maintenance payments. However, the provision of open space for the Parish Council is not encompassed within the existing Section 106 Agreement and relates to a separate agreement between the applicants and Parish Council. As such, new policies relating to open space provision and commuted sums are not of relevance to this particular application.

Summary

70. There is an extant planning permission for a 99 bedroom hotel on the site and, whilst the proposed hotel constitutes inappropriate development in the Green Belt, so does the approved smaller scheme. Inappropriate development is, by definition, harmful to the Green Belt and the applicant has therefore sought to demonstrate the very special circumstances to justify this larger scheme. Providing the access and turning/circulation arrangements can be revised to overcome objections raised by the Trees Officer, I consider the current proposal encompasses the following benefits, when compared to the approved extant scheme, and that these benefits, taken together with the lack of visual harm caused by the proposal, constitute the very special circumstances necessary to outweigh the harm caused by reason of inappropriateness:
- a) Moving 38 car parking spaces underground, resulting in the removal of 924m² of hardstanding, thereby improving the visual appearance of the development;
 - b) The provision of a more energy efficient building, encompassing sustainable construction techniques and renewable energy technologies;
 - c) The provision of a vehicular access and turning area that would have a less harmful impact upon significant trees than the approved scheme.
71. If Members are minded to approve the application, it will need to be referred to the Secretary of State as an application for planning permission involving inappropriate development on Green Belt land and involving the construction of a building of more than 1,000 square metres.

Recommendation

72. Subject to: (a) the submission of amended plans to address concerns raised by the Trees Officer and to revise the basement parking plan; (b) resolving concerns raised by the Local Highways Authority (including the carrying out of additional survey work if required), and (c) the Secretary of State not call the application in for her determination, delegated powers are sought to approve the application subject to a Section 106 agreement or Deed of Variation to echo the requirements of the previous agreement.
73. Any consent would need to be subject to the following conditions:
- 1. Sample materials;
 - 2. Sample panel of brick/stonework;
 - 3. Hard and soft landscaping details, and implementation;
 - 4. Details of earthworks;
 - 5. Landscape management plan;
 - 6. Tree protection details;
 - 7. Replacement trees;
 - 8. Lighting details;

9. Fume filtration/extraction equipment details;
10. Noise insulation scheme;
11. Construction hours;
12. Details of contractors operations;
13. Renewable energy;
14. Green travel plan;
15. Provision of car and cycle parking prior to occupation;
16. No land to be used for parking unless agreed in writing;
17. Ecological monitoring and management plan;
18. Details of foul and surface water drainage;
19. Pollution control details;
20. Details of associated intrusive ground works;
21. Boundary treatment details;
22. Noise attenuation scheme for the boundary with No.197;
23. Security measures to control entrance and exit points of basement car park;
24. Building to be used as a hotel only and for no other purpose;
25. Details of fire hydrants.

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

- East of England Plan, Regional Spatial Strategy 2008;
- South Cambridgeshire Local Development Framework (LDF) 2007;
- Planning application references: S/0036/88/O, S/0754/90/F, S/1936/94/F, S/1633/96/O, S/0778/97/RM, S/1883/99/O, S/1229/00/F, S/0835/06/F, S/2257/01/F, S/0836/06/F and S/1394/08/F.

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Planning Committee	5 th November 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**Selective Developments – (appeal 1) House and detached garage; (appeal 2) House and garage – 2 Pepys Way Girton – Both appeals allowed.**

2. Both applications were refused by the Planning Committee on the basis of harm to the character and appearance of the area. In addition, the second appeal for a backland plot was also refused on having an inadequate access.
3. The inspector's impression of the immediate area was one of harmonious variety by virtue of building designs and spacing relative to the road. He found that in respect of the appeal for a frontage dwelling, there was no objection in principle to a house that occupied the whole width of the plot. In refusing the application, the Council had failed to indicate which elements of the design it found unacceptable. The bungalow to be removed was undistinguished and the new design was not so radical as to be out of place with its surroundings. The proposal would preserve the character of the local area.
4. So far as the second appeal was concerned, the Council was concerned that the relationship of the two dwellings would appear cramped compared to their neighbours. However, the appeal plot was larger than its neighbours and would therefore not appear cramped. There would still be sufficient space between the two plots and regard should be paid to government advice, which requires more efficient use of land. While this would be a new element of backland development, it would not cause harm through overlooking, loss of outlook or visual intrusion in the street scene. Satisfactory access can be achieved into the site.
5. The appeals were therefore both allowed subject to conditions. These include approval of materials; restriction on further windows to prevent future overlooking; provision of visibility splays and vehicle turning areas; landscaping; and tree retention/ protection details. In addition, the house on the backland plot cannot be started until the new house at the front has proceeded so far as the completion of the roof is concerned. This is to ensure the house on the backland plot is not visible in the street scene and the character of the area is protected.

This page is left blank intentionally.