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23 December 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, PW Topping 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, 14 JANUARY 2009** 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.

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## AGENDA

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<b>2. General Declarations of Interest</b>	<b>21 - 22</b>
<b>3. Minutes of Previous Meeting</b> To authorise the Chairman to sign the Minutes of the meeting held on 3 December 2008 as a correct record. The minutes are attached	

to the online version of the agenda.

#### **PLANNING APPLICATIONS AND OTHER DECISION ITEMS**

4.	<b>S/1753/08/F – Carlton (Land North of Rose Cottage, off Brinkley Road)</b>	<b>23 - 28</b>
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#### **INFORMATION ITEMS**

The following items are included on the agenda for information and are available in electronic format only (at [www.scams.gov.uk/meetings](http://www.scams.gov.uk/meetings) and in the Weekly Bulletin dated 7 January 2009). Should Members have any comments or questions regarding issues raised by the reports, they should contact the appropriate officers prior to the meeting.

18.	<b>Appeals against Planning Decisions and Enforcement Action</b> Summaries of Decisions of interest attached. <b>Contact officers:</b> Gareth Jones, Corporate Manager (Planning and Sustainable Communities) – Tel: 01954 713155 John Koch, Appeals Manager (Special Projects) – Tel: 01954 713268	<b>149 - 152</b>
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## **GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL**

Whilst the District Council endeavours to ensure that you come to no harm when visiting South Cambridgeshire Hall you also have a responsibility to ensure that you do not risk your own or others' safety.

### **Security**

Visitors should report to the main reception desk where they will be asked to sign a register. Visitors will be given a visitor's pass that must be worn at all times whilst in the building. Please remember to sign out and return your pass before you leave. The visitors' book is used as a register in cases of emergency and building evacuation.

### **Emergency and Evacuation**

In the event of a fire you will hear a continuous alarm. 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**

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 lift.

### **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 or sub-committee of the Council or the executive.

### **Banners / Placards / Etc.**

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**

The Council operates a NO SMOKING policy.

### **Food and Drink**

Vending machines and a water dispenser are available on the ground floor near the lifts. There shall be no food and drink in the Council Chamber.

### **Mobile Phones**

Please ensure that your phone is set on silent / vibrate mode during meetings.

## **ADVICE TO MEMBERS OF THE PUBLIC ATTENDING AND SPEAKING AT THE PLANNING COMMITTEE MEETING**

### **Is this meeting open to the public?**

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

### **When and where is the meeting?**

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

### **Can I speak? Who else can speak?**

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

### **What can I say?**

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

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

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

### **How are the applications considered?**

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

## **EXCLUSION OF PRESS AND PUBLIC**

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

"I propose that the Press and public be excluded from the meeting during the consideration of the following item number(s) ..... in accordance with Section 100(A) (4) of the Local Government Act 1972 on the grounds that, if

present, there would be disclosure to them of exempt information as defined in paragraph(s) ..... of Part 1 of Schedule 12A of the Act.”

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

### **Notes**

- (1) Some development control matters in this Agenda where the periods of consultation and representation may not have quite expired are reported to Committee to save time in the decision making process. Decisions on these applications will only be made at the end of the consultation periods after taking into account all material representations made within the full consultation period. The final decisions may be delegated to the Corporate Manager (Planning and Sustainable Communities).
- (2) The Council considers every planning application on its merits and in the context of national, regional and local planning policy. As part of the Council's customer service standards, Councillors and officers aim to put customers first, deliver outstanding service and provide easy access to services and information. At all times, we will treat customers with respect and will be polite, patient and honest. The Council is also committed to treat everyone fairly and justly, and to promote equality. This applies to all residents and customers, planning applicants and those people against whom the Council is taking, or proposing to take, planning enforcement action. More details can be found on the Council's website under 'Council and Democracy'.

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## APPENDIX 1

## PLANNING POLICIES

AGENDA  
NO.

## 4. S/1753/08/F - CARLTON

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

**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.

**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.

**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.

**Policy DP7 “Development Frameworks”** limits development outside urban and village frameworks to agriculture horticulture, forestry, and outdoor recreation and other uses which need to be located in the countryside.

**Policy TR/3 “Mitigating Travel Impact”** requires new developments to mitigate their travel impact, including their environmental impact, such as noise, pollution and impact on amenity and health.

## 5. S/1678/05/F - WESTERN COLVILLE

Weston Colville is identified within **Policy ST/7** of the Local Development Framework Core Strategy 2007 as an Infill Village. In such locations, residential development is restricted to no more than two dwellings comprising (amongst other things) the redevelopment of an existing residential curtilage.

**Policy DP/2** of the 2007 Local Development Framework requires all new development to be of high quality design, whilst **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, or from undue environmental disturbance.

**Policy HG/1** of the LDF requires residential developments to make the best use of land by achieving average net densities of at least 30 dwellings per hectare, unless there are exceptional local circumstances that require a different treatment.

**LDF Policy HG/2** requires the market element of developments of up to 10 dwellings to provide at least 40% of homes with 1 or 2 bedrooms.

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**Policy HG/3** of the Development Control Policies Document of the Local Development Framework states that proposals need to include an agreed mix of affordable housing to meet local needs, with the amount of affordable housing sought to be 40% or more of the dwellings for which planning permission may be given on all sites of two or more dwellings.

The supporting text to the above policy states that, in smaller developments, where individual units of affordable housing cannot reasonably be provided on the development site itself, it may be appropriate for a financial contribution towards off-site provision to be secured through Section 106 agreements. This approach will only be applicable to small sites where there may be difficulties over delivery or management, and financial contributions will be secured towards the provision of affordable housing on other sites. Where possible, affordable housing will be provided in locations as close to the site as possible but, as monies will be time limited, they may need to be spent elsewhere in the local area.

**The Council's Procedure Guide for Consideration of Commuted Sums in Lieu of On-Site Provision of Affordable Housing** states that, although procurement of land for affordable housing is the Council's main priority, there are certain schemes where the inclusion of affordable housing may not be appropriate, and where payment of a commuted sum may be an acceptable alternative. Any variation from the provision of affordable housing as part of a larger scheme should be regarded as a last resort and good reasons will need to be provided by the applicant to demonstrate why on-site provision is not appropriate. If it is accepted that the Council will forego on-site provision for whatever reason, the offer of provision of an alternative site within the same village should be considered next. A commuted sum should only be considered once the aforementioned options have been fully explored, but the acceptance of anything other than on-site provision is purely at the Council's discretion.

**6. S/1835/08/F– FULBOURN**

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

**Policy ST/4 – “Rural Centres”** of the South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007.

**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.

**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.

**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.

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**Policy DP7 “Development Frameworks”** limits development outside urban and village frameworks to agriculture horticulture, forestry, and outdoor recreation and other uses which need to be located in the countryside.

**Policy HG/2 - “Housing Mix”** states residential developments will contain a mix of units providing accommodation in a range of types, sizes and affordability, to meet local needs. A proportion of all new homes must be to Lifetime Mobility standards.

**Policy HG/3 - “Affordable Housing”** states proposals for housing developments will only be permitted if they provide an agreed mix of affordable housing. The amount of affordable housing sought will be 40% or more of the dwellings for which planning permission may be given on all sites of two or more dwellings. Within individual developments, the proportion and type of affordable housing will be the subject of negotiation with applicants. Account will be taken of any particular costs associated with the development (e.g. site remediation, infrastructure provision). In order to ensure sustainable communities, affordable housing will be distributed through the development in small groups or clusters. In exceptional circumstance, on smaller sites, the Council may accept financial contributions towards an element of off-site provision. Para. 4.14 indicates: ‘It will not be appropriate for major development to provide financial contributions in lieu of built provision, as on-site provision is a key part of creating a sustainable community’.

**Policy SF/10 “Outdoor Play Space, Informal Open Space and New Developments”** - requires all residential developments to contribute towards outdoor playing space, formal outdoor sports facilities and informal open space to meet the additional need generated by the development. Where appropriate, provision will involve all or some types of space within the development site. However, an appropriate contribution will be required for ‘off-site’ provision of the types of space not provided on-site.

**Policy SF/11 “Open Space Standards”** - defines the minimum standards for outdoor play space and informal open space.

**Policies TR/1 & TR/2 “Planning for More Sustainable Travel” & “Car and Cycle Parking Standards”** - partly states that the Council will seek, to ensure that every opportunity is taken to increase accessibility to non-car modes by any appropriate measures such as restricting car parking to the maximum levels. The maximum car parking standard for dwelling houses (under Use Classes Order C3) is an average of 1.5 spaces per dwelling.

**7. S/1768/08/F - FULBOURN**

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

**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.

**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.

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**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.

**Policy DP/7 “Development Frameworks”** states that outside urban and village frameworks, only development for agriculture, horticulture, forestry, outdoor recreation and other uses that need to be located in the countryside will be permitted.

**Policy TR/1 “Planning for More Sustainable Travel”** states that planning permission will not be granted for developments likely to give rise to a material increase in travel demands unless the site has (or will attain) a sufficient standard of accessibility to offer an appropriate choice of travel by public transport or other non-car travel mode(s). Opportunities to increase integration of travel modes and accessibility to non-motorised modes by appropriate measures will be taken into consideration. The Local Transport Plan road user hierarchy will also be taken into account in the determination of planning applications to ensure adequate emphasis has been placed on the relevant modes, although no modes should be promoted to the exclusion of others.

**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

**8. S/1601/08/O - MILTON**

**Planning Policy Guidance 2: Green Belts**

Identifies the purposes of including land within Green Belts (para. 1.5) and uses of land that can play a positive role to fulfil Green Belt objectives (para. 1.6). It establishes that there is a presumption against ‘inappropriate development’ as this is, by definition, harmful to the Green Belt. Applicants must identify very special circumstances to clearly outweigh harm by way of inappropriateness and other harm that maybe caused by the development proposed (paras. 3.1-3.3). Annex C sets out the approach to be taken to major sites, identified within the Local Development Framework (LDF) as ‘major developed sites’ in the Green Belt.

**Planning Policy Statement 3: Housing**

Establishes that Local Planning Authorities (LPAs) should have regard to achieving housing that is high quality; of a good mix to reflect the accommodation requirements of specific groups, in particular families and older people; located on suitable sites; and uses land effectively and efficiently.

**Planning Policy Statement 7: Sustainable Development in Rural Areas**

This requires LPAs to identify suitable sites for future economic development, especially in rural areas where there is a need for employment creation; and the criteria for permitting economic development such as expansion of business facilities to facilitate healthy and diverse economic activity in rural areas. It advises that LPAs follow the approach of PPG3 (now PPS3) in relation to housing in terms of providing housing to meet the needs of local

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people and applying strict control over new house building away from established settlements or areas allocated for housing.

**Planning Policy Guidance 15: Planning and the Historic Environment -**

Paragraph 4.19 “The Courts have recently confirmed that planning decisions in respect of development proposed to be carried out in a Conservation Area must give a high priority to the objective of preserving or enhancing the character or appearance of the area. If any proposed development would conflict with that objective, there will be a strong presumption against the grant of planning permission, though in exceptional cases the presumption may be overridden in favour of development which is desirable on the grounds of some other public interest”.

Paragraph 2.16 “Sections 16 and 66 of the Act require authorities considering applications for planning permission or listed building consent for works which affect a listed building to have special regard to certain matters, including the desirability of preserving the setting of the building. The setting is often an essential part of the building’s character, especially if a garden or grounds have been laid out to complement its design or function. Also, the economic viability as well as the character of historic buildings may suffer and they can be robbed of much of their interest, and of the contribution they make to townscape or the countryside, if they become isolated from their surroundings, eg. By new traffic routes, car parks, or other development”.

**East of England Plan 2008**

**Policy H1: “Regional Housing Provision 2001 to 2021”** requires LPAs to: manage the supply of housing in accordance with PPS3 and LDFs, facilitate the delivery of housing over the next 15 years.

**Policy ENV7: “Quality of Built Environment”** requires new development to be of a high quality that complements the distinctive character and best qualities of the local area and promotes urban renaissance and regeneration.

**Policy CSR3: “Green Belt”** states that in making provision for housing, employment and all other development a green belt should be maintained around Cambridge to define the extent of urban growth in accordance with the purposes of the Cambridge Green Belt which are:

- (a) Preserve the character of Cambridge as a dynamic city with a thriving historic centre;
- (b) Maintain and enhance the quality of Cambridge’s setting; and
- (c) Prevent communities in the environs of Cambridge from merging into one another and with the city.

**Cambridgeshire and Peterborough Structure Plan 2003**

**Policy P6/1 – “Development Related Provision”** only permits development where the additional infrastructure and community requirements generated by the proposals can be secured, which may be by condition or legal agreement or undertaking.

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**South Cambridgeshire Local Development Framework 2007:**

**Core Strategy**

**Policy ST/1 - “Green Belt”** establishes that a Green Belt will be maintained around Cambridge to define the extent of the urban area. The purpose of the Green Belt is to preserve the unique character of Cambridge as a compact, dynamic city with a thriving historic centre; maintain and enhance the quality of its setting; and prevent communities in the environs of Cambridge from merging into one another and with the city.

**Policy ST/2 - “Housing Provision”** sets out the need to make provision for 20,000 new homes, including affordable and key worker homes, in the period 1999 to 2016 in locations in order of preference:

- (a) On the edge of Cambridge;
- (b) At the new town of Northstowe;
- (c) In the rural area in Rural Centres and other villages.

**Policy ST/3 - “Re-Using Previously Developed Land and Buildings”** states that between 1999 and 2016 at least 37% of new dwellings will either be located on previously developed land or utilise existing buildings.

**Policy ST/6 - “Group Villages”** identifies Milton and states residential development with a maximum scheme size of 8 dwellings will be permitted within village frameworks. Development may exceptionally consist of up to about 15 dwellings where this would make best use of a single brownfield site. Group villages are less sustainable locations for new developments, having fewer services and facilities for basic day-to-day requirements.

**Policy ST/8 - “Employment Provision”** aims to ensure sufficient employment land is available to enable further development of high technology clusters and meet local needs.

**Development Control Policies**

**Policy DP/1 - “Sustainable Development”** states development will only be permitted where it is demonstrated that it is consistent with the principles of sustainable development, as appropriate to its location, scale and form.

**Policy DP/2 - “Design of New Development”** states all new development must be of high quality design and, inter alia:

- (a) Preserve or enhance the character of the local area.
- (b) Conserve or enhance important environmental assets of the use.
- (c) Be compatible with its location and appropriate in terms of scale, mass, form, siting, design, etc. in relation to its surroundings.
- (d) Provide higher residential densities, and a mix of housing types including smaller homes.
- (e) Provide high quality public spaces.
- (f) Provide an inclusive environment that is created for people that is and feels safe, and that has a strong community focus.
- (g) Include high quality landscaping compatible with the scale and character of the development and its surroundings.

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**Policy DP/3 - “Development Criteria”** states:

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

- (a) Affordable housing.
- (b) Appropriate and safe access from the highway network.
- (c) Car parking, with provision kept to a minimum.
- (d) Safe and secure cycle parking.
- (e) Outdoor play space.
- (f) Safe and convenient access for all to public buildings and spaces, and to public transport.
- (g) Screened storage and collection of refuse, including recyclable materials.
- (h) A design and layout that minimises opportunities for crime.
- (i) Financial contribution towards the provision and, where appropriate, the maintenance of infrastructure, services and facilities required by the development.

It also states planning permission will not be granted where the proposed development would have an unacceptable adverse impact, inter alia:

- (a) Residential amenity
- (b) From traffic generated
- (c) On village character
- (d) On the countryside, and landscape character
- (e) On ecological, wildlife and archaeological interests.
- (f) On flooding and flood risk.
- (g) On quality of ground or surface water.
- (h) On recreation or other community facilities.

**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 made the scheme acceptable in planning terms. Contributions may be necessary, inter alia, for the following:

- (a) Affordable housing
- (b) Education
- (c) Public open space
- (d) Community facilities
- (e) Landscaping and biodiversity
- (f) Drainage / flood prevention
- (g) Waste management
- (h) Arts and cultural provision
- (i) Preservation or enhancement of historic landscape or townscape.

**Policy DP/6 - “Construction Methods”** states where practicable, development which by its nature or extent is likely to have some adverse impact upon the local environment and amenity during construction and/or is likely to generate construction waste should, inter alia:

- (a) Recycle construction waste.
- (b) Prepare a “Resource Re-use and Recycling Scheme” to cover all waste arising during the construction.
- (c) Be bound by a “Considerate Contractors Scheme” or similar arrangement, including restrictions on hours of noisy operations.
- (d) Where appropriate accommodate spoil within the site.

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- (e) Maximise the re-use and recycling of any suitable raw materials currently available on sites during construction.

**Policy DP/7 - “Development Frameworks”** states outside urban and village frameworks only development for agriculture, forestry or outdoor recreation and other uses which need to be in the countryside will be permitted. Redevelopment of unallocated land and buildings within development frameworks will be permitted, provided that:

- (a) Retention of the site in its present state does not form an essential part of the local character.
- (b) Development would be sensitive to the character of the location, local features of landscape, ecological or historic importance, and the amenities of neighbours.
- (c) There is the necessary infrastructure capacity to support the development.
- (d) Development would not result in the loss of a local service or facility.

**Policy GB/1 - “Development in the Green Belt”** establishes that there is a presumption against inappropriate development (as defined in section 3 of PPG2: Green Belts) in the Cambridge Green Belt.

**Policy GB/2 - “Mitigating the Impact of Development in the Green Belt”** requires that any development that is considered appropriate must be located and designed so that it does not have an adverse effect on the rural character and openness of the Green Belt. If permitted landscaping conditions and maintenance of planting will be required to ensure that the impact on the Green Belt is mitigated.

**Policy GB/3 - “Mitigating the Impact of Development Adjoining the Green Belt”** requires that any adverse impact on the Green Belt must be taken into account and that development on edges of settlements surrounded by Green Belt must include careful landscaping and design measures of a high quality in order to protect the purposes of the Green Belt.

**Policy GB/4 - “Major Developed Sites in the Green Belt”** identifies designated major developed sites in the Green Belt. Milton Hall is not identified as a Major Developed Site on the Proposals Map. The policy establishes the parameters for limited infilling or re-development that may be permitted as:

Infilling is defined as the filling of small gaps between built development. Such infilling should have no greater impact upon the open nature of the Green Belt and should not lead to a major increase in the developed proportion of the site. The cumulative impact of infilling proposals will be taken into account.

Redevelopment will be limited to that which would not result in:

- (a) A greater floor area than the existing built form;
- (b) A greater footprint unless there are significant environmental improvements;
- (c) The existing height of the built development being exceeded;
- (d) There being a greater impact than the existing development on the openness of the Green Belt.

The supporting text states that ‘Major Developed Sites, as identified on the Proposals Map, continue to be part of the Green Belt and remain subject to Green Belt policies. However, redevelopment where appropriate and infilling

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may be permitted within the defined confines of these sites subject to there being no adverse impact on the purposes of the Green Belt. The footprint of existing development within these sites excludes temporary buildings, open spaces with external access between wings of buildings, and areas of hard standing' (para. 3.10).

**Policy GB/5 - "Recreation in the Green Belt"** encourages proposals for the use of the Green Belt for increased or enhanced opportunities for access to the open countryside and which provide opportunities for outdoor sport and recreation, appropriate to it, where it would not harm the objectives of the Green Belt.

**Policy HG/1 - "Housing Density"** states that residential developments will make best use of the site by achieving average net densities of at least 30 dwellings per hectare unless there are exceptional local circumstances that require a different treatment. Higher average net densities of at least 40 dwellings per hectare should be achieved in more sustainable locations close to a good range of existing or potential services and facilities and where there is, or there is potential for, good local public transport services.

**Policy HG/2 - "Housing Mix"** states residential developments will contain a mix of units providing accommodation in a range of types, sizes and affordability, to meet local needs. A proportion of all new homes must be to Lifetime Mobility standards.

**Policy HG/3 - "Affordable Housing"** states proposals for housing developments will only be permitted if they provide an agreed mix of affordable housing. The amount of affordable housing sought will be 40% or more of the dwellings for which planning permission may be given on all sites of two or more dwellings. Within individual developments, the proportion and type of affordable housing will be the subject of negotiation with applicants. Account will be taken of any particular costs associated with the development (e.g. site remediation, infrastructure provision). In order to ensure sustainable communities, affordable housing will be distributed through the development in small groups or clusters. In exceptional circumstance, on smaller sites, the Council may accept financial contributions towards an element of off-site provision. Para. 4.14 indicates: 'It will not be appropriate for major development to provide financial contributions in lieu of built provision, as on-site provision is a key part of creating a sustainable community'.

**Policy HG/5 - "Exceptions Sites for Affordable Housing"** As an exception to the normal operation of the plan policies, planning permission may be granted for schemes of 100% affordable housing designed to meet identified local housing needs on small sites within or adjoining villages subject to a number of criteria and providing no alternative appropriate sites can be found of the scale and type and accords with policy regarding impact of new development on the local surroundings.

**Policy ET/6 - "Loss of Rural Employment to Non-Employment Uses"** states:

The conversion, change of use or re-development of existing employment sites to non-employment uses within village frameworks should be resisted unless one of the following criteria is met:

- (a) It is demonstrated that the site is inappropriate for any employment use to continue having regard to market demand. Applications will need to be accompanied by documentary evidence that the site is not suitable or capable of being made suitable for continued employment

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use. Evidence would be required that the property has been adequately marketed for a period of not less than twelve months on terms that reflect the lawful use and condition of the premises; or

- (b) The overall benefit to the community of the proposal outweighs any adverse effect on employment opportunities and the range of available employment land and premises; or
- (c) The existing use is generating environmental problems such as noise, pollution, or unacceptable levels of traffic and any alternative employment use would continue to generate similar environmental problems.

NB. The application site is located outside the village framework for Milton.

**Policy ET/8 - “Replacement Buildings in the Countryside”** Proposals for replacement buildings in the countryside for employment use will be considered subject to strict control over any increase in floor area for the benefit of the design and to better integrate the building with its surroundings only.

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

**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**. Sheltered dwellings and residential homes will not be required to provide Outdoor Play Space. Where appropriate provision should be on site.

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

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

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

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

**Policy NE/4 - “Landscape Character Areas”** permits development only where it will respect and retain or enhance the local character and distinctiveness of the individual Landscape Character Area in which it is located.

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**Policy NE/6 - “Biodiversity”** requires new developments to aim to maintain, enhance, restore or add to biodiversity. The District Council will refuse development that would have an adverse significant impact on the population or conservation status of protected species, priority species or habitat, unless the impact can be adequately mitigated by measures secured by planning conditions. Previously developed land will not be considered to be devoid of biodiversity. The re-use of such sites must be undertaken carefully with regard to existing features of biodiversity interest. Development proposals will be expected to include measures that maintain and enhance important features whilst incorporating them within any development of the site.

**Policy NE/8 - “Groundwater”** restricts development that will pose an unacceptable risk to the quality of the underlying groundwater from the chalk aquifer to the south and east of Cambridge.

**Policy NE/9 - “Water and Drainage Infrastructure”** restricts development where there exists inadequate water supply, sewerage or land drainage systems to meet the needs of the development.

**Policy NE/11 - “Flood Risk”** states that in relation to flood risk, applications for planning permission will be judged against national policy (currently in PPS25).

**Policy NE/12 - “Water Conservation”** requires that development must incorporate all practicable water conservation measures. All development proposals greater than 1,000 m<sup>2</sup> or 10 dwellings will be required to submit a Water Conservation Strategy prior to the commencement of the development to demonstrate how this is to be achieved.

**Policy CH/1 - “Historic Landscapes”** requires that planning permission will not be granted for development which would adversely affect or lead to the loss of important areas and features of historic landscape whether or not they be statutorily protected.

**Policy CH/2 - “Archaeological Sites”** requires that archaeological sites will be protected in accordance with national policy (currently PPG16).

**Policy CH/4 - “Development Within the Curtilage or Setting of a Listed Building”** seeks to restrict development that would adversely affect the curtilage or wider setting of a Listed Building and requires that proposals must provide clear illustrative and technical material to allow that impact to be properly assessed.

**Policy CH/5 - “Conservation Areas”** requires planning applications for development proposals or affecting Conservation Areas will be determined in accordance with legislative provisions and national policy (currently in PPG15) and guidance contained in specific Conservation Area Appraisals (where they exist) and the District Design Guide.

**Policy TR/1 - “Planning for More Sustainable Travel”** states planning permission will not be granted for developments likely to give rise to a material increase in travel demands unless the site has a sufficient standard of accessibility to offer an appropriate choice of travel by public transport or other non-car travel modes. The amount of car parking provision in new developments should be minimised, compatible with their location. Developments should be designed from the outset with permeable layouts to

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facilitate and encourage short distance trips by cycle and walking. Safe and secure cycle parking shall be provided.

**Policy TR/2 - "Car and Cycle Parking Standards"** states car parking should be provided in accordance with the Council's maximum standards, to reduce over reliance on the car and to promote more sustainable forms of transport. Cycle parking provision should be provided in accordance with the minimum standards.

**Policy TR/3 - "Mitigating Travel Impact"** requires applications for major residential development to be accompanied by a Transport Assessment and Travel Plan.

**Policy TR/4 - "Non-motorised Modes"** states the District Council will use its planning powers by ensuring that all new developments are designed at the outset to facilitate and encourage short distance trips between home, work, schools and for leisure.

**9. S/0805/08/O - WIMPOLE**

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

**Policy HG/1** of the LDF requires residential developments to make the best use of land by achieving average net densities of at least 30 dwellings per hectare, unless there are exceptional local circumstances that require a different treatment.

**Policy HG/2** requires the market element of developments of up to 10 dwellings to provide at least 40% of homes with 1 or 2 bedrooms.

**Policy HG/3** of the Development Control Policies Document of the Local Development Framework states that proposals need to include an agreed mix of affordable housing to meet local needs, with the amount of affordable housing sought to be 40% or more of the dwellings for which planning permission may be given on all sites of two or more dwellings.

The supporting text to the above policy states that, in smaller developments, where individual units of affordable housing cannot reasonably be provided on the development site itself, it may be appropriate for a financial contribution towards off-site provision to be secured through Section 106 agreements. This approach will only be applicable to small sites where there may be difficulties over delivery or management, and financial contributions will be secured towards the provision of affordable housing on other sites. Where possible, affordable housing will be provided in locations as close to the site as possible but, as monies will be time limited, they may need to be spent elsewhere in the local area.

**Policy HG/5 - "Exceptions Sites for Affordable Housing"**. As an exception to the normal operation of the plan policies, planning permission may be granted for schemes of 100% affordable housing designed to meet identified local housing needs on small sites within or adjoining villages subject to a number of criteria and providing no alternative appropriate sites can be found of the scale and type and accords with policy regarding impact of new development on the local surroundings.

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**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.

**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.

**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.

**Policy DP/4 “Infrastructure and New Developments”** - requires that development proposals should include suitable arrangements for the improvement or provision of infrastructure necessary to make the scheme acceptable in planning terms. It identifies circumstances where contributions may be required e.g. affordable housing and public open space.

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

**Policy NE/6 - “Biodiversity”** requires new developments to aim to maintain, enhance, restore or add to biodiversity. The District Council will refuse development that would have an adverse significant impact on the population or conservation status of protected species, priority species or habitat, unless the impact can be adequately mitigated by measures secured by planning conditions. Previously developed land will not be considered to be devoid of biodiversity. The re-use of such sites must be undertaken carefully with regard to existing features of biodiversity interest. Development proposals will be expected to include measures that maintain and enhance important features whilst incorporating them within any development of the site.

**Policy NE/9 - “Water and Drainage Infrastructure”** restricts development where there exists inadequate water supply, sewerage or land drainage systems to meet the needs of the development.

**Policy NE/12 - “Water Conservation”** requires that development must incorporate all practicable water conservation measures. All development proposals greater than 1,000 m<sup>2</sup> or 10 dwellings will be required to submit a Water Conservation Strategy prior to the commencement of the development to demonstrate how this is to be achieved.

**Policy TR/1 “Planning for More Sustainable Travel”** states that planning permission will not be granted for developments likely to give rise to a material increase in travel demands unless the site has (or will attain) a sufficient standard of accessibility to offer an appropriate choice of travel by public transport or other non-car travel mode(s). Opportunities to increase integration of travel modes and accessibility to non-motorised modes by appropriate measures will be taken into consideration. The Local Transport Plan road user hierarchy will also be taken into account in the determination of planning applications to ensure adequate emphasis has been placed on

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the relevant modes, although no modes should be promoted to the exclusion of others.

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

**Policy TR/4 - “Non-motorised Modes”** states the District Council will use its planning powers by ensuring that all new developments are designed at the outset to facilitate and encourage short distance trips between home, work, schools and for leisure.

**10. S/1742/08/F - FEN DRAYTON**

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

**Policy DP/2 “Design of New Development”** – requires all new development to be of a high quality design and (amongst other issues) be compatible with its location and appropriate in terms of scale, form, design and materials.

**Policy DP/3 “Development Criteria”** – sets out what all new development should provide, as appropriate to its nature, scale and economic viability and states that permission will not be granted for proposals that would have an unacceptable adverse impact on (amongst other issues) village character.

**Policy CH/4 “Development Within the Curtilage or Setting of a Listed Building”** – resists new development that would adversely affect that curtilage or wider setting of a Listed Building.

**Policy CH/5 “Conservation Areas”** – requires new development in or affecting a Conservation Area to be determined in accordance with national policy (PPG15), namely to preserve or enhance the character of the area.

**11. S/1688/08/RM - PAPWORTH EVERARD**

**Local Plan 2004**

Policy Papworth Everard 3(c) is saved and allocates the land for residential development.

**LDF Core Strategy 2007**

**Policy ST/5** identifies Papworth Everard as a Minor Rural Centre.

**Local Development Framework Development Control DPD 2007**

**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.

**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.

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**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.

**Policy DP/6 - “Construction Methods”** states where practicable, development which by its nature or extent is likely to have some adverse impact upon the local environment and amenity during construction and/or is likely to generate construction waste should, inter alia:

- (a) Recycle construction waste.
- (b) Prepare a “Resource Re-use and Recycling Scheme” to cover all waste arising during the construction.
- (c) Be bound by a “Considerate Contractors Scheme” or similar arrangement, including restrictions on hours of noisy operations.
- (d) Where appropriate accommodate spoil within the site.
- (e) Maximise the re-use and recycling of any suitable raw materials currently available on sites during construction.

**Policy HG/1** of the LDF requires residential developments to make the best use of land by achieving average net densities of at least 30 dwellings per hectare, unless there are exceptional local circumstances that require a different treatment.

**Policy HG/2 - “Housing Mix”** states residential development will contain a mix of units providing accommodation in a range of types, sizes and affordability, to meet local needs. A proportion of all new homes must be to Lifetime Mobility standards.

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

**Policy SF/10 “Outdoor Play Space, Informal Open Space and New Developments”** - requires all residential developments to contribute towards outdoor playing space, formal outdoor sports facilities and informal open space to meet the additional need generated by the development. Where appropriate, provision will involve all or some types of space within the development site. However, an appropriate contribution will be required for ‘off-site’ provision of the types of space not provided on-site.

**Policy SF/11 “Open Space Standards”** - defines the minimum standards for outdoor play space and informal open space.

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

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

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**Policy NE/6 - “Biodiversity”** requires new developments to aim to maintain, enhance, restore or add to biodiversity. The District Council will refuse development that would have an adverse significant impact on the population or conservation status of protected species, priority species or habitat, unless the impact can be adequately mitigated by measures secured by planning conditions. Previously developed land will not be considered to be devoid of biodiversity. The re-use of such sites must be undertaken carefully with regard to existing features of biodiversity interest. Development proposals will be expected to include measures that maintain and enhance important features whilst incorporating them within any development of the site.

**Policy CH/2 - “Archaeological Sites”** requires that archaeological sites will be protected in accordance with national policy (currently PPG16).

**Policy CH/4 - “Development Within the Curtilage or Setting of a Listed Building”** seeks to restrict development that would adversely affect the curtilage or wider setting of a Listed Building and requires that proposals must provide clear illustrative and technical material to allow that impact to be properly assessed.

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

**12. S/1738/08/F - SAWSTON**

**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.

**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.

**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. S/1733/08/F - LITTLE SHELFORD**

**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.

**Policy DP/2 “Design of New Development”** – requires all new development to be of a high quality design and (amongst other issues) be compatible with its location and appropriate in terms of scale, form, design and materials.

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**Policy DP/3 “Development Criteria”** – sets out what all new development should provide, as appropriate to its nature, scale and economic viability and states that permission will not be granted for proposals that would have an unacceptable adverse impact on (amongst other issues) village character.

**Policy DP/4 “Infrastructure and New Developments”** - requires that development proposals should include suitable arrangements for the improvement or provision of infrastructure necessary to make the scheme acceptable in planning terms. It identifies circumstances where contributions may be required e.g. affordable housing and public open space.

**Policy DP/7 “Development Frameworks”** - supports development within village frameworks provided that, amongst other criteria, development would be sensitive to the character of the location and the amenities of neighbours; and development would not result in the loss of local employment, or a local service or facility.

**Policy HG/1 “Housing Density”** – states that residential development 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.

**Policy SF/10 “Outdoor Play Space, Informal Open Space and New Developments”** - requires all residential developments to contribute towards outdoor playing space, formal outdoor sports facilities and informal open space to meet the additional need generated by the development. Where appropriate, provision will involve all or some types of space within the development site. However, an appropriate contribution will be required for ‘off-site’ provision of the types of space not provided on-site.

**Policy SF/11 “Open Space Standards”** - defines the minimum standards for outdoor play space and informal open space.

**Policy CH/4 “Development Within the Curtilage or Setting of a Listed Building”** – resists new development that would adversely affect that curtilage or wider setting of a Listed Building.

**Policy CH/5 “Conservation Areas”** – requires new development in or affecting a Conservation Area to be determined in accordance with national policy (PPG15), namely to preserve or enhance the character of the area.

**Policy NE/6 “Biodiversity”** – partly states that new development should aim to maintain, enhance, restore or add to biodiversity.

**Policy NE/15 “Noise Pollution”** – partly states that planning permission will not be granted for development which has an unacceptable adverse impact on the indoor and outdoor acoustic environment of existing or planned development.

**Policies TR/1 & TR/2 “Planning for More Sustainable Travel” & “Car and Cycle Parking Standards”** - partly states that the Council will seek, to ensure that every opportunity is taken to increase accessibility to non-car modes by any appropriate measures such as restricting car parking to the maximum levels. The maximum car parking standard for restaurants (under Use Classes Order A3) is 1 car space per 5 sq. metres of gross floor area according to the standards for car parking provision; and for dwelling houses (under Use Classes Order C3) is an average of 1.5 spaces per dwelling.

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**National Planning Policy**

**Planning Policy Guidance 15: Planning and the Historic Environment** - Paragraphs 4.19 “The Courts have recently confirmed that planning decisions in respect of development proposed to be carried out in a Conservation Area must give a high priority to the objective of preserving or enhancing the character or appearance of the area. If any proposed development would conflict with that objective, there will be a strong presumption against the grant of planning permission, though in exceptional cases the presumption may be overridden in favour of development which is desirable on the grounds of some other public interest”.

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

Little Shelford is identified within **Policy ST/7 “Infill Villages”** as an Infill-Only Village. In such locations, residential development and redevelopment will be restricted to not more than 2 dwellings within the village frameworks.

**14. S/1637/08/F - LITTLE SHELFORD**

**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.

**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.

**15. S/1025/08/F - STOW-CUM-QUY**

**Local Development Plan Policies**

**Policy GB/1 of the South Cambridgeshire Local Development Framework Development Control Policies Document 2007** outlines the presumption against inappropriate development in the Green Belt.

**Policy GB/5 of the South Cambridgeshire Local Development Framework Development Control Policies Document 2007** states that proposals for the use of the Green Belt for increased or enhanced opportunities for access to the open countryside and which provide opportunities for outdoor sport and recreation, appropriate to Green Belt, will be encouraged where it will not harm the objectives of the Green Belt.

**Policy DP/2 of the South Cambridgeshire Local Development Framework Development Control Policies Document 2007** requires all new developments to incorporate high standards of design that respond to the distinctive character of the local built environment.

**Policy DP/3 of the South Cambridgeshire Local Development Framework Development Control Policies Document 2007** states that planning permission will not be granted where the proposed development would have an unacceptable adverse impact on, amongst other criteria, the countryside and landscape character, village character, ecological and wildlife interests, flood risk, and from traffic generated.

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**Policy DP/7** of the **South Cambridgeshire Local Development Framework Development Control Policies Document 2007** states that outside urban and village frameworks, only development for agriculture, horticulture, forestry, outdoor recreation and other uses that need to be located in the countryside will be permitted.

**Policy CH/3** of the **South Cambridgeshire Local Development Framework Development Control Policies Document 2007** states that applications for alterations and extensions to listed buildings will be determined in accordance with legislative provisions and national policy.

**Policy CH/4** of the **South Cambridgeshire Local Development Framework Development Control Policies Document 2007** states that planning permission will not be granted for development that would adversely affect the curtilage or wider setting of a listed building.

**Policy ET/10** of the **South Cambridgeshire Local Development Framework Development Control Policies Document 2007** states that outside frameworks, development to provide overnight visitor accommodation, holiday accommodation, public houses and restaurants will only be permitted by change of use/ conversion or through appropriate replacement of buildings not requiring large extension, or by appropriately modest extensions to existing facilities.

**Policy NE/6** of the **South Cambridgeshire Local Development Framework Development Control Policies Document 2007** seeks all new developments to maintain, enhance, restore or add to biodiversity.

***National Planning Guidance***

Paragraph 3.2 of **Planning Policy Guidance Note 2 (Green Belts)** states that inappropriate development is, by definition, harmful to the Green Belt. Very special circumstances will not exist unless the harm by reason of inappropriateness and any other harm are clearly outweighed by other considerations. Paragraph 3.4 continues to assess the issue and states that the construction of new buildings inside the Green Belt are inappropriate unless they are for the purposes of agriculture and forestry; essential facilities for outdoor sport and recreation, cemeteries and other uses of land that preserve the openness of the Green Belt; limited extension, alteration or replacement of existing dwellings; limited infilling in existing villages and affordable housing for local community needs; and redevelopment of major existing sites. Paragraph 3.8 refers specifically to the strict control of extensions to converted buildings.

**Planning Policy Statement 7 (Sustainable Development in Rural Areas)** seeks to protect the open countryside for the benefit of all. Paragraph 38 states that planning authorities should adopt a positive approach to proposed extension to existing tourist accommodation where the scale of the extension is appropriate to its location and where the extension may help to ensure the future viability of such businesses.

Paragraph 2.12 of **Planning Policy Guidance Note 15 (Planning and the Historic Environment)** requires local authorities when considering to grant permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses in order to protect its special character and appearance.

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The **Good Practice Guide on Planning for Tourism (May 2006)** emphasises the importance of tourism to the economic and social well-being of local areas and states that it can be the key to maintaining and enhancing the environment. Paragraphs 11 and 12 of Annexe A outline the benefits of the conversion of existing buildings to tourism and leisure facilities. However, it also states that any extensions should not be disproportionate in scale to the existing buildings or to the location of such a facility.

**16. S/1605/08/F - HORNINGSEA**

**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.

**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.

**Policy CH/5 - “Conservation Areas”** requires planning applications for development proposals or affecting Conservation Areas will be determined in accordance with legislative provisions and national policy (currently in PPG15) and guidance contained in specific Conservation Area Appraisals (where they exist) and the District Design Guide.

**17. S/1568/08/F - OVER**

**Policy DP/2** of the South Cambridgeshire Local Development Framework (the ‘LDF’) states that all new development must be of high quality design and, as appropriate to the scale and nature of the development, should (inter alia): preserve or enhance the character of the local area; be compatible with its location and appropriate in terms of scale, mass, form, siting, design, proportion, materials, texture and colour in relation to the surrounding area; and include high quality landscaping compatible with the scale and character of the development and its surroundings.

**Policy DP/3** of the LDF states that planning permission will not be granted where the proposed development would have (inter alia) an unacceptable adverse impact: on residential amenity; from traffic generated; on village character; on the countryside, and landscape character; from undue environmental disturbance such as noise, lighting, vibration, odour, noxious emissions or dust; on ecological, wildlife and archaeological interests; and on flooding and flood risk.

**Policy DP/7** of the LDF states that outside urban and village frameworks, only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted.

South Cambridgeshire District Council

Planning Committee – 14 January 2009 – Declaration of Interests

Councillor .....

**Personal / Personal and Prejudicial [delete as appropriate]**

Item no: ..... App. No. .... Villlage: .....

Reason:

**Personal / Personal and Prejudicial [delete as appropriate]**

Item no: ..... App. No. .... Villlage: .....

Reason:

**Personal / Personal and Prejudicial [delete as appropriate]**

Item no: ..... App. No. .... Villlage: .....

Reason:

**Personal / Personal and Prejudicial [delete as appropriate]**

Item no: ..... App. No. .... Villlage: .....

Reason:

Please return the completed form to [ian.senior@scambs.gov.uk](mailto: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. .... Villlage: .....

Reason:

**Personal / Personal and Prejudicial [delete as appropriate]**

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Reason:

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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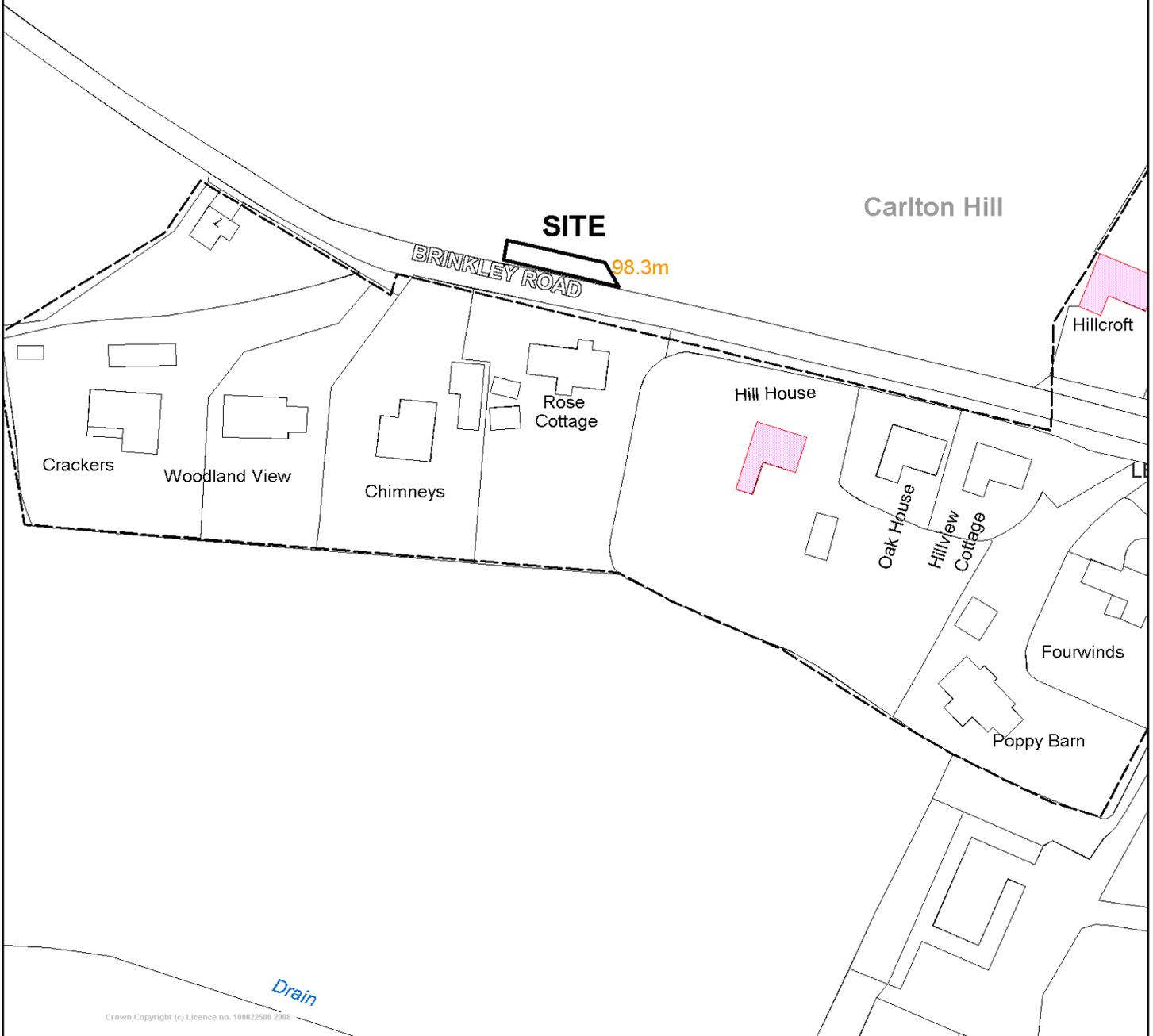
**REPORT TO:** Planning Committee14<sup>th</sup> January 2009**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

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**S/1753/08/F - CARLTON****Construction of Service Lay-by and Culvert to Allow Access for Service Vehicles Carrying Out Maintenance to a Pumping Station for Anglian Water Land North of Rose Cottage, off Brinkley Road****Recommendation: Approval****Date for Determination: 1<sup>st</sup> December 2008****Notes:****This Application has been referred to the Planning Committee for determination by Chairman's Delegation Meeting on 1<sup>st</sup> December 2008****Site and Proposal**

1. The site in question consists of a grass verge outside of the Carlton village framework opposite the residential property Rose Cottage. The site is located on the edge of the carriageway of the Brinkley Road partly within a bund of a drainage ditch. The opposite side of the road contains a sparse dispersal of detached residential properties including Hill House, which lies to the southeast and is Grade II Listed. The application site lies adjacent to an open arable field within the open countryside.
2. This application, received 6<sup>th</sup> October 2008, relates to the creation of a lay-by off the Brinkley Road along with a culvert running adjacent and below the lay-by. The lay-by would be constructed into the bank of the roadside thus creating a service lane for vehicles to stop in. This lay-by is required for Anglian Water service vehicles, which will need to gain safe access to the proposed sewage pumping station also within this location. The sewage pumping station is not for determination under this application as these works are Permitted Development.
3. The lay-by in question would be approximately 19m long by 3m wide. This would allow service vehicles to park clear of the road, whilst carrying out maintenance to the pumping station. The lay-by would include no barriers or boundary treatment to screen or restrict access to the lay-by, but would include 4 verge posts.
4. Anglian Water has been requested to provide 1<sup>st</sup> time sewerage to the community of Carlton under section 101A of the Water Industry Act 1991. Once requested, Anglian Water, as sewerage undertaker, has a legal obligation to provide a public sewer and appropriate treatment for the community which is not presently connected to the public sewerage system.

S/1753/08/F - Carlton



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### **Planning History**

5. Planning Application **S/1648/08/PNT** was refused for Telemetry Equipment in association with a proposed sewage pumping station. This was proposed within the same location as the proposed lay-by. Whilst the telemetry equipment required prior approval and was refused on its visual impact upon the surrounding open countryside the sewage pumping station was considered Permitted Development.

### **Planning Policy**

Relevant policies are listed below. Please refer to Appendix 1 to this Committee agenda for further details.

6. **South Cambridgeshire Local Development Framework (LDF) Development Control Policies adopted July 2007:**

Policy **DP/1** "Sustainable Development", Policy **DP/2** "Design of New Development, Policy **DP/3** "Development Criteria", Policy **DP/7** "Development Frameworks" and Policy **TR/3** "Mitigating Travel Impact" are relevant.

### **Consultation**

7. **Parish Council** – Recommends Refusal on the following grounds:
  - (a) The consequence of a service lay-by would be a public parking area near the start of a popular footpath 13, thereby generating traffic, new road safety risks, and an adverse impact upon residential amenity, village character, landscape character and the countryside;
  - (b) This proposal would be contrary to Planning Policies EN/3 (Local Plan), DP/3, TR/3, LOE2 and PPS9;
  - (c) Apart from the use of concrete grass-block units to surface the majority of the site, there is nothing in the proposal to mitigate its adverse impacts;
  - (d) If SCDC is minded to approve the application, we request that Conditions be imposed to prevent it being used by vehicles other than those on Anglian Water Services Business. Numerous solutions are available for safeguarding access to off-street parking facilities. The solution should be agreed with SCDC, Cambridge County Council and Carlton PC;
  - (e) Any lay-by should be fully grassed, and the pumping station area properly landscaped with a planting scheme.
  - (f) It would be a safety hazard, being on the inside of a blind left hand bend at the point where motorists begin to slow from 60mph to 40mph.
8. **Local Highway Authority** – In principle the Highway Authority does not see any issues with the application, as long as there is no fencing, bollards or permanent above ground lifting equipment erected on the publicly maintainable highway. The Highway Authority will not seek to adopt this lay-by and it would therefore fall to Anglian Water to maintain it. Please request that the applicant removes the proposed "Allegrini" verge posts from the highway and locates them in the vicinity of the proposed lay-by as the replacement of these verge posts will also be the responsibility of Anglian Water.

### **Representations**

9. County Councillor J. Batchelor supports District Members in asking that the application be decided by Committee. The application advises important issues and

will have a significant impact on this smaller village. He endorses the detailed response of the Parish Council.

### **Planning Comments – Key Issues**

#### ***Material Considerations***

10. The material considerations in the determination of this application are the visual impact that this proposal would have upon the surrounding open countryside, its impact upon highway safety and security in relation to minimising crime.

#### ***Highway Safety***

11. The Highway Authority has no objection in principle from a highway safety standpoint to the construction of the proposed lay-by. The lay-by is of a size to accommodate an Anglian Water service vehicle, which will differ depending on the nature of the servicing, which is required. Furthermore, this site was recommended by the Local Highway Authority during pre-application discussions with Anglian Water. Anglian Water claims that alternative sites were put forward by the Parish Council, however, these sites were not viable and there were issues with overhead power lines and the speed limits to the roads where these sites were proposed. The use of bollards or barriers would restrict the easy access of the lay-by for Anglian Water vehicles, which they claim would put their drivers at risk. Furthermore, the use of any such enclosure would have an increased visual impact upon the site.
12. Anglian Water acknowledges that it is possible that road users would park in the lay-by for purposes unknown. However, this would be private land and signs could be erected stipulating this. Anglian Water will enforce this issue when it can, but the Highway Authority will not, as the lay-by would not be adopted due to the fact that it has been designed to minimise visual impact and as a consequence is not to its adopted standards.

#### ***Visual Impact***

13. The proposal itself would involve little to no built impact upon the surrounding countryside. The verge/bank to the north would be retained in part, with the great extent of the works being on the south roadside edge. Due to this I see little to no visual impact being imposed upon the surrounding countryside. It is however, acknowledged that the lay-by would introduce the ability to park within this area, where none presently exists.
14. Both the Highway Authority and Anglian Water have confirmed that any form of barrier cannot restrict the lay-by, as this would have an adverse impact upon highway safety. Therefore, there would be no way of stopping other road users from using this space, other than the fact that it would be private land. Nevertheless, it is considered that the occasional parked car would have little to no adverse impact both visually or in terms of noise and disturbance given the busy nature of the Brinkley Road.
15. The Parish Council makes reference to the fact that the site should be landscaped to mitigate the impact of the development. This is not considered to be required as the lay-by would have a minimal built form and would use grass block units within its surface whilst being screened from the north by virtue of it being some 0.8 metres lower than the ground level of the adjacent field. It should be acknowledged that any form of barrier or means of enclosure is likely to increase the visual impact when viewed from Rose Cottage.

**Security**

16. Although the issue of security was raised during the Chairman's delegation meeting, I am of the opinion that the possibility of road users using the lay-by to park their vehicles would have little impact upon the security or risk of crime upon the residential dwellings on the opposite side of Brinkley Road.

**Recommendation**

17. Approve
1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission. (Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
  2. The "Allegrini" verge posts shown on the approved plan No. SEW-04578-THLWSC-2A-PLG-403 are expressly omitted from this planning permission. (Reason – In the interests of Highway Safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

**Informatives:**

1. The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.

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

- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Planning File Ref: S/1753/08/F
- Documents referred to in the report including appendices on the website only and reports to previous meetings

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

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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<b>REPORT TO:</b>	Planning Committee	14 <sup>th</sup> January 2009
<b>AUTHOR/S:</b>	Executive Director / Corporate Manager - Planning and Sustainable Communities	

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**S/1678/05/F – WESTON COLVILLE**  
**Erection of House and Garage and Carport for Existing Dwelling**  
**at Land Adj. 33 Mill Hill for Dr & Mrs N Coleman**

**Recommendation: Approval**  
**Date for Determination: 28<sup>th</sup> October 2005**

**Notes:**

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

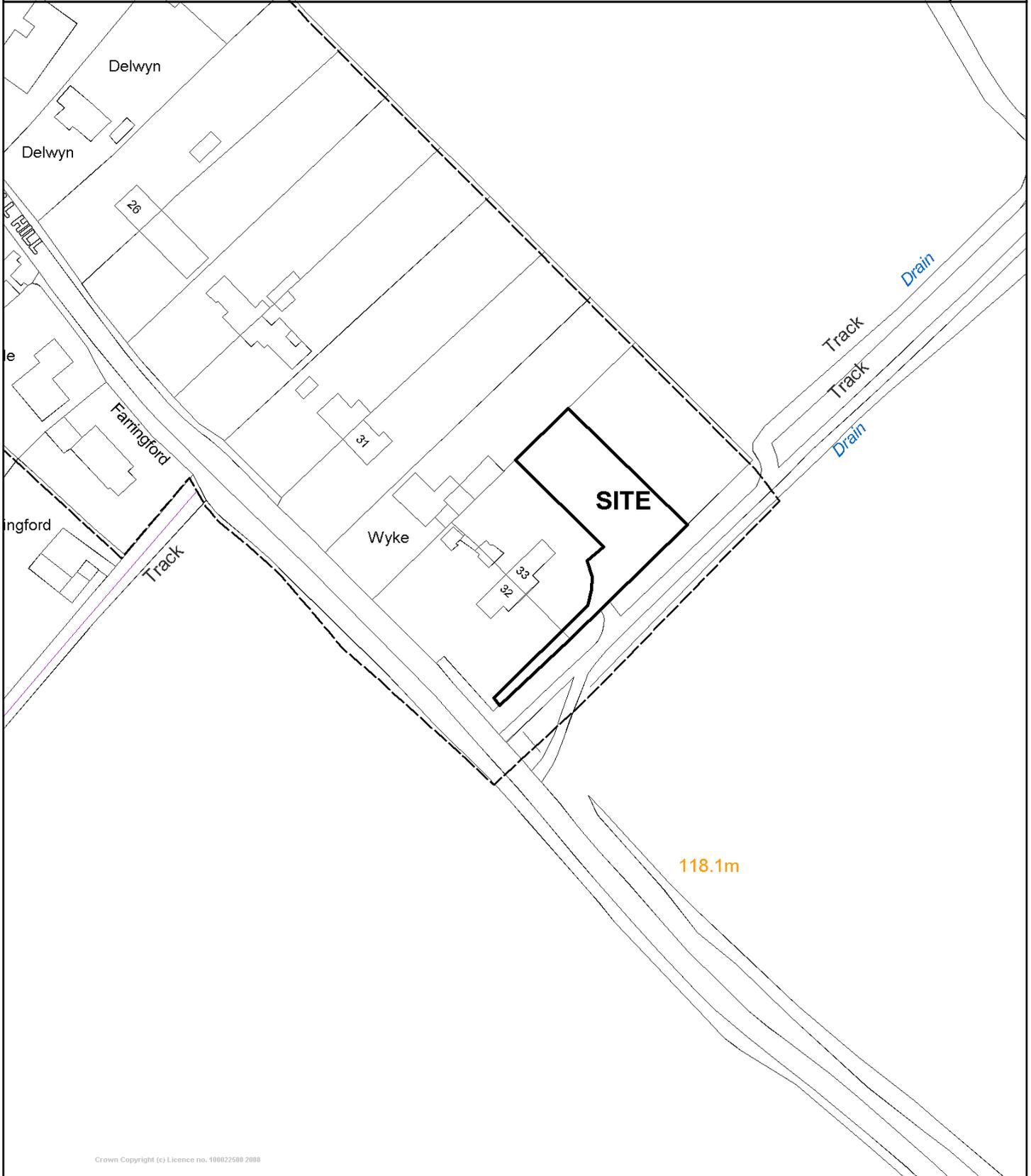
**Site and Proposal**

1. The application site is a 0.08 hectare plot of land that forms part of the garden to No.33 Mill Hill, a substantial detached two storey red brick dwelling that is located just inside the village framework and is bounded to the north-east and south-east by agricultural land. The proposed plot comprises the south-western half of the garden nearest to the dwelling. The remainder of the garden to the north-east of the site has consent for a dwelling, which has been constructed.
2. The full application, submitted on 2<sup>nd</sup> September 2005, seeks to erect a house and garage on the site. The dwelling would be a 2<sup>1/2</sup> storey (approximately 8.7 metre high) 5-bedroom property that would be oriented in a south-east/north-west direction. A detached double garage would be sited in front of the property and a single carport would also be constructed at the front of the existing dwelling. The density of the development equates to 12.5 dwellings per hectare.
3. The property would be a market dwelling, but the proposal involves the payment of a £77,000 commuted sum towards affordable housing, that would be secured by way of a Section 106 legal agreement. Initially, the application proposed the payment of a £35,000 sum. Following objections received from the Housing Development Manager, the proposed contribution was increased to approximately £61,500 (based on a formula used at another Authority and Housing Corporation Standards). The final sum of £77,000 was arrived at following an independent assessment/valuation carried out by Pocock and Shaw, in accordance with the Council's procedure guide on commuted sums.

**Background and Update**

4. Members may recall that this application was refused at Planning Committee on 9<sup>th</sup> January 2008, contrary to Officer recommendation. Members agreed the reason for refusal as being the omission of a commitment to provide any affordable housing in Weston Colville and the absence of any exceptional circumstances justifying an alternative approach to the provision of an affordable plot. Prior to issuing the Decision Notice, Officers were requested to re-examine with the valuers the viability

S/1678/05/F - Weston Colville



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January Planning Committee

of a market and affordable dwelling on the application site and, with Housing Officers, whether there would be any difficulty in delivering or managing one affordable dwelling on the site. A copy of the previous Committee report is attached as an appendix.

5. Initially, Pocock and Shaw were asked to advise on the following, with the commuted sum amounting to the difference between the two valuations:
  - (a) The value of the land (ie – No.33 Mill Hill's remaining garden) without an affordable housing contribution (ie – with permission for two detached houses as per the approved application reference S/1289/03/RM and the current proposal); and
  - (b) The value of the land with an on-site affordable housing contribution (ie – with permission for one detached market house as per S/1289/03/RM and one affordable dwelling on the current site)
6. Pocock and Shaw concluded that making the proposed plot available for an affordable dwelling would prove unviable, and advised that the commuted sum required in this instance amounted to £77,000.
7. Following Members resolution at the January 2008 Committee meeting, Pocock and Shaw were asked to advise whether developing the site itself with two dwellings (one market and one affordable), resulting in a total of three dwellings (two market and one affordable) being constructed within No.33 Mill Hill's garden, would produce a viable development. Pocock and Shaw advise that, as a site for two dwellings, the plot is relatively small. Development of the site would have a detrimental effect on the existing house and the new dwelling at the bottom of the garden. Fitting two houses onto the site, either as very narrow detached properties or as a pair of semi-detached houses, would have an even greater impact than the currently proposed dwelling. The value of the site for two small dwellings is, in today's market, probably no more than the value for a single large dwelling in March of last year, but the detrimental effect is greater and the net gain, on a totally unrestricted basis, is likely to be around £85,000. If one of the two plots were to be provided for an affordable house, the net gain would be reduced to around £10-15,000 and is therefore unlikely to be considered to be viable.
8. The Housing Section have also been asked to explore with Housing Associations whether there would be any difficulty in delivering or managing one affordable dwelling on the site. Responses have been received from Granta and Circle Anglia. Granta has indicated that it would be willing to purchase the proposed dwelling for a cost of £85,000. The applicant's agent has, however, stated that this would be unviable as the building costs alone would be significantly in excess of this figure. In addition, Circle Anglia has advised that, in the current financial climate, it would not be able to consider the acquisition of this dwelling, either for shared ownership or rent. In light of these responses, the Housing Section has commented that it would be sensible to accept a commuted sum in this instance.

#### **Planning Comments – Key Issues**

9. Members resolved to refuse this application at Planning Committee a year ago on the basis that it would fail to provide any affordable housing in Weston Colville. The resolution at Committee also required Officers to further explore the viability of providing an affordable dwelling, and, with Housing Officers/Associations, the likelihood of an affordable unit coming forward on the site. Members considered that, if the provision of two houses (1 market and 1 affordable) on the application site

would produce a viable development, this would be the Council's preferred solution, and the current proposal would be unacceptable because it failed to provide an affordable unit on the site.

10. This further exploration has indicated that providing an affordable unit on the site as part of a larger three house scheme would prove to be unviable. In addition, two Housing Associations have been approached - Granta expressed an interest in the site but its offer was too low to provide a viable form of development, whilst Circle Anglia was unwilling to consider the site in the current economic climate.
11. In light of this indication that the provision of an affordable dwelling on the site, whether as part of a two or three house scheme, would not, in all likelihood, be delivered, Officers remain of the view that the application should be approved subject to the prior payment of the £77,000 contribution towards affordable housing.

### **Recommendation**

12. Subject to the prior signing of a Section 106 Agreement to secure the provision of a financial contribution of £77,000 towards affordable housing, approval:
  1. Sc1 – Time limited permission (Rc1);
  2. Sc13 – Details of materials for external walls and roofs (Rc13);
  3. Sc5 – Landscaping (Rc5);
  4. Sc6 – Implementation of landscaping (Rc6);
  5. Sc12 – Details of boundary treatment (Rc12);
  6. During the period of construction no power operated machinery shall be operated on the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions (Rc38)

### **Informatives**

#### **General**

1. Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.
2. During construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.

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

- Cambridgeshire and Peterborough Structure Plan 2003
- Local Development Framework 2007
- Planning application refs: S/1678/05/F, S/0358/04/F, S/1289/03/RM and S/2109/02/O

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

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee 14<sup>th</sup> January 2009  
**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

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**S/1835/08/F– FULBOURN**

**Removal of Condition 2 Of Planning Permission (Reference S/2164/06/F) to Enable Unrestricted Occupation of 5 Houses and 4 Flats and Amendments to the Approved Layout (Means of Access, Car Parking, Cycle Parking And Collection Point For Refuse) at Hall Farm, School Lane for Mr Ian Saunders**

**Recommendation: Delegated subject to the completion of a Section 106 Agreement.**

**Date for Determination: 23<sup>rd</sup> December 2008**

**Notes:**

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

**Conservation Area****Site and Proposal**

1. The site is located within the centre of the village adjacent to the primary school and the library. The site was previously used as a farmyard.
2. Planning consent was granted in May 2007 (reference S/2164/06/F) for the erection of five houses and four flats, garages and refuse store for people of retirement age. Whilst the development was under construction the developers went into administration and a new developer purchased the site. The new developer has applied by application received 28<sup>th</sup> October 2008, to remove condition no.2 of planning consent (reference S2164/06/F) that restricted the occupation of the dwellings to at least one person of retirement age and/or is registered as disabled under the Chronically Sick and Disabled Persons Act 1970 as they consider the approved scheme is unviable in the current market.

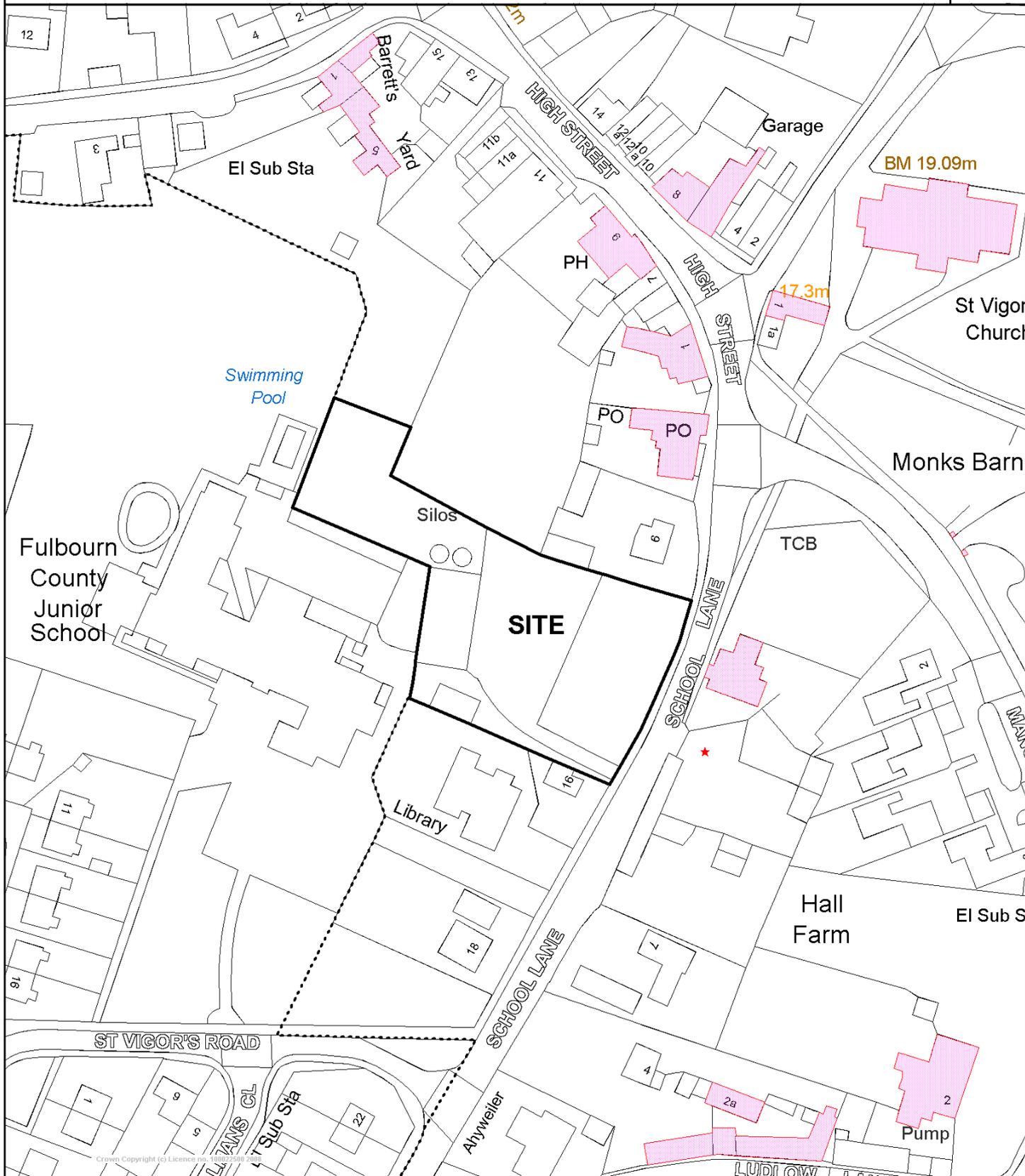
**Planning History**

3. **S/2093/04/O** - Erection of nine houses and garages (Approved - see para 2 above).
4. **S/2164/06/F** – Erection of five houses and four flats, garages and refuse store for people of retirement age (Approved)

**Planning Policy**

5. **Policy ST/4 – Rural Centres** of the South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007.

S/1835/08/F - Fulbourn



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6. **Policies DP/1 Sustainable Development, DP/2 Design of New Development, DP/3 Development Criteria, DP/7 Development Frameworks, HG/2 Housing Mix, HG/3 Affordable Housing, SF/10 Outdoor Playspace, Informal Open Space and New Developments; SF/11 Open Space Standards, TR/1 Planning for More Sustainable Travel, TR/2 Car and Cycle Parking** of the South Cambridgeshire Local Development Framework (LDF) Development Control Policies DPD, adopted July 2007 are relevant.

#### **Consultation**

7. **Fulbourn Parish Council** – Refuse. Parish Council requests the conditions granted are not changed. It is an ideal location for elderly residents in the Conservation Area and would generate more traffic movements if the condition was removed.
8. **Landscape Design Officer** – No objection.
9. **Conservation Officer** - The age restricted status of the approved scheme allows some relaxation of requirements for residential schemes, however it would be possible to accommodate the increased refuse and turning without significant changes affecting the Conservation Area. Therefore there are no objections to the removal of condition 2 in principle, subject to the approval of any physical changes.
10. **Local Highway Authority** – The removal of this condition will have only a limited effect on the operation of the highway network. No significant adverse effect upon the public highway should result from this proposal, should it gain benefit of planning permission.
11. **Waste and Recycling Officer** – Confirmed that a 5m road width is acceptable and that the position of the hard standing drop off and collection point for plot 9 is satisfactory.
12. **Ecology Officer** – No comments to make on this application.
13. **Housing Officer** – Notes that the applicant to wants remove the condition for retirement housing only on this site. Therefore Policy HG/3 of the LDF applies, which requires the applicants to provide 40% or more on site affordable housing of a mix and tenure split acceptable to the District Council.
14. **County Education Officer** – confirmed that there is insufficient pre-school and secondary school capacity in the area and therefore an education contribution of £3,340 per unit is required.

#### **Representations**

15. Three letters have been received: one from an occupier of 6 School Lane, one from the owner of Hall Farm and one from the Headteacher of Fulbourn Primary School. Main concerns relate to the increase in traffic that a change in the nature of the development would have. However, the Head teacher has expressed concerns that one of the houses overlooks the school swimming pool and therefore questions whether this makes the house suitable for unrestricted occupation.

#### **Planning Comments – Key Issues**

16. The key issues in determining this application are the provision of adequate car and cycle parking, the ability of refuse vehicles to access and collect waste from the site,

and the acceptability of the site for market housing. These issues will be addressed in turn.

17. The relevant planning condition was attached to the planning consent as it was considered that the site layout is not suitable for other forms of residential accommodation in terms of the car parking and provision for refuse storage and collection. In seeking to remove this condition the applicant needs to address whether these reasons can be overcome.
18. Following the submission of this application a meeting was held with the applicant to explain what the key issues would be in removing this condition and how they might be addressed. The applicant has now submitted an amended site layout plan different to that, which was approved, indicating how the existing scheme could be amended to overcome the reasons why the scheme is not suitable for other forms of residential accommodation. The changes to the approved site layout plan involve the permanent closure of the historic access point, change of use of a garage next to plots 4-7 for cycle storage, removal of a strip of landscaping to the rear of plots 1-3 and the laying of hard standing adjacent to the row of garages to provide a waste collection point for the recycling bins for plot 9. The plan also shows the width of the access road as 5m that was required by condition 15 of planning consent S/2164/06/F

#### ***Access and Parking***

19. The suggested change to the layout of the scheme to accommodate additional parking is acceptable and would not harm the setting and appearance of the Conservation Area. Likewise the proposal to change the use of the garage to a cycle store for plots 1-7 is also acceptable and would help to meet the Council Policy DP/1b to reduce car dependency and TR/2 to ensure adequate secure parking. The Highway Authority has confirmed that the change of use of the dwellings would not have an adverse affect on the Public Highway and has no objection to permanent closure of the historic access point into the site.

#### ***Waste***

20. In terms of the collection of waste from the site, the suggested changes again would not harm the setting and appearance of the Conservation Area and would only involve a small loss of incidental landscaping. The Waste and Recycling Officer has confirmed that the road width and the collection point are acceptable.

#### ***Open Space***

21. Policy SF/10 requires all new residential developments 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, South Cambridgeshire's village audit (2005) identified that Fulbourn has a deficiency of play space when compared to the standard. A contribution of £23,911 is sought to meet the need generated by the development.

#### ***Principle of market housing***

22. In terms of the overall acceptability of this site for market housing, Fulbourn is identified as a Rural Centre within Core Strategy Policy ST/4, which has no limit on the number of dwellings that would be permitted within the village framework. The site provides an appropriate mix of two, three and four bedroom dwellings (six two-bed,

one 3-bed and two 4-bed), which broadly accords with Policy HG/2 of the Development Control Policies DPD.

23. Whilst the loss of specific retirement accommodation within the village is disappointing, this in itself is not a reason for refusal. The use of the site for housing is clearly acceptable and there are no material planning reasons why this condition should continue to be imposed.
24. The issue of potential overlooking from Plot 9 to the school swimming pool was considered when the application was first approved for retirement housing and was not found to be a significant issue. The potential change to market housing is not significantly different and is likely to have even less of an impact as owners/occupiers of market housing are likely to be at work during school hours.
25. The requirement for 40% affordable housing to be provided on site is the subject of further discussions and negotiations with the applicant. The applicant has indicated informally that there are financial viability reasons why they are unable to provide affordable housing on this site. However no evidence has been submitted to date to demonstrate this despite a request to do so.
26. In conclusion, whilst the amended site layout plan adequately overcomes the reasons for the imposition of the condition without causing any harm to the Conservation Area or having an adverse impact on the local highway; failure to provide affordable housing on-site is not acceptable.

### **Recommendation**

27. Subject to the signing of a S.106 agreement securing a financial contribution towards the provision of education of £3,340 per unit, an open space contribution of £23,911 and securing affordable housing on-site with the mix and tenure to be agreed Delegated approval, subject to the following conditions.

### **Conditions**

1. The hard and soft landscape plans (Drg No ECD351/Drg03 Rev C, ECD351/Drg05 Rev A and ECD351/Drg 06 and Soft Landscape Specification) Approved 16<sup>th</sup> April 2008 under planning consent reference S2164/08/F shall be implemented in accordance with condition 5 of that consent unless otherwise agreed in writing by the Local Planning Authority. (Reason - To ensure the development is satisfactorily assimilated into the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
2. Prior to the occupation of the first dwelling a hard and soft landscaping plan for the land previously used as the access road which shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of the development and specification of all proposed trees, hedges and shrub planting which shall include details of species, density and size of stock shall be submitted to and approved in writing by the Local Planning Authority. (Reason - To ensure the development is satisfactorily assimilated into the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the dwellings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. (Reason - To ensure the development is satisfactorily assimilated into the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
4. Prior to the completion of the last dwelling, details of the cycle stands within the cycle store shall be submitted to and approved in writing by the Local Planning Authority. The approved stands shall be installed and available for use prior to the occupation of plots 1-7 and thereafter maintained. (Reason - To enhance the visual quality of the development and in accordance with Policy DP/1b of the adopted Local Development Framework 2007.)
5. Prior to the occupation of the first dwelling, a sample panel of the bricks and mortar to be used to construct the wall that fronts onto the public highway shall be submitted to and approved in writing by the Local Planning Authority. The approved bricks and mortar that form the wall shall be constructed prior to the occupation of the last dwelling. (Reason - To protect the visual quality of the development and in accordance with Policy DP/2a and DP/2f of the adopted Local Development Framework 2007.)
6. Treatment of all site boundaries as approved on 16<sup>th</sup> April 2008 under planning consent reference S/2164/08/F within Plans (Drg No ECD351/Drg03 Rev C, ECD351/Drg05 Rev A and ECD351/Drg 06) with the exception of the site boundary referred to in condition 5 shall be implemented in accordance with condition 7 of that consent. (Reason - To protect the visual quality of the development and in accordance with Policy DP/2a and DP/2f of the adopted Local Development Framework 2007.)
7. Prior to the occupation of the first dwelling, the post excavation final report as required in the written scheme of investigation in condition 9 of planning consent reference S/2164/08/F shall be submitted to and approved in writing by the Local Planning Authority. (Reason – To secure the provision of recording of the remains and in accordance with Policy CH/2 of the adopted Local Development Framework 2007.)
8. Prior to occupation of the first dwelling:
  - a) The application site shall be subject to a scheme for the investigation and recording of contamination as agreed in writing by the Local Planning Authority.
  - b) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) shall be submitted to and approved in writing by the Local Planning Authority.
  - c) The works specified in the remediation method statement shall be completed, and a validation report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.

- d) If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this material should be agreed in writing by the Local Planning Authority. (Reason - To prevent the increased risk of pollution to the water environment in accordance with Policy DP/1 of the adopted Local Development Framework 2007.)
9. The materials to be used for hard surfaced areas as approved on 15th December 2008 shall be implemented in accordance with condition 11c under planning consent reference S/2164/08/F. (Reason - In order to protect and enhance the character and appearance of the conservation area and in accordance with Policy CH/5 of the adopted Local Development Framework 2007.)
10. The materials to be used for the external walls and roofs, as approved on 22<sup>nd</sup> October 2007 under planning consent reference S/2164/08/F shall be implemented in accordance with condition 11a of that consent. (Reason – In order to protect and enhance the character and appearance of the conservation area and in accordance with Policy CH/5 of the adopted Local Development Framework 2007.)
11. All the windows and doors shall be made of timber and have a painted finish that shall be agreed in writing by the Local Planning Authority and maintained as such unless the prior written agreement of the Local Planning Authority has been given. (Reason – In order to protect and enhance the character and appearance of the conservation area and in accordance with Policy CH/5 of the adopted Local Development Framework 2007.)
12. Prior to the occupation of the first dwelling a scheme of habitat enhancement and the provision of bat and bird boxes shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme and the provision of bat and bird boxes shall be implemented prior to the occupation of the last dwelling and thereafter maintained. (Reason – To comply with Policy NE/6 of the adopted Local Development Framework 2007.)
13. Facing brickwork shall be in Flemish bond (using snapped headers as necessary). (Reason – In order to protect and enhance the character and appearance of the conservation area and in accordance with Policy CH/5 of the adopted Local Development Framework 2007.)
14. The access road shall be of a minimum width of 5m for a distance of 15m from the edge of the existing carriageway. (Reason In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
15. Visibility splays shall be provided on both sides of the access and shall be maintained free from any obstruction over a height of 600m within an area of 2m x 2m measured from and along respectively the back of the footway. (Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
16. Visibility splays shall be provided on either side of the junction of the proposed access road with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line

of the proposed access road from its junction with the channel line of the public highway, and 35m measured along the channel line of the public highway from the centre line of the proposed access road. (Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

17. No external lighting shall be provided within the site other than in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. (Reason -To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/14 of the adopted Local Development Framework 2007.)
18. No removal of vegetation (dead or alive) or development shall be carried out on site between 15<sup>th</sup> February and 31<sup>st</sup> August inclusive in any year, unless a mitigation scheme for protection of bird-nesting habitat has been agreed in writing by the Local Planning Authority. (Reason – To avoid causing harm to nesting birds that will be using the site and its vegetation for nesting. All nesting birds receive protection under the Wildlife and Countryside Act 1981).

### **Informatives**

See S/2164/06/F

1. The decision notice is accompanied by a list of approved drawings.
2. Save with the written consent of the Local Planning Authority, all pipes, meter boxes, fibres, wires and cables required by statutory undertakers and other appropriate bodies including cable TV operators shall be placed underground or in suitably concealed locations, provided this would not damage areas of ecological or archaeological importance.

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007) and Development Control Policies adopted July 2007.
- Planning File Ref: S/1835/08/F, S/2164/06/F and S/2093/04/O

**Case Officer:** Michelle Crees – Senior Planning Officer  
Telephone: (01954) 713317

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee14<sup>th</sup> January 2009**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

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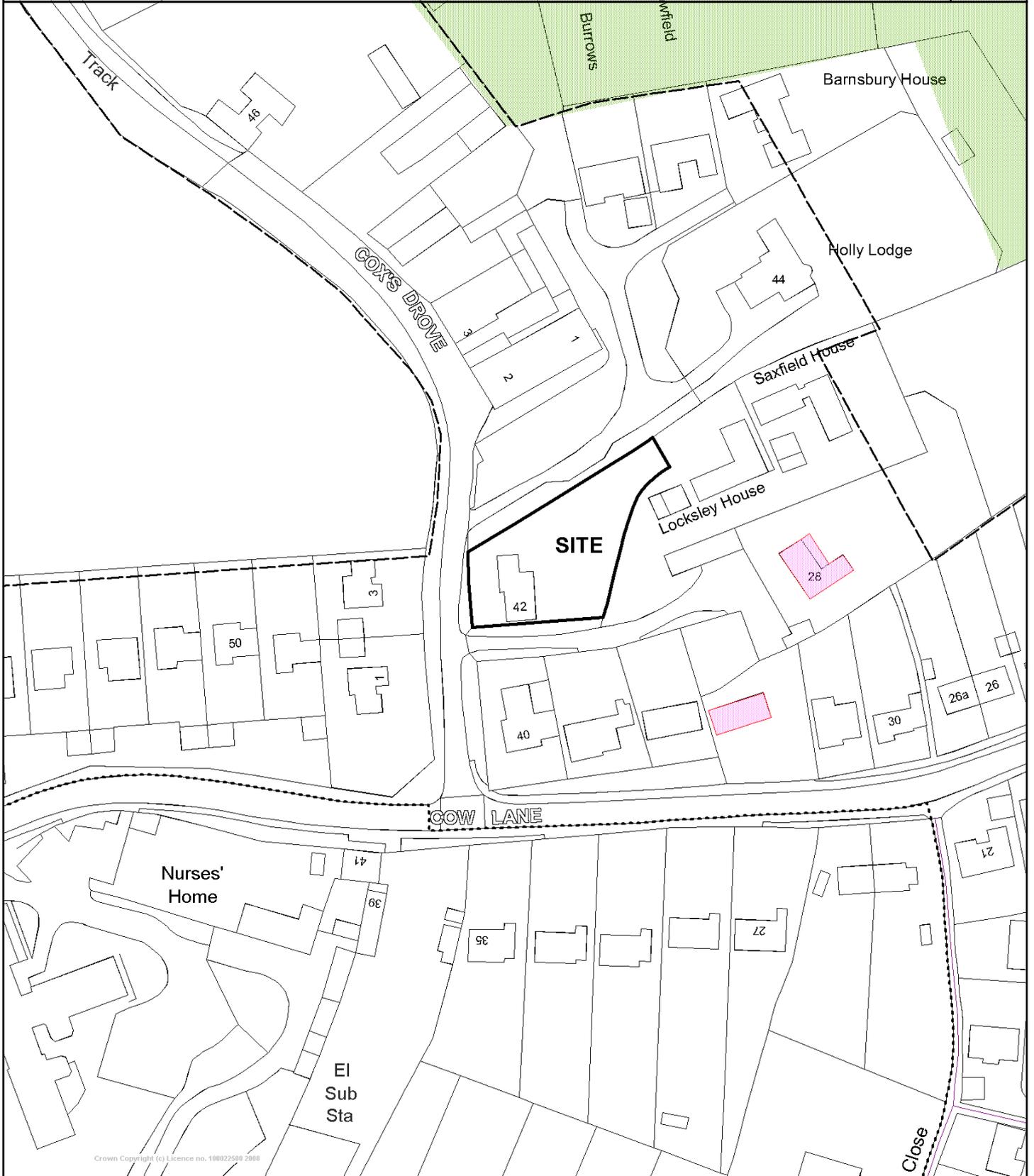
**S/1768/08/F - FULBOURN****Change of Use from Dwelling to Place of Worship (Class D1) and Provision of Additional Car Parking for the Causeway Gospel Hall Trust at 'Chestnuts', 42 Cox's Drove, Fulbourn****Recommendation: Approval****Date for Determination: 15<sup>th</sup> December 2008****Notes:**

**This Application has been reported to the Planning Committee for determination because the officer recommendation is contrary to the recommendation of refusal by Fulbourn Parish Council.**

**Site and Proposal**

1. No. 42 Cox's Drove (The Chestnuts) is a detached 2 bedroom bungalow with a floor area of 84 sq.m. within a plot of approximately 0.1 of a hectare. The dwelling is served by a vehicle access off Cox's Drove that provides off road parking by virtue of a garage and driveway. The dwelling is not occupied at present with the rear garden overgrown, comprising of a variety of lawn, brambles and shrubs. Adjacent to the northern boundary of the site is a belt of mature trees comprising of Horse Chestnuts and a Lime tree. These trees are protected by a group tree preservation order and are part of the make up of the surrounding area, providing an attractive green setting to this part of the village. These trees are mimicked on the opposite side of the private road that they serve and provide an attractive avenue to the 3 detached dwellings to the northeast.
2. Directly behind the site there are two newly built modern barn like dwellings, which are accessed via the private driveway that runs along the southeast boundary of the application site. The surrounding area mainly comprises of large dwellings within large open plots of land, which benefit from established landscaping. The site is outside of the Fulbourn Conservation Area but lies within the village framework. Coxes Drove also serves as an access to the industrial estate, which is located north of the site. No 28 Cow Lane, to the east, is a Grade II thatched Listed House.
3. The application, received 8<sup>th</sup> October 2008, proposes a change of use of the bungalow (Use Class C3) to a place of worship (Use Class D1). This would involve minimal alterations to the existing bungalow consisting of the demolition of the existing single storey garage and outbuilding to the north elevation and the removal of the lean-to element to the east rear of the bungalow. The proposal would also involve alterations to fenestration to the rear elevation. Furthermore, there would be an extension of the existing access to create a new car park for 9 cars, which would replace the existing rear garden of the property. This would involve the introduction of

S/1768/08/F - Fulbourn



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hard surfacing to this area along with replacement landscaping and boundary treatment.

4. The application is accompanied by a Design and Access Statement and a Transport Statement, which indicates that the meeting room will be used twice weekly, on Sunday mornings and Monday evenings and possibly every second month for an additional meeting on a Sunday afternoon.

### **Planning History**

5. Planning Application **S/1324/07/F** for the erection of two dwellings following the demolition of the existing bungalow was refused on the following 3 counts:
  - (a) Failure to comply with the required housing mix as set out in Policy HG/2;
  - (b) Failure to adequately consider the post development pressure upon the adjacent TPO group;
  - (c) Being out of character within the open landscaped street scene of this part of Cox's Drove by virtue of the buildings disproportionate height and scale. Failure to provide adequate information in relation to visibility splays, landscaping, bin and bike storage. First floor windows that would result in overlooking upon neighbouring amenity areas.

A Planning appeal was dismissed on 28<sup>th</sup> February 2008. The Inspector considered the proposal would seriously harm the housing needs of the District and could harm the health of trees.

### **Planning Policy**

Relevant policies are listed below. Please refer to Appendix 1 to this Committee agenda for further details.

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

**Policy DP/1** "Sustainable Development", **Policy DP/2** "Design of New Development", **Policy DP/3** "Development Criteria", **Policy DP/7** "Development Frameworks", **Policy TR/1** "Planning for More Sustainable Travel", and **Policy TR/2** "Car and Cycle Parking Standards"

### **Consultation**

7. **Fulbourn Parish Council** – recommends Refusal on the following grounds:
  - (a) The site is surrounded by large residential properties and the location of car park does not fit into the overall ambience of the area;
  - (b) Cox's Drove is a sub standard road, which forms a T-Junction with Cow Lane near a bend and increased traffic would form a dangerous hazard;
  - (c) The PC is concerned that the early morning timing of worship of 6.00am on a Sunday morning will have a detrimental impact upon the amenity presently enjoyed by the neighbouring properties;
  - (d) The PC is not opposed to residential development on this site provided it is in keeping with the neighbouring street scene.
8. **Local Highway Authority** – The Highways Authority accepts that the traffic generation for the proposed use of the site would not conflict with periods of intense

highway usage. Nevertheless, the proposed usage would inevitably be greater than that generated by the existing single dwelling.

The Highway Authority has requested that the following must be achieved:

- (a) Vehicle to vehicle visibility splays = 2.4m x 70m;
- (b) Parking Spaces to be 2.5m x 5m with 6m manoeuvring space;
- (c) The access must be 5m wide for the first 5m of its length.

The above has been addressed by an amended plan, which have been agreed in writing by the Local Highway Authority. However, the splay is incorrectly drawn and is required to be revised so that it is within the applicant's site and not partly within the highway.

- 9. **Landscape Design Officer** – The proposed new hedge along the northwest boundary would be very difficult to establish. Beech would certainly not succeed in the very shaded and dry conditions that exist under the existing tree canopies. With the possibility of root damage from the number of holes required the hedge should be omitted from this side. The Escalonia hedge is also unlikely to succeed so it would make sense to replace this with a fence and plant climbers against it. Rather than re-seed grass I would advise that the existing vegetation should be mown rather than cultivated or regrading of the ground. This will avoid rotivator damage to the roots of the protected trees and retain the turf. I have my doubts over the success of the additional proposed trees due to the leaf litter and shading of the existing trees. The remaining hedge is incorrectly identified within the landscape plan.
- 10. **Trees and Landscaping Officer** – The (TPO) trees have not been taken into consideration in the design of the car park, details of no-dig construction and methodology to be submitted to and approved, advise that a competent arboricultural consultant is used, who would need to present on site during works.
- 11. **Corporate Manager (Health and Environmental Services)** – Confirms that there is no significant impact from an environmental health standpoint in terms of potential noise or environmental pollution.

### Representations

- 12. 6 Letters of objection have been received, all of which have been summarised below:
  - (a) A place of worship would not be appropriate within this residential area;
  - (b) There was a previous application for housing proposed, had this proposal be scaled down there is a strong possibility it would be granted;
  - (c) The notion that 9 parking spaces would be sufficient for this use is unconvincing, where would additional cars be parked?
  - (d) The proposed early meeting hours (Sundays 06.00am) is unreasonable for a quiet residential area;
  - (e) The proposed meeting hours after working hours are equally not convenient;
  - (f) There is a concern that the number of vehicles on site upon an early Sunday morning would not be welcome, nor would the possible noise emanating from the site;
  - (g) We would wish a proviso to review the organisations conduct after a six month period;
  - (h) The bungalow is still a viable property and would be suitable for occupation, there is shortage of such properties and to lose one would show a lack of foresight;

- (i) The siting of the proposed car parking would no doubt result in undue disturbance for residents who have gardens backing onto the site;
- (j) The traffic assessment is misleading in relation to traffic generation. Whilst statistically correct, the assessment fails to recognise that the traffic demand for the site would be concentrated over two specific periods in a week (Sunday and Monday) at very specific times of day.
- (k) There is a concern that limiting the numbers of congregation could not form a robust planning condition, should the congregation be successful and grow in numbers;
- (l) There is no evidence for the mitigation of noise and disturbance from the use and number of vehicles would have upon residents;
- (m) The building should not fall into the same state of disrepair as other Brethren sites;
- (n) Adequate precautions should be taken in relation to the use of hard standing and the potential impact upon the adjacent horse chestnuts;
- (o) Should the Brethren leave the site it should revert back to a residential property;
- (p) Parking should be screened from neighbouring properties and roads.

13. The Disability Forum has also provided the following comments:

- (a) The hatched lines to the disabled parking space would need to be provided either side of the space and to the rear;
- (b) Disabled WC/Changing room needs to be larger and combined as one room;
- (c) Level ramped access into entrance hall as well as for secondary fire exist;
- (d) Fire doors need to be at least 900mm.

### **Planning Comments – Key Issues**

#### ***Chairman's Delegation***

14. This application was referred to the Chairman's Delegation meeting on 10<sup>th</sup> December 2008 in view of the recommendation of the Fulbourn Parish Council. The merits and constraints of this application were discussed at this meeting and it was agreed that there are no policy objections to the loss of residential dwelling. It was the opinion of the Meeting that, given the representations from residents and the view of the Parish Council, a temporary permission for a period of 12 months would be acceptable. This would then allow the monitoring of the use investigating any possible noise and disturbance as well as levels of parking. Furthermore it was considered that the use of the building should relate to the applicants only and if the applicants were to vacate the premises that the use would revert back to a residential dwelling.

#### ***Capital Expenditure***

15. Notwithstanding the above comments agreed at Chairman's Delegation Meeting it is the opinion of officers that a temporary planning consent for a period of 12 months would be unreasonable in this instance. The applicants have referred to Paragraph 13 of Circular 11/95, "The use of conditions in Planning Permissions". This requires that capital expenditure should be taken into account in granting permissions on a trial basis. The applicants are a charity and therefore have to justify their expenditure. The works involved in terms of hard landscaping and building alterations are significant in that they would require substantial funding. It would be unreasonable to issue a temporary consent with no guarantee that the applicant would gain a permanent consent. Similarly the requirement to carry out further works, such as landscaping and boundary treatment, to be agreed by condition, would

further compound this issue where there would be additional costs incurred by the applicant. Whilst the merits of monitoring the use are acknowledged, in review of the material considerations detailed within this report it is the opinion of officer's that a permanent consent with conditions imposed to safeguard the amenities of local residents would be acceptable.

### ***Building Alterations***

16. The proposal would involve minimal alterations to the existing bungalow. These alterations would not be deemed to result in an adverse visual impact upon the street scene, due to the poor architectural merits of these elements. Therefore all external works to the fabric of the bungalow are considered to be an enhancement to the streetscape.

### ***Neighbour Amenity***

17. The property in question is detached with access roads running to its frontage (west) to its sides (north and south) and has a private driveway and garaging to its rear (east). In consideration of this and the fact that the proposed parking area would contain a permeable block paving surface with appropriate boundary treatment it is unlikely that the movement of vehicles in and out of this area would cause any adverse noise or disturbance upon the amenities of surrounding residents.
18. A further concern from local residents is the possibility of noise and disturbance caused by early morning meetings around 6am on Sundays. This relates to issues such as traffic arriving and car doors opening and closing and people congregating outside the building. The applicant has provided information of other similar places of worship that are surrounded by residential properties where there have been no complaints, including an appeal decision in 2000 at Chandlers Ford, Eastleigh. In light of the above, it is my opinion along with that of the Environmental Health Officer that, given the restrictive hours of use on only two days of a week, that no noise and disturbance would occur, which would result in the detriment to the amenities that the local residents currently enjoy.
19. Notwithstanding the above, conditions should be imposed to ensure that the amenities of neighbours are protected. No meetings should take place before 06.00am or after 10.00pm. Similarly a condition should be imposed ensuring that no outdoors music is played. Due to the works that will be required to renovate the building and the laying of hardstanding to the car parking area, it is considered that a condition should be attached to ensure that no power operated machinery shall be used at un-neighbourly hours.

### ***Landscaping***

20. Although the landscaping proposals are not considered wholly acceptable in detail, they are deemed suitable in principle and these final matters should be agreed by condition. However, the outstanding matters are currently being negotiated between the applicant and the landscape design officer. It is therefore envisaged that amended drawings will be received and a landscaping condition will not be required, other than for the purposes of implementation.
21. To the north of the site lie a group of mature Horse Chestnut Trees, which make up one half of an avenue of trees to the access to Barnesbury House and Holly Lodge located to the north east. These trees are protected by a Tree Preservation Order and, given their size, would have a substantial root system extending into the

application site along the northern boundary. There is a potential that the proposed hard standing could impact upon this root system and therefore a condition would be required to ensure this work is hand dug with care taken in relation to any root systems that may be discovered. This work would require to be supervised by an arboriculturalist to ensure that no damage occurs.

22. The hard standing proposed is permeable and considered a form of sustainable drainage. Furthermore, the proposal would involve the implementation of soft landscaping to the site, which would visually enhance and mitigate the impact of the proposed car parking area. Further detail has been requested in relation to the design and extent of the boundary treatment that is proposed. However, it is considered that a 1.8m high close-boarded timber fence would be suitable in terms of noise attenuation as well as the visual impact of the site from public viewpoints.

### ***Parking***

23. The proposed parking area would provide space for 9 vehicles (1 disabled space inclusive) in total along with the provision for 6 cycle spaces. This would see an increase in parking of 7 car park spaces from existing. The building's floor area is approximately 85sqm and under the adopted parking policies a D1 use would require 1 space per 8sqm. In this instance the proposal should be providing no more than 10 spaces. Given the location of the site, which is within the village framework and within an acceptable distance from public transport links and villages services; 9 car park spaces and 6 cycle spaces are considered appropriate.

### ***Highway Safety***

24. Residents have raised concerns over the intensification of traffic causing highway concerns. Amended plans showing the provision of necessary visibility splays have now been received and are considered acceptable in principle. However, the written confirmation of the Local Highways Authority is still awaited. Coxes Drove serves a variety of residential dwellings (10 in total) as well as a small industrial estate (approximately 11 units). It is not considered that the occasional use of the site for meetings on two days of the week would result in any adverse impact upon the highway network, especially when these meeting were due to take place outside of normal rush hour times. The Transport Statement indicates that the likely trip generation should not exceed that of an expected 2-bedroom bungalow for a typical week.

### ***Other Matters***

25. As stated above the South Cambridgeshire Development Control DPD adopted 2007 contains no policies to safeguard the loss of dwellings. I do not consider it would be reasonable or appropriate for a place of public worship to be personal to the Causeway Gospel Hall Trust. Other conditions are considered to be sufficient to protect neighbouring amenities.

### ***Recommendation***

1. Approval

### ***Conditions***

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission. (Reason - To ensure that consideration

of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)

2. During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority. (Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
3. No external lighting shall be provided or installed within the site other than that agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (Reason -To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/14 of the adopted Local Development Framework 2007.)
4. The submitted indicative layout plan landscaping scheme (drawing No.L3 Rev C) is specifically excluded from this permission and no development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock. (Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
5. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation. (Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
6. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is occupied in accordance with the approved details and shall thereafter be retained. (Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
7. The use, hereby permitted, shall not commence until parking and turning space has been laid out within the site in accordance with the approved drawing No. and in accordance with the tree protection methodology agreed under Condition 9 of this Decision Notice. (Reason - In the interests of

highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

8. No amplified music shall be played or transmitted in or on the premises to be used as a religious meeting hall. (Reason – In the interests of residential amenity in accordance with Policy DP/3 of the adopted Local Development Framework 2007).
9. No development shall commence until tree protection measures agreed within an arboricultural method statement have been submitted to and agreed in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details and will comprise of non-dig construction. (Reason - To protect trees, which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)
10. No meetings shall take place outside the hours of 0600hrs to 2200hrs on any day, unless otherwise agreed in writing with the Local Planning Authority. (Reason - In the interests of residential amenity in accordance with Policy DP/3 of the adopted Local Development Framework 2007).

### **Informatives**

Please note that the Disability Forum has requested that the car parking space nearest to the building be allocated for disabled users with hatched markings to both sides and rear. Furthermore, the disabled changing room and W/C should be incorporated as one room without internal partitions.

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

- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Planning Files Ref: S/1768/08/F and S/1324/07/F
- Documents referred to in the report including appendices on the website only and reports to previous meetings

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

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee 14<sup>th</sup> January 2009  
**AUTHOR/S:** Executive Director / Corporate Manager – Planning and Sustainable Communities

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**S/1601/08/O - MILTON**

**Demolition of Existing Buildings, Removal of Existing Pylons/Mast etc from Training Grounds and Construction of 101 Retirement Units (Including Restoration of North Lodge for Use as a Retirement Dwelling) 1 Wardens Unit, Visitor Accommodation, Central Facilities Building, Provision of Formal and Informal Open Space, Associated Landscaping and Improvements to the Existing Access  
at the Former EDF Depot and Training Centre, Ely Road, Milton for Helical (Milton) Ltd**

**Recommendation: Delegated minded to approve**

**Date for Determination: 12<sup>th</sup> January 2009 (Major Application)**

**Notes:**

**This Application has been reported to the Planning Committee for determination at the request of the Development Control Manager due to the scale, nature and location of the development, planning issues concerned and nature of representations received.**

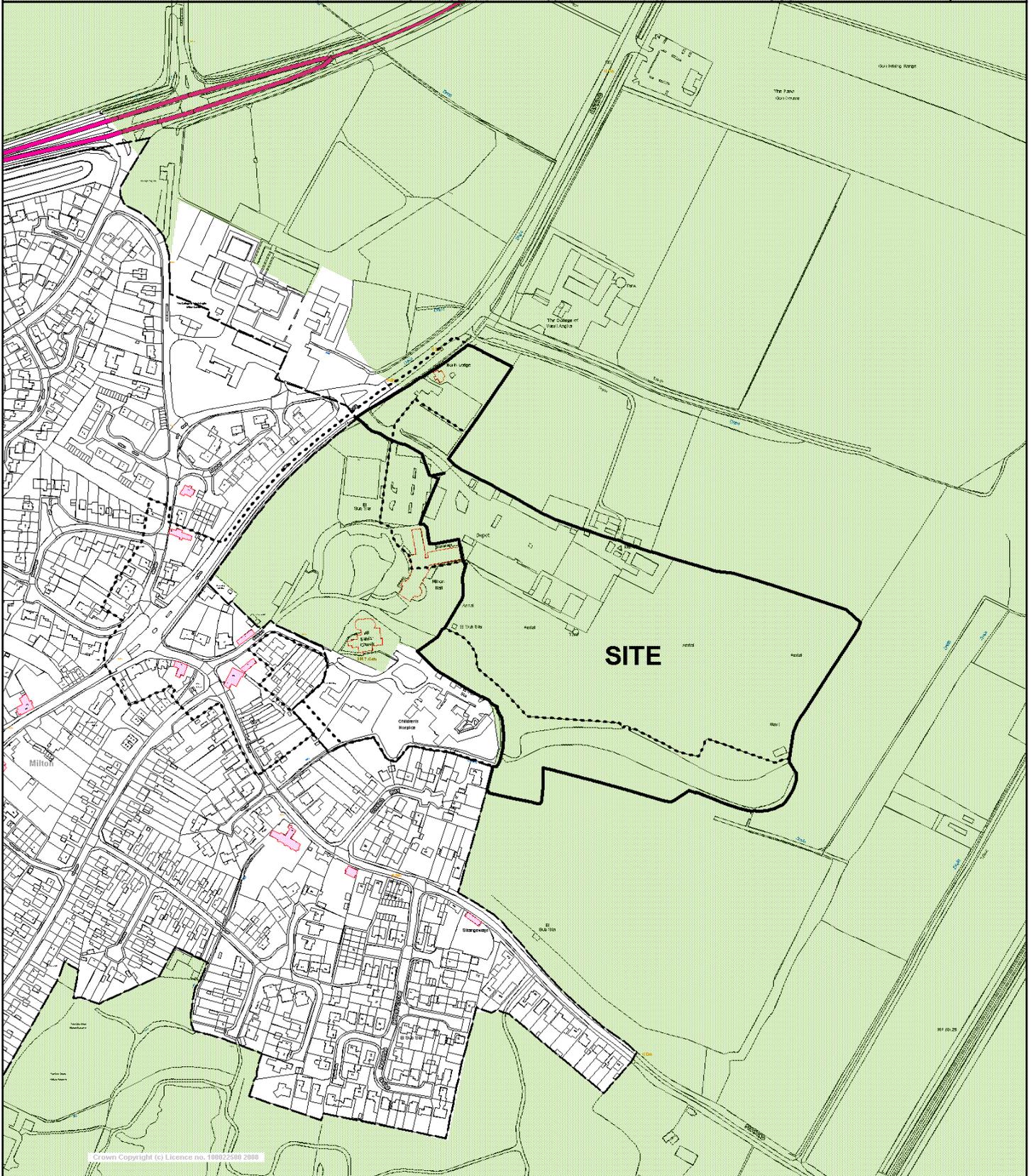
**Members will visit this site on 14<sup>th</sup> January 2009**

**Part within Conservation Area**

**Departure****Site and Proposal**

1. The site comprises an area measuring in total approximately 8.42 hectares (ha). Within the site are distinct areas including:
  - (a) An existing access road from Ely Road that is at least 7 metres wide at the north-western end of the site. This also serves an office building fronting Ely Road;
  - (b) North Lodge, an unoccupied, Grade II Listed house associated with Milton Hall and car park at the northern end of the site accessed from the above road. This area measures approximately 0.75ha;
  - (c) Former electricity depot that comprises a large, hard-paved parking / yard area around which are a number of mainly single-storey buildings used for offices, storage, workshops and training rooms forming a complex. These buildings comprise a footprint of approximately 3,450m<sup>2</sup>. This area measures approximately 1.64ha. Within this area is a pair of trees grouped at the western end of the parking / yard area

S/1601/08/O - Milton



**SITE**

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and a single oak tree centrally located. At the north eastern end of this yard is a telecommunications mast, which is to remain;

- (d) Beyond the complex, to the south and east, is an open area of grassland bounded to the south by woodland, within which is a pond / lake. Within the grassed area are many structures including pylons, electricity lines, sub-stations etc. that are not connected but are remnants of the training facility. This area measures approximately 6.03ha. This area forms part of a landscaped setting to Milton Hall believed to have been designed by the famous landscape gardener, Humphrey Repton and set out in accordance with his design.
2. Beyond the site to the north is agricultural land, including adjoining riding stables. To the east is agricultural land, beyond which are the Ely – Cambridge mainline railway and River Cam. To the south are All Saints Church, Children's Hospice and agricultural land. To the west is Milton Hall (Grade II Listed), which is used as an office. The Hall has modern extensions by way of two wings that project to the north and east of the original building in close proximity to the boundary with the application site. North of the Hall, the site bounds the car park to offices referred to at paragraph 1(a), above. The car park and North Lodge front Ely Road with mature tree planting providing a significant landscaped screen to the site. Pedestrian access to North Lodge is sited adjacent to the house, within the frontage.
  3. Parts of the site are within the Milton Conservation Area. Specifically the woodland along the southern part of the site entrance, frontage and area surrounding North Lodge. Trees within the Conservation Area are afforded statutory protection.
  4. This outline planning application submitted on 3<sup>rd</sup> September 2008 seeks outline planning permission for:
    - (a) Demolition of existing buildings (n.b. this does not include North Lodge);
    - (b) Removal of existing pylons/mast etc. from training grounds;
    - (c) Construction of 101 retirement units (including restoration of North Lodge for use as a retirement dwelling);
    - (d) 1 wardens unit;
    - (e) Visitor accommodation;
    - (f) Central facilities building;
    - (g) Provision of formal & informal open space (likely to include two junior football pitches and sports pavilion);
    - (h) Associated landscaping, including restoration of the Repton designed landscape;
    - (i) Improvements to the existing access from Ely Road including, amongst others, provision of footpaths, entrance feature and speed calming on the existing entrance road); and

- (j) Car parking is indicated to include 102 spaces for the occupiers, 15 for visitors and staff, and 40 for the football pitches, totalling 157 spaces across the site. This number includes spaces for disabled users.

All matters are to be reserved, with the exception of the access, and as such all details submitted relating to appearance, landscaping, layout and scale, are indicative only.

- 5. The application was amended on 1<sup>st</sup> December 2008 following a meeting with officers. The indicative site layout, building scale parameters plan, pedestrian and cycle access plan, vehicular access plan, land use concept plan have been altered to reduce the built footprint in the area around North Lodge. These revised plans were supported by a statement titled 'Response to Meeting 28 October 2008'.
- 6. The application is accompanied by other supporting documents including: Planning Statement; Design and Access Statement; Landscape and Visual Appraisal; Heritage Appraisal; Heritage Design Report; Ecological Appraisal; Transport Assessment, Archaeological Desk based assessment; Aerial Photographic Assessment (for archaeology); Geophysical Survey Report; Brief for Archaeological Evaluation, Flood Risk Assessment; Site Investigations, Risk Assessment and Development of Remediation Strategy; and a draft Section 106 Agreement (S106). Indicative plans regarding works to North Lodge, the building scale parameters, amount of development and site layout are included, although the latter, is now out-of-date a revised version has been sought, although it is indicative and a version is contained in the 'Response to Meeting 28 October 2008' report.

### **Planning History**

- 7. This proposal follows a recent application (ref. **S/0935/08/O** on the same site). This scheme was initially for 121 retirement units, however it was amended at a late stage in the application to the 101 units now being considered. It was due to be considered at Planning Committee on 6<sup>th</sup> August 2008. The application was withdrawn by the applicant prior to the meeting to allow sufficient time for further work addressing concerns raised and so it was not discussed, although an addendum to the report detailed the planning considerations and responses to consultation in relation to the reduced scheme. The remaining concerns related to affordable housing, ecological enhancements, landscaping, trees, Listed Buildings and conservation area impacts, and whether very special circumstances existed to outweigh the various harms including to the Green Belt, due to the development being 'inappropriate'.
- 8. Eastern Electricity/EDF:
  - (a) **S/0205/99/F** Change of use of store to training school including elevation alterations (Approved).
  - (b) **S/1727/98/F** Alterations and extensions (Approved).
  - (c) **S/1413/98/F** Temporary office accommodation (Approved).
  - (d) **S/1742/91/F** 3 metre high perimeter security fence (Approved).
  - (e) **S/2141/90/A** Company flag on vertical wall mounted flag pole (Approved).

The main complex of the site historically was used as a depot for the storage and distribution of materials and a base for operations in connection with the

maintenance of the electricity supply network. The use of the site changed in the early 1980s when the site became a training facility for electricity operatives.

9. Telecommunication Mast:

- (a) **S/0165/05/F** Installation of 2 antennas and retention of 4 antennas on existing tower (Approved).
- (b) **S/1941/01/PNT** Erection of antennae, equipment cabin and associated development (No objections).
- (c) **S/0078/01/PNT** 3 UMTS antennae, equipment cabinet and meter cabinet (No objections).
- (d) **S/2041/97/PNT** 3 cross sector antennas, 2 microwave dishes, 6 equipment cabinets at base and ancillary equipment on existing mast
- (e) **S/1138/96/F** New telecomm building (Approved).

Part of the site comprises a telecommunications mast, which appears to date from the mid 1990s.

10. North Lodge:

- (a) **S/1038/02/F** Erection of Garage/Utility, Fences and Gates (Approved).
- (b) **S/1039/02/LB** Internal and external alterations and refurbishment, installation of dpc and reinstatement of front door, rear windows and chimneys, works to entrance walls and gates. (Approved).  
**S/1325/94/LB** Part demolition, alterations and refurbishment including reinstatement of chimneys (Approved).

11. The Lodge is a dwellinghouse. It is not clear how long it has been vacant, however it has been marketed over previous years, prior to the applicants purchasing the site.

**Planning Policy**

12. **Natural Policy Guidance**

- **PPG2** "Greenbelts",
- **PPS3** "Housing"
- **PPS5** "Sustainable Development in Rural Areas"
- **PPG15** "Planning and the Historic Environment"

13. **East of England Plan 2008**

- Policy **H1**: Regional Housing Provision 2001 to 2021
- Policy **ENV7**: Quality of Built Environment
- Policy **CSR3**: Green Belt

14. **Cambridgeshire and Peterborough Structure Plan 2003**

- Policy **P6/1** – Development Related Provision

15. **South Cambridgeshire Local Development Framework 2007**

*Core Strategy*

- Policy **ST/1** - Green Belt
- Policy **ST/2** - Housing Provision
- Policy **ST/3** - Re-Using Previously Developed Land and Buildings
- Policy **ST/6** - Group Villages
- Policy **ST/8** - Employment Provision

*Development Control Policies*

- Policy **DP/1** - Sustainable Development
- Policy **DP/2** - Design of New Development
- Policy **DP/3** - Development Criteria
- Policy **DP/4** - Infrastructure and New Developments
- Policy **DP/6** - Construction Methods
- Policy **DP/7** - Development Frameworks
- Policy **GB/1** - Development in the Green Belt
- Policy **GB/2** - Mitigating the Impact of Development in the Green Belt
- Policy **GB/3** - Mitigating the Impact of Development Adjoining the Green Belt
- Policy **GB/4** - Major Developed Sites in the Green Belt
- Policy **GB/5** - Recreation in the Green Belt
- Policy **HG/1** - Housing Density
- Policy **HG/2** - Housing Mix
- Policy **HG/3** - Affordable Housing
- Policy **HG/5** - Exceptions Sites for Affordable Housing
- Policy **ET/6** - Loss of Rural Employment to Non-Employment Uses
- Policy **ET/8** - Replacement Buildings in the Countryside
- Policy **SF/6** - Public Art and New Development
- Policy **SF/10** - Outdoor Play Space, Informal Open Space and New Developments
- Policy **SF/11** - Open Space Standards
- Policy **NE/1** - Energy Efficiency
- Policy **NE/3** - Renewable Energy Technologies in New Development
- Policy **NE/4** - Landscape Character Areas
- Policy **NE/6** - Biodiversity
- Policy **NE/8** - Groundwater
- Policy **NE/9** - Water and Drainage Infrastructure
- Policy **NE/11** - Flood Risk
- Policy **NE/12** - Water Conservation
- Policy **CH/1** - Historic Landscapes
- Policy **CH/2** - Archaeological Sites
- Policy **CH/4** - Development Within the Curtilage or Setting of a Listed Building
- Policy **CH/5** - Conservation Areas
- Policy **TR/1** - Planning for More Sustainable Travel
- Policy **TR/2** - Car and Cycle Parking Standards
- Policy **TR/3** - Mitigating Travel Impact
- Policy **TR/4** - Non-motorised Modes

**Consultations**

16. **Milton Parish Council** – on the initial submission recommended approval.  
Commenting:

- (a) *“Green Belt.* Council supports the principle of change of use from industrial units to retirement housing on the existing footprint. We welcome the renovation of North Lodge, a listed building, with appropriate materials after many years of neglect. [Milton Parish Council has been trying for years to have this building restored].
  - (b) *Visual aspect.* Such a development will improve the visual aspect of this area. Properties with appropriate landscaping will be an improvement over industrial units.
  - (c) *Woods and lake.* We welcome the improvements to the lake and wood and their opening up to the public.
  - (d) *Section 106 Agreement.* It is **imperative** that Milton Parish Council is a party to a S106 Agreement which must address the following:  
  
Considerable support for sports facilities for community use, a minimum requirement being three junior football pitches with appropriate pavilion.
  - (e) *Age Limit* - it is essential that restrictions are in place to ensure that the properties are sold to the over 55's only”.
17. It recommends approval of the amended scheme.
18. **Planning Policy Manager** comments:
19. “The application proposes the redevelopment of buildings and hardstandings formerly used as a depot, offices and for training. The application also proposes development on open land formerly used for training in the repair/erection of electricity poles.
20. The whole of the application site lies in the Cambridge Green Belt where exceptional circumstances are necessary to permit development which would otherwise be inappropriate in a green belt. The present use is inappropriate development. The planning application proposals are also inappropriate development.
21. As a precursor to this planning application, the applicant objected to the Council’s Site Specific Policies Development Plan Document, arguing that the sites should be designated as a ‘Major Developed Site’ where national policy in PPG2 “Green Belts” would allow limited infilling or redevelopment provided that it would result in environmental improvements without adding to the impact of the site on the openness of the Green Belt and the purposes of including land within it.
22. During the course of the subsequent examination, officers resisted the designation of the site as a ‘Major Developed Site’ because it failed the test for not being large enough but officers advised the inspector that taking a ‘Major Developed Site’ approach consistent with the advise in Annex C of PPG2 provided an appropriate policy framework for determining the future use or redevelopment of the built part of former helical site because of the present use of the buildings.

23. The starting point for that conclusion and for the Planning Policy comments on this planning application is that:
  1. The present lawful use is inappropriate development.
  2. The present employment buildings on the site have a greater impact on the openness of the green belt than domestic scale buildings.
  3. There is no need to retain employment buildings on this site:
    1. Policy ET/6 which seeks to retain employment in villages as a “scarce resource” needs to be applied on a case by case basis. Milton has a large amount of employment available in the village and the Parish including at Milton Hall, the Winship Industrial Estate, the Tesco Superstore and the Cambridge Science Park.
    2. An Employment Land Review prepared for the Council has concluded that, to meet the East of England Plan 2026 job forecasts, 412,000 – 462,000 sq.m of ‘B’ use class floorspace will be required in Cambridge City and South Cambridgeshire but that almost twice this amount of floorspace is currently available with planning permissions and land allocated in plans (844,750 sq.m). Much of this surplus is located in South Cambridgeshire.
24. The East of England Plan and the South Cambridgeshire Core Strategy both aim to increase the supply of houses in and close to Cambridge as a means of reducing commuting – losing employment sites such as this to residential development will have the same effect. A residential care development could therefore be considered as an inappropriate development for which there are exceptional circumstances if it can be demonstrated that:
25. The PPG2 tests of impact on the openness and other purposes of the green belt can be met - the Major Developed Sites tests are a useful planning tool for this purpose.
26. The proposed use of the development would have a lesser impact on the green belt than the present lawful uses for a depot, offices and training.
27. In all discussions with the prospective applicants, I have advised consistently that my interpretation of this policy framework is that to ensure that the development has no greater impact on the openness of the green belt than the current uses that development should be restricted to the existing built footprint of buildings and hardstandings”.
28. **Housing Development and Enabling Manager (Affordable Homes) – comments:**
28. “The proposed development for retirement accommodation on this site means that it is very difficult to achieve and sustain an on site affordable housing contribution here.
29. This type of accommodation would require money from the Supporting People budget, and there is no money planned or available for this scheme.

Also this type of accommodation would require a service charge levy on each household. This service charge would not be covered by Housing benefit and it is therefore doubtful if this type of accommodation could therefore be considered as affordable.

30. In full consultation with the agent, the development team has commissioned an independent valuation by Messrs Pocock and Shaw. They have valued the site on a commuted sum basis in lieu of on site provision. The valuation has been calculated at £1.6 million. This money would be used to provide affordable housing within the district of South Cambridgeshire.
31. The agent on behalf of the developer has agreed to a without prejudice acceptance of this sum”.
32. **Environment Agency – Comments:**
  - (a) In initial correspondence it confirmed that, although it agreed that remediation will be required, it was requiring clarification and new information in relation to the methodology for human health and controlled waters. It subsequently commented:
  - (b) The proposed development is acceptable in principle to the Agency, however in view of the site, scale and nature of the development; it is recommended that the following conditions be appended to any planning approval:
    1. A scheme for the provision of surface water drainage works to prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.
    2. A scheme for the ownership and maintenance of the surface water system to ensure the satisfactory long-term operation to prevent the increased risk of flooding.
    3. A scheme to deal with the risks associated with contamination of the site to prevent the increased risk of pollution to the water environment.
    4. No infiltration of surface water drainage into the ground is permitted for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters in order to prevent the increased risk of pollution to the water environment.

*Surface Water Drainage/Flood Defence*

  - (c) Based on the information submitted the Flood Risk Assessment (FRA ref 44550668 Issue No 4 dated May 2008) for the proposed development is acceptable to us. It satisfactorily demonstrates that the site is situated within Flood Zone 1 (low risk) and that surface water drainage will be managed in a way so as not to adversely affect third parties.
  - (d) It has been stated in the FRA that surface water from the existing site discharges to the southern pond and that the preferred option for managing surface water from the proposed development will be a similar arrangement. Further capacity will be created in the southern pond by undertaking dredging. It has also been stated that the new development will result in a decrease in the amount of impermeable area compared with existing. For

these reasons we find the principle of the surface water drainage proposals acceptable.

- (e) (Please be aware that any works affecting the flow of an ordinary watercourse requires the prior written Consent of the Environment Agency under the terms of the Land Drainage Act 1991).

*Conservation Issues*

- (f) Enhancement of biodiversity - As stated in the Government's Planning Policy Statement 9 (PPS9): Biodiversity and Geological Conservation, development should have minimal impacts on biodiversity and enhance it wherever possible. The proposed development offers a good opportunity to enhance the biodiversity of the site if measures to enhance habitats and increase habitat variability are incorporated at the design stage. Mitigation measures should be implemented to avoid, reduce and remedy any significant adverse effects to habitats or species in the vicinity of the proposed development. The applicant should refer to the 'Biodiversity checklist for Land Use Planners in Cambridgeshire & Peterborough' for guidance regarding habitat creation and enhancement.

- (g) Wildlife corridors - Existing features such as ponds or hedgerows should be retained within the development plans for the site to retain wildlife corridors. These features should be linked with any newly created ponds or newly planted hedges and grasslands. Wildlife corridors are key features in an increasingly fragmented countryside. It is therefore important to retain as many of the existing features as possible. These habitats provide corridors for wildlife, connect vital habitats such as grassland, watercourses and woodland, provide foraging areas for many species such as bats and birds, and over wintering sites for small mammals, amphibians, reptiles and invertebrates. Habitat loss and fragmentation are one of the main threats to biodiversity, so enhancing ecological connectivity has the potential to increase the long-term viability of many species.

- (h) Bats - The recommendations made in the Ecological Appraisal report should be followed and agreed with Natural England. The bat boxes should be put in position before work on the buildings begins.

*Groundwater & Contaminated Land Issues*

- (i) The Agency is currently assessing additional supporting documentation.
- (j) No discharge direct to groundwater will be permitted.
- (k) All infiltration structures (permeable pavements, infiltration trenches, soakaways, etc.) to be constructed as shallow a depth as possible to simulate natural infiltration.
- (l) Base of infiltration structures is to be at least 1 metre above the highest seasonal water-table.
- (m) Roof water downpipes should be connected to the drainage system directly, via a reuse device such as a water butt or by means of back inlet gullies provided with sealing plates. There should be no open gratings
- (n) Roof water should discharge to separate infiltration systems to those used for road and vehicle parking areas.

- (o) Drainage systems are to be constructed in line with guidance provided in CIRIA C697 as well as referring to the details given in C609 referred to above. C522 replacement (prior to publication, 2006, refer to CIRIA Report 609)

*Foundation Proposals*

- (p) No information is provided with regards to foundations for the site and whether piling is an option. Therefore we recommend that piling on contaminated sites underlain by aquifers is avoided where possible, and that non-invasive methods, such as rafts, should be used instead. Where there is no alternative to piling, a method should be selected that minimises the risks of groundwater pollution or gas migration. Mitigation measures and/or environmental monitoring may need to be incorporated into the design. The method selected should be presented in a "Foundation Works Risk Assessment Report" which should be submitted to and approved by the Local Planning Authority before development commences.

34. **Anglian Water** – recommends a number of informatives.

35. **Drainage Manager** – no comment received.

36. **Internal Drainage Board** – no comment on drainage.

37. **Ecology Officer** – Comments:

- (a) The statement of design intent and restoration of the Repton lake gives a degree of reassurance that the protection and restoration of the habitats that it contains could be achieved. The statement is still slightly non-committal on actual de-silting (clearing) of the lake. It is appreciated that the applicant may not wish to enter into the unknown on the matter, but it is considered reasonable and proportionate to the development to secure such works, as a reserved matters application.
- (b) On the matter of tree works, the Trees and Landscape and Landscape Design Officers should lead on this, however, he is happy that bat surveys can be undertaken once the proposed trees for removal are considered as, if an important roost was identified; the tree retention would be expected.
- (c) Letting in light to the lake will assist its recovery, as far as vegetation goes, but if it is not de-silted it will become a marsh in a relatively short period of time.
- (d) The provision of permissive paths and wet meadows is welcomed.

38. He later commented that he supports the Landscape Design Officer's response (see paragraph 39, below) in particular, in relation to the restoration of the lake and the concern that there are 'too many unknowns' remaining which could have an important bearing on future decisions. A more firm commitment toward the lake's actual restoration is required. The lake is the most important landscape and biodiversity feature of this site and a better understanding of how it will be restored (i.e. the actual approach, depth, profiles and spoil disposal options) would appear to be a requirement in his view.

39. **Landscape Design Officer** – Several of his earlier comments have been addressed, i.e.
- (a) There will be public access to the meadow and lake area;
  - (b) Vistas will be opened to the lake to include the wider landscape and connections to the hall;
  - (c) The lake will be restored;
  - (d) Woodland and meadow habitats will be enhanced; and
  - (e) Possible impacts of adjacent developments (eg the Sports Lake bund and planting) will be considered.
40. There is no objection in relation to the 'Statement of Design Intent' – however it could be stronger in some respects:
- (a) Paragraph 4.6 – Would rather see the phrase (for example) 'in some areas to the south of the lake the woodland will be managed and public access restricted to enhance wildlife habitats' - Leaving areas 'Undisturbed' will not increase the low ecological value noted in point 4.1 - It will all need managing/planting to some extent, probably a phased approach.
  - (b) Paragraph 5.5 – Tree removal - retain (or plant) some younger trees along with the retention of mature specimens to achieve a healthy age structure to the woodland.
  - (c) Paragraph 6.3 Amenity - while not providing a primary route to the southern edge of the lake there should still be safe, perhaps low-key access provided - people will use this area.
  - (d) Paragraph 7.3 – While agreeing the retention of the woodland, tree removal will probably have to be more extensive than 'selective' to achieve the vistas and improvements to the lake and woodland habitats - i.e. a lake with trees around it and a woodland backdrop, rather than a woodland with occasional views of the lake.
  - (e) 7.7, 7.8 Lake restoration – Acknowledging that this application is outline, and that details of methods can be discussed later, the applicants should have a good idea of how the lake will be restored (or the alternatives) at this stage, and how much this may cost - e.g. why not test the silt now to find out whether or not it can be spread on site or must be taken away - the difference may be several £100K. Getting the lake back into good condition is the cornerstone of the landscape restoration and I think we need to know that the applicants are confident that a) they can achieve the restoration and b) they can afford it. The proposed approach still seems to be to thin the trees to improve access and then go and have a look.

Further comments on the amended scheme are awaited.

41. **Trees and Landscape Officer** – Comments that the 'Statement of Design Intent' describes a way forward to re-instate the lake. While it is accepted that trees need to be felled to bring the ecology back to the lake, she would like to

see the trees identified for removal marked on site and agreed with her and the Landscape Design Officer prior to any felling.

42. **Divisional Environmental Health Officer** – Comments that the Site Investigation, Risk Assessment & Development of Remediation Strategy by URS dated 12 August 2008 highlights several areas of contamination that have been assessed as posing a risk to the proposed land use. A condition is recommended requiring:
- (a) A further scheme for the investigation and recording of contamination in the footprint of buildings that previously prevented investigation and in the area of the identified underground storage tanks following their removal.
  - (b) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation Method Statement) have been submitted to and approved in writing by the Local Planning Authority. The works specified in the remediation method statement have been completed, and a validation report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.
  - (c) If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this material should be agreed in writing by the Local Planning Authority.

In addition conditions to minimise the impact upon nearby residents or occupiers are also suggested including details of plant or equipment, restricted hours of demolition and construction, and pile driven foundations. Informatives are suggested in relation to bonfires during construction and demolition.

43. **English Heritage** – comments on the initial scheme:
- 1. 'The principle change from the original application is the number of units and the area on which they are to be sited. This is stated to be contained within the land currently occupied by industrial buildings, although it is noted that currently there are no structures in and around the North Lodge, and in particular there are no structures to the north of North Lodge, this is currently open countryside. Our revised advice in response to this is as follows:  
  
*Setting of All Saints Church (Listed Grade II\*).*
  - 2. There is a substantial and mature tree screen between the church and the existing industrial buildings on the north side of the former park. Historically it is likely that the church would have enjoyed a more open aspect, with views into the park, but these trees now provide a key role in protecting the setting of this important listed building. Therefore, while it is noted that the applicants intend to restore the surviving parts of this park including re-opening views from Milton Hall to the lake, English Heritage would expect to see the existing tree belt adjacent to the church retained and reinforced where necessary.

*Impact on the Conservation Area*

3. The Milton Conservation Area overlaps the site at the south end, where the lake is within the Conservation Area, and again in the area around North Lodge. The existing industrial buildings are outside of the Conservation Area, but their removal would represent an enhancement to its setting. However, as previously stated in respect of the replacement to these structures, since the application is at outline only (and the layout provided is therefore only indicative), it remains difficult to fully determine the impact that they will have on the Historic Environment. It is noted that more information has been supplied on the height and extent of the new structures, but it remains our view that in order to fully comply with the recommendations contained in PPG15 this application should have been submitted in full and not in outline. In the event that it is to be determined at outline, we would expect to see further information include on the eaves level of these proposed new structures.

*Impact on Grade II Listed Buildings*

4. While it is not within English Heritage's core remit to comment on the setting of Grade II Listed Buildings, we note that the layout still includes new structures in relatively close proximity to North Lodge, on land previously used for car parking only, and to the north of North Lodge, where there is currently no development. We note that Milton Hall's West Lodge has already had its setting heavily compromised by 20<sup>th</sup> century expansion of the village and it would be unfortunate for North Lodge to suffer a similar fate. It is unfortunate that the relationship between the North Lodge and Milton Hall has been eroded through C20 developments and that North Lodge will not appear as the 'gate lodge' to this new development. The latest site layout includes some improvements to the setting of North Lodge, with better links to the open countryside, but the rationale for new development to the north of North Lodge must be questioned.

*Recommendation*

5. English Heritage remains satisfied that, so long as the tree screen between the church and the park is maintained and reinforced as necessary, then the proposed development will have a neutral impact on the setting of the Grade II\* listed church. In respect of the impact on the Conservation Area, we broadly welcome the reduction in area of land to be developed, but remained concerned that there is still not sufficient detail contained in this outline application on eaves heights of the new buildings to fully assess and control the impact on the Historic Environment'.

44. Further comments on the amended scheme state:

*Setting of All Saints Church (Listed Grade II\*)*

45. "As set out in our previous correspondence, there is a substantial and mature tree screen between the church and the existing industrial buildings on the north side of the former park. Historically it is likely that the church would have enjoyed a more open aspect, with views into the park, but these trees now provide a key role in protecting the setting of this important listed building. Therefore, while it is noted that the applicants intend to restore the surviving parts of this park including re-opening views from Milton Hall to the lake, English Heritage would expect to see the existing tree belt adjacent to the church retained and reinforced where necessary.

*Impact on the Conservation Area*

46. The Milton Conservation Area overlaps the site at the south end, where the lake is within the Conservation Area, and again in the area around North Lodge. The existing industrial buildings are outside of the Conservation Area, but their removal would represent an enhancement to its setting. However, as previously stated in respect of the replacement of these structures, since the application is at outline only (and the layout provided is therefore only indicative), it remains difficult to fully determine the impact that they will have on the Historic Environment. It is noted that more information has been supplied on the height and extent of the new structures, but it remains our view that in order to fully comply with the recommendations contained in PPG15 this application should have been submitted in full and not in outline.

*Impact on Grade II Listed Buildings*

47. While it is not within English Heritage's core remit to comment on the setting of Grade II Listed Buildings, we have previously raised concerns over the aspects of the new development in the vicinity of the North Lodge. We now note that the layout has been further revised to omit the new-build structures to the north of North Lodge and that the new development in close proximity to North Lodge will now be limited to land previously used for car parking on the south side of the Lodge. This change is to be welcomed and English Heritage is content for the SCDC to determine the impact of these revised proposals on the setting of the Gate Lodge and Hall in accordance with national and local planning policies.

*Recommendation*

48. English Heritage remains satisfied that, so long as the tree screen between the church and the park is maintained and reinforced as necessary, then the proposed development will have a neutral impact on the setting of the Grade II\* listed church. In respect of the impact on the Conservation Area, we broadly welcome the reduction in area of land to be developed, but remained concerned that, in order to be able to fully assess the impact on the Historic Environment as required by PPG 15, the application should have been in full and not outline”.

49. **Principal Conservation Officer** – commented on the initial submission:

- (a) The proposals affect North Lodge, a grade II listed building, and the settings of Milton Hall (grade II listed building), the Parish Church (grade II\* listed building) and the Hospice (grade II listed building). They also affect the Milton Conservation Area which incorporates the land around North Lodge and the woodland area around the lake. The site is all within the Green Belt.
- (b) In principle we would agree the redevelopment of the previously developed area of the EDF Depot, subject to scale and massing which should be no worse than the current situation and the design which should be suitable for this locality and setting. However the area around North Lodge was not previously developed and any proposal should maintain or enhance this openness, which is very prominent in the Conservation Area and setting of the Listed building.
- (c) The outline approach is of concern as it does not contain sufficient information to identify all the elements of impact on the Conservation Area and Listed buildings. It remains the view of the Conservation

Section, in line with PPG 15, that full details are required to assess the full implications of this extensive development on the Historic Environment. It is also of concern that smaller, but intrinsic elements such as those described in the Design and Access Statement for solar panels, garaging and refuse structures will have a significant impact on their surroundings, but because they are insufficiently described, they could ultimately result in a proposal that is damaging in principle to the Listed buildings and Conservation Area'.

She goes on to list a number of items for which they considered insufficient details had been provided.

50. Further principle concerns about the current submission are then listed as having included:
- (a) The character of the aspect along Ely Road and around North Lodge would be changed from a rural aspect to that surrounded by houses.
  - (b) There would be the removal of trees which would further lessen the rural character around North Lodge.
  - (c) The Lodge would lose further links with Milton Hall. The proposal plans conflict, but the Masterplan shows the path from the Lodge terminated so that the Listed building would lose all purpose as a Lodge. There are rows of proposed houses blocking the relationship between the Lodge and its main house.
  - (d) The proposed heights of buildings around Milton Hall would be higher than the Listed building and therefore, in combination with their greater depth, would dominate the Listed building.
  - (e) The central facilities building is intended to be 'of a scale which denotes its central importance and conveys the status of a country house in its impact.' However this would compete with the actual historic country house, the Listed Milton Hall which is next to the proposed central facilities building and would therefore be harmed by the competition.
  - (f) The spans of the proposed buildings are significantly deeper than the existing buildings and contrary to the character of the Conservation Area where buildings have very modest spans. The listed buildings also have comparatively modest spans and would be harmed by the wider spans of proposed adjacent buildings.
  - (g) The proposed design has no local design basis, despite assessing some of the local character in the Design and Access Statement. The drawings accompanying the application have similarities with the design of the applicants' previous developments in Liphook and Rugby, rather than the character of the historic settlement in Milton.
  - (h) The design contains unattractive elements based on the too-deep spans which include a flat roof on top of the pitched roof of the central facilities block, one of the nearest buildings to Milton Hall and visible in the views of the Listed building from the Repton landscape.

- (i) The landscaping along the edge of the development site within the views of the Repton landscape and within the views from the Listed church. There is some screening along the edge of the proposed buildings but it is very thin and would screen less in winter, so any proposed development needs to relate better to the landscape.
- (j) The sports provision area is of concern for various reasons including the structures and traffic in the countryside, Green Belt and historic landscape. This could be improved by rotating the fields so that they are along the northern boundary with car parking and the pavilion also hidden in views behind the proposed houses, but the compatibility of this noisy use with the rural setting and retirement homes is questionable.
- (k) The proposed works to the Listed North Lodge are not entirely sympathetic. On the basis of the submission (which is incomplete) the proposed doors and windows are of most concern as they do not reflect the design of the original and propose replacement of historic features rather than repair.

*Recommendation*

- 51. That the application is refused due to the detrimental impact of the position, bulk, massing and design of the proposed works on the character and rural setting of the Listed buildings and the Conservation Area. Also for the likely removal of historic features and harm to the fabric of the Listed building'. She suggested that negotiation can take place on a number of matters.
- 52. Following a meeting between the agents and officers on the 28<sup>th</sup> October a revised scheme has been submitted. In response to this updated comments have been received.
- 53. The submitted amendments follow a meeting held on 28 October 2008 and quote the draft minutes issued following that meeting. However they do not include the amendments we made to those draft minutes on 3 November. Specific omissions of concern include:
  - (a) The proviso that any development around North Lodge should take into account that no current development is above ground level and the note that the dumped hardcore was not an area of previous development.
  - (b) That a study of the number of units would take place to confirm what the minimum number is to make the project viable and to ascertain if the indicative layout could be reworked in order to minimise the impact on North Lodge. In addition, it was discussed that it may be possible to extend the development closer towards the football pitches if it reduces the number of units around the Lodge. (That the agent should provide information to identify and justify the viability and economic basis of the extent of development).
  - (c) That the discussion about the football pitches did not include agreement over white markings. White markings would be visible in the landscape and therefore it would be preferable to re-orientate the pitches to avoid this protruding into the vista.

- (d) That there should be sufficient information supplied for the proper consideration necessary to determine the impact of the proposals on the setting and interest of the Listed buildings and Conservation Area.
54. The submission does not allay our concerns about the impact of the development upon the Listed buildings, especially North Lodge and Milton Hall, nor the Conservation Area:
- (a) As indicated by the (overly small scale) Ground Study A, the spans and density of the proposed development significantly exceed that of the existing village.
  - (b) The section through the site (drawing SK02 A3) is inaccurate. It shows Milton Hall at a height of approximately 14 metres to eaves level, whereas 11 metres is likely to be closer. It shows the new Communal building at only 11.8 metres high whereas the notes elsewhere state it is to be a maximum of 14.2 metres. Contrary to the note 14.2, this would be higher than the extensions to Milton Hall. The dimensions should therefore be clarified and the section revised as appropriate. We therefore remain concerned that the new Communal building would be approximately the same height as Milton Hall (or taller) and would therefore compete with it.
  - (c) Whilst building to the north of North Lodge has been removed, the extent of proposed development still dominates and cramps the Listed building. As noted at the meeting, the extent of proposed development around North Lodge and within the Green Belt should be no more than the extent of current hardstanding in principle, and it should be borne in mind that any building is higher and therefore more prominent than the existing development in that setting. Any proposed buildings, if acceptable, should therefore be subservient and sympathetic and avoid damaging the context of the Listed building. The proposal however exceeds the area of hardstanding shown on the aerial photo; provides a cramped development with considerably larger spans than the Listed building; involves the removal of existing trees between the Lodge and the proposed development and at the entrance to the site; builds over the green space between the hardstanding and the entrance road; provides little green space or amenity space around the development on the entrance giving an urban appearance to the entrance of this rural site; obscures the views of the Lodge and isolates it further from its context.
  - (d) The aerial photo shows that the southern boundary of the existing industrial buildings is perpendicular to the rear of Milton Hall. The proposed site plans show the boundary moved out into the parkland on the south-eastern end to develop into previously undeveloped land in the Green Belt and further into the vista of the listed building. Ideally any development should be further away from the vista than the existing, even if this means development along the north boundary eastward of the existing industrial buildings (subject to Green Belt issues); rather than into the vista.
55. The response includes proposals to increase the screening between the church and the site, contribute towards the bus shelter, install a central satellite facility

and provide some sort of entrance feature although there is no detail. In principle these are acceptable, subject to more information and drawings.

56. **Cambridge Archaeology – Cambridgeshire County Council (CCC) –**  
Comments that:

- (a) An archaeological evaluation has been conducted at this site, for which it is in receipt of an approved report of results. This work demonstrated the presence of archaeology throughout the application area pertaining to various periods of settlement and landscaping in the past. No remains were present that could be considered to be of national significance and, therefore, it does not object to this development proceeding.
- (b) However, in order to safeguard the archaeological remains, both by record (excavation and reporting) and in situ (avoidance strategies and long-term management of the area), it recommends that any planning permission should include a suitable archaeological condition to enable the above protection of ancient remains to occur. Such a condition may be worded as follows:
- (c) No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
- (d) This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:
  - i) Submission of an approved strategy and management plan to enable the preservation in situ of archaeological remains in areas of the development area that will not be affected by ground works (all types);
  - ii) Fieldwork in accordance with an agreed written scheme of investigation;
  - iii) Post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority); and
  - iv) Completion of post-excavation analysis, preparation of site archive ready for deposition at a store approved by the Planning Authority, completion of an archive report, and submission of a publication report (to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority).
- (e) Given the discovery of landscape features, possibly relating to Humphrey Repton's original park and garden design for Milton Hall, the development team may like to consider the reinstatement of some of these features within the overall design of the parkland. The dredging/restoration of the lake will certainly prompt greater long-term use of this feature and is an obvious location of small information boards that link the historic features present in this landscape to Milton Hall and the earliest use of the landscape.

- (f) A brief for the archaeological requirements should be obtained from their office.

57. **Local Highways Authority – CCC – Comments:**

- (a) Requests that the applicant provide a drawing to a scale of 1:500 showing the site, as Drawing Number SK7 A3 is to a scale that has made it problematic for it to comment.
- (b) It requires more detail in the form of a detailed plan of the proposed layout and access, with visibility splays. This should form part of the approved plans and not be for submission as part of the reserved matters.
- (c) It considers that the layout for the development and the highway dimensions need to be shown on a submitted drawing, as this information is critical to the success of the development.
- (d) It notes that WSP (the highway consultant employed by the applicants) will design in the detailed layout in accordance with the advice set out in Manual for Streets with a carriageway width of 5.5m with 2.0m footways on each side and that it will not be intended as a Home Zone. The Highway Authority is now satisfied that this is acceptable.
- (e) It requires footway improvements within the vicinity of Church Lane to be secured via a S106 agreement.
- (f) If the Planning Authority is minded to approve the application it has recommended conditions and informatives to be added to the decision.

58. Further comments are awaited following receipt of responses to the above concerns from the applicants. A verbal update will be given.

59. **New Communities (CCC) – initially commented in relation to traffic generation resulting from the proposals:**

- (a) 'It is imperative that we are made aware of how long the site has been left vacant. The TA makes clear that the proposed site will generate less trips than the former use of the site but if the site has been vacant for a long period then this information will be negligible and we will have to look at the new site in isolation from the former use.
- (b) Ideally we would want trip generation information on the football pitches in order to establish what the worst case scenario will be. It is intimated that they will be used once a week, what day of the week is proposed?

*Description of Existing Networks*

- (c) There has not been any identification of critical junctions that may be affected by traffic generated by this proposed development. If the former EDF site has not been recently occupied then junction modelling will have to be undertaken. I would also suggest the Highways Agency are informed too. Are there any junctions which you would suggest are modelled? Please can you specify?

- (d) Junction modelling should consider the following scenarios:
- Base (opening year)
  - Base + Committed Development (opening year)
  - Base + Committed Development + Development (opening year)
  - Base (5 years after opening year)
  - Base + Committed Development (5 years after opening year)
  - Base + Committed Development + Development (5 years after opening year).
- Appropriate growth factors should be applied to the future year scenario.

*Trip Generation*

- (e) The TRICS (2008b) figures used for the trip rates for the office use and industrial buildings are representative as are the traffic generation figures.
- (f) The first hand survey work of similar sites is always more favoured. However, the survey work included in the TA is 10 years old. I would like to see more up-to-date survey information provided.

*Trip Generation*

- (g) The traffic generation calculations appear to be for vehicular trips. It is expected that a TA includes the number of person trips generated by all modes and also the number of vehicular trips.

*Measures to Mitigate*

- (h) It will be essential for a travel plan to be secured as part of the Section 106 agreement.
- (i) If the site has been vacant for longer than 2 years we would need to address the new impact of the development and reflect the mitigation measures and contribution accordingly.

*Recommendation*

- (j) We will need the client to confirm how long the site has been vacant. Once this has been established, then we will be able to confirm the levels of mitigation measures required'.

60. Having received responses from the applicants in relation to the above items it has now commented that:

“The TA failed to address critical information that is required as part of any submitted TA in line with County Council guidance and DfT guidance. The proposed site will generate fewer trips than the existing site, and therefore, the original issues raised are now resolved”.

61. An approved Residential Travel Plan is still required as part of a S106 agreement.
62. **Highway Agency** – comments that the proposed retirement village is likely to have a lower trip generation than the possible existing use of the site. The development is unlikely to have an adverse affect on the Trunk Road Network.
63. **Countryside Access Team (CCC)** – no comments received, although it has commented on the draft S106 in relation to wording on permissive footpaths.

64. **Sustainability Officer** – no comments received.
65. **Building Control** – no comments received.
66. **General Works Manager**– no comments received.
67. **Cambridgeshire Fire and Rescue** – requires fire hydrants to be secured via condition or S106 at the expense of the developer and access and facilities for the fire service should be in accordance with Building Regulations.
68. **Police Architect Liaison Officer** – No comments received (the Officer is no longer in post), however previously comments received stated:
- (a) Given the potentially vulnerable nature of a number of the proposed occupants that entry into the site is to be restricted to Ely Road is supported.
  - (b) There is concern about the mews layout and the associated vehicle parking. Vehicles parked to the rear of dwellings are likely to be more vulnerable to crime, while the lack of clear boundaries to rear garden space exposes the rear of the dwellings to crime, especially if rear patio doors are left insecure. As distraction burglary often involves one offender at the front door while another enters through the back door, the mews arrangement with open rear gardens should be reconsidered.
  - (c) The permeability through the site may give rise to difficulty at times when a large number of visitors are on the site, such as when the sports pitches are in use. Such permeability provides offenders with additional access and escape routes together with the anonymity they seek.
69. **Primary Care Trust** – No comments received, although previously it had stated:

“The development of 121 retirement units in Milton will increase the demand on general medical services in Milton particularly as the residents will all be elderly and some may also be frail. Whilst the local practice will be prepared to accept these patients on to their list this needs to be borne in mind when considering the application. I would also request that South Cambridgeshire District Council ensure that, if the application is approved, these properties are built to Lifetime Homes Standard as they will have a life expectancy of more than four years and because their targeted customers are the elderly.”

70. **Cultural Services Manager** – no comments received.

### **Representations**

71. A letter from an employee at Milton Hall and resident of Milton commenting:
- (a) *Size of apartment blocks/central facilities building*  
The plans show several apartments and a central facilities building close to the current north and east wings of Milton Hall (these are the 1960s extensions). My concern that the height of these buildings (12 metres for apartments, 14.2 metres for facilities building) will significantly impact on the amount of daylight into both wings, and the

east wing in particular as this will be surrounded on two sides by the new buildings which will be higher than this existing part of Milton Hall. The planning application states that the three storey facility building will "screen unattractive modern additions to this otherwise attractive Listed Building." but the employees inside the two wings of Milton Hall would appreciate not losing their daylight to work in.

(b) *Extent of building southwards*

The plans show that the retirement units will not encroach southwards to spoil the views of Milton Hall. However, I disagree. Currently the EDF depot buildings are level with the east wing of Milton Hall. There are no buildings southward of this point, just open land. The plans for the retirement units will be significantly southwards of the current buildings which therefore will restrict the views from and to Milton Hall. I therefore urge the council to restrict the development to the existing site which has already been built upon and leave the existing park land.

(c) *Use of Land*

Milton Hall is used largely for office based activities. However, the scope of use for Milton Hall is for light industrial use. The company (Pi Shurlok) which resides at Milton Hall provides services for the Automotive Industry. As such there is occasional noise as part of the work undertaken, mainly related to vehicle movements and operating of vehicle engines. No issues have been raised by the current neighbours of Milton Hall relating to the work undertaken. However, the addition of 101 retirement units, some of them in very close proximity to Milton Hall may result in some disturbance of the residents of these units. The Council should consider that in permitting housing so close to buildings used for industrial use there may be future issues relating to noise.

(d) *Security of Milton Hall*

The plans detail that views of Milton Hall will be restored along with parkland. I have concern that the views of Milton Hall may be compromised for security reasons. The EDF depot neighbouring Milton Hall has always been a secure site with gated access. As such this has provided security to Milton Hall as it is difficult for the public to get close to the buildings (i.e. they can not go through the EDF site). If the retirement units are built then there will be access by the public both to the units themselves and the parkland. As such to retain the level of security at Milton Hall other measures such as increased fencing may be required. This will reduce the views of Milton Hall, not improve them. Whilst this issue may not be within the scope of consideration for this application it should be realised that the owners of Milton Hall have a need to ensure the site is secure against public access. The proposed development will increase the ability for the public to get onto the grounds of Milton Hall unless increased security measures are taken.

**Planning Comments – Key Issues**

72. The key issues in considering this outline application are:

- (a) Whether the development is inappropriate in the Green Belt;

- (b) If the proposals do amount to inappropriate development in the Green Belt, whether it would cause other harm in addition to that caused by inappropriateness (this includes, impact on the countryside and openness of the Green Belt, housing provision, loss of employment, historic buildings and Repton landscape, archaeology, landscape, environmental matters (e.g. drainage, contamination and water bodies), public art, public open space, access and the provision of reserved matters); and
- (c) Whether there are very special circumstances that clearly outweigh the harm caused by the development, by way of inappropriateness and in any other respect.

***Green Belt – Inappropriate Development***

- 73. The site is within the Cambridge Green Belt. In determining applications for development the first consideration is whether the development can be considered 'appropriate', as defined in 'PPG2: Green Belts'. In cases elsewhere for similar retirement village schemes, it has been found that due to the mix of care, housing and associated facilities, the overall use class for such developments is *sui generis*. Essentially, however, the scheme proposes housing. With the exception of the proposed sports pavilion and junior football pitches the proposals are by definition 'inappropriate development'. It is noted that the existing land use is also 'inappropriate development'.
- 74. PPG2 advises that "...inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why planning permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations." A balancing exercise is required to ascertain whether the material planning considerations put forward by the applicants amount to very special circumstances that outweigh the harm to the Green Belt and other harm.

***Other harm***

***Openness of the Green Belt***

- 75. The applicant does not accept that the re-development of the site be considered on major developed site (MDS) principles, as it is not identified as such within the Local Development Framework.
- 76. This issue was considered by the Inspector at the Development Control Policies DPD Examination. The Council put forward, in response to a 'duly made representation' that the site should not be classified as a major developed site, on grounds that development outside of the footprint of the depot site would harm the vista from the Hall and the openness of the Green Belt. The smaller site (depot) was considered to be capable of re-development sensitively using MDS principles of PPG2 to increase the openness of the site and assist in meeting the Government's land use objectives for Green Belts. It went on to conclude that the applicant may be able to demonstrate that the re-development of the site could reduce the impact upon the Green Belt, and as such be permissible under paragraph 3.2 of PPG2. This approach was

supported by the Inspector and is a useful approach in the consideration of these proposals as a consequence.

77. Although the indicative layout and scale of development are not to be determined at this stage, this application has sought to address concerns with the earlier scheme that the proposed re-development would not accord with the principles of development on MDSs. It would have had a greater impact than the existing development on the openness of the Green Belt. This was due to the significant additional footprint of buildings proposed extending beyond the existing built area; and the proposed heights exceeding that of the existing development which, despite the former use of the site, are relatively low-key due to the buildings largely being limited to 1-1.5 storeys.
78. This application seeks to overcome these concerns. The indicative site layout plan shows all built development is confined to the existing built area, although some encroachment of ancillary landscaped areas and pedestrian routes. The scale of buildings remains unchanged. In terms of assessing the impact on the Green Belt, the higher buildings are sited closer to the village and existing two storey buildings at Milton Hall.
79. In the Examination proof it was also suggested that the pylons, power lines and other structures within the fields to the east and south of the depot site could be removed by planning condition or Section 215 Amenity Notice now that they are no longer required. This issue was re-visited during the previous application and it was concluded that the latter is not an option in these circumstances. If approved, their removal can be secured which would significantly enhance the openness of the Green Belt.
80. The proposals do not accord with MDS principles, which officers advised should be the starting point for re-development of the site, as the building footprint and heights will be exceeded. Contrary to MDS re-development principles, officers have accepted that, as the areas of hardstanding are so extensive on this site, some increase in footprint can be justified. The development does not exceed the existing built area of the site. Having regard to the loss of many Pylons, the extensive network of power lines and other structures and the redevelopment of the brownfield site, I consider that openness is improved.

### ***Countryside***

81. Countryside policy (Policy DP/7) limits development outside frameworks to that which is essential in the countryside. The aim of the policy is to protect the countryside from gradual encroachment, to guard against incremental growth in unsustainable locations. This site is however, a brownfield site, where some re-use of the existing buildings or limited re-development on a like-for-like basis could be supported (see Policies ET/7 Conversion of Rural Buildings for Employment and ET/8 Replacement Buildings in the Countryside). PPS7 "Sustainable Development in Rural Areas" takes a similar approach by favouring the re-use or redevelopment of buildings in the countryside for employment use. Notwithstanding, that is not what this application seeks.

### ***Housing Provision***

82. Additional housing developments in South Cambridgeshire are currently required to meet a shortfall identified through the Regional Spatial Strategy.

Any shortfall in housing provision within the current Local Development Framework process will however, be made up from allocated sites and windfall sites at more appropriate and sustainable locations, in accordance with policy ST/2.

83. Milton is a group village where residential development within the framework is limited to 8 dwellings or exceptionally about 15 where it would make best use of a brownfield site. The site however, is not within the framework.
84. It is noted that this scheme provides for a specific population group in providing homes for retired people. In this respect it aims to meet the objectives of PPS3. There are however no reasons why such sites specifically tailored towards the older population shouldn't come forward on sites in sequentially preferable locations within villages, including existing allocations, as has been the case in examples in South Cambridgeshire's villages. Officers have accepted however that the likelihood of this is small.
85. In terms of housing mix, the proposals are for 45 no. 2-bedroomed flats and 56 no. 2-bedroomed houses. These would be all owner-occupied. Although the mix does not reflect that set out in HG/2, the applicant has suggested that one-bedroomed units are difficult to sell, as they are too inflexible i.e. they make it difficult for residents to have separate bedrooms, or guests and carers to stay. Although two-bedrooms may also have ground floor studies that are large enough to allow use as a bedroom if required.
86. In order to secure a balanced community provision of affordable housing is required on site as part of the development.
87. Any housing outside frameworks is usually limited, by way of an exception to normal policy, to that which is 100% affordable to meet the needs of the village to which it is related. The scheme does not propose exception housing. Although policy HG/5 establishes the principles against which exception sites will be assessed the applicants suggest that these proposals be treated as a departure to policy and that the principles of HG/3 only be applied i.e. that 40% affordable provision. A contribution of £1.6 million is to be offered in lieu of on-site provision. This has been supported through a financial viability assessment and is accepted by the Housing Development & Enabling Manager.

### ***Employment***

88. As the site is a brownfield site outside of the village framework it does not fit neatly within the Council's employment policies. It is accepted that elements of the scheme will contribute towards employment; however the predominant use of the site would be as housing in one form or another. The most relevant policy is ET/6 (Loss of Rural Employment to Non-Employment Uses).
89. The loss of employment land is to be considered on a case by case basis. There is currently a major surplus of employment land in South Cambridgeshire. The Planning Policy Manager has provided a clear steer as to how to consider the loss of employment from the site. The oversupply of employment in and close to Cambridge is the justification for the current development strategy, which seeks to correct that imbalance by dramatically increasing the supply of housing in and on the edge of the City. The strategy has a second objective of reducing the growth in commuting. The loss of

employment from this site would decrease employment opportunities within the village but like Cambridge as a whole, Milton Parish has a significant excess of jobs over the working population and losing this site will result in a decrease in overall commuting by the general population.

***Listed Buildings and Conservation Area***

90. While the detailed layout is not for consideration under this outline application it is reasonable and necessary to make an assessment of the impact of the development's scale and nature in relation to the historic environment, including Listed buildings, conservation area and Repton's parkland setting to Milton Hall. The main concerns arising out of the consultation responses relate to (a) the impact of building heights and spans; (b) difficulties gauging impact as the application is outline; (c) development in the area of North Lodge; (d) opening up the vista from Milton Hall across its parkland setting; and (e) matters relating to the details such as building designs, layout of sports pitches, and landscaping, accuracy of indicative plans.
91. The agent has provided details of building spans (depth) in the area. This remains a concern to the Conservation Team in relation to these. Reducing these would require the applicant to almost entirely reconfigure the scheme. The main areas in which this is important relate to are on areas within the Conservation Area adjacent to Milton Hall and North Lodge. The height of the buildings is dictated by the spans, therefore reducing spans would result in a drop in overall building heights.
92. The agent is reviewing the submitted plans and has clarified that in relation to the communal facilities building, which is the highest building proposed, its overall ridge height can be restricted to 12 metres. They would accept a condition to this effect. The parameters plan shows a building to 14.2 metres, however this is due to the clock tower. The agent confirmed that this can be omitted from the detailed design. This will ensure that the largest of the buildings have a subservient relationship to Milton Hall. The parameters plan will be amended accordingly.
93. As this is an outline application addressing the principle of development and access only, there is not fully worked up designs for the site. This has caused some concern for English Heritage and the Conservation and Design Team. The designs provided are indicative only. The agents are aware that reserved matters details will be required to reflect the local vernacular and materials and not simply replicate designs used elsewhere in the country.
94. The amended plans attempt to address the concern in relation the setting of North Lodge. Works to North Lodge building, as described in the Design and Access Statement, do not fall under this planning application for consideration, as they require a separate Listed Building Consent.
95. This revised scheme, as amended on 1<sup>st</sup> December 2008, goes some way to addressing the concerns of English Heritage and the Principal Conservation Officer. It is considered that the setting of North Lodge will still be harmed to some degree as a consequence of the amended scheme, due to the proximity of development in this area to the frontage trees and North Lodge.
96. Historical linkages between Milton Hall and West Lodge and North Lodge have been weakened and subsequently, the importance of retaining the

historic linkage with Milton Hall is greater. Although the Lodge is currently adjoined by an unattractive car park this development does retain openness to its setting in comparison to the application proposals. The impact on the Lodge is detrimental and changes the character and setting of the building, albeit that it is accepted that the existing rural backdrop to the north of the lodge will now be retained. This matter has been put to the agent and a response is awaited.

97. A compromise has been suggested, of allowing a small number of dwellings to be sited outside the existing built area at the eastern end of the site, as this is considered preferable to allowing building closer to North Lodge and will not project into the vista from Milton Hall. This also frees up the area around North Lodge to allow the dwellings around it to be moved away from the access road, trees and hedges and away from the Lodge. This also ensures the developer is still able to provide the number of units it requires to make the scheme viable. A verbal update will be given, as this will require amending the scheme, however initial feedback from the applicant has been positive.
98. The pedestrian linkage between Milton Hall and North Lodge has now been re-created as closely as possible to a former footpath between the two, overcoming an earlier concern.
99. The scheme now proposed has been kept within the existing built area and addresses concerns about the vista from Milton Hall and its parkland setting. The improvement of the vista from Milton Hall, by the removal of the many pylons, overhead lines and other structures and various landscape improvements, can be considered positively, particularly in the winter months when these will be more visible through trees. Subject to the agent clarifying the boundaries of development in relation to site boundaries, this concern seems to have been overcome.
100. Subject to the detailed landscaping in the area adjacent to setting All Saints' Church, the relationship between it and the church is acceptable.
101. The wooded southern area, frontage and area surrounding North Lodge is within the Conservation Area. The remainder of the site can be considered to be adjacent to it. In considering whether the proposals will preserve or enhance the character and appearance of the Conservation Area it is concluded that, on balance and subject to addressing the building in the North Lodge area the proposals will be able to achieve these objectives. The development will improve the woodland within the Conservation Area and would be an enhancement. The removal of unsightly structures and restoration of the parkland adjacent to the Conservation Area is also an enhancement.
102. Other concerns raised through the consultation process can be addressed at the reserved matters stage i.e. design, layout, and landscaping.

### ***Archaeology***

103. Archaeological assessment has been carried out and subject to the condition recommended by the County Archaeology unit, has been addressed satisfactorily through pre-application assessment of the site.

### ***Landscape***

104. No in principle objections have been received in terms of the wider landscape or landscaping of the site, although it is clear that detailed schemes will need to be the subject of further work at the reserved matters stage, having liaised with the Trees and Landscape and Landscape Design Officers. English Heritage's comments in relation to the landscaped edge between the church and site can be addressed through a detailed landscape scheme.
105. It is noted that the draft S106 submitted with the application includes terms relating to a Landscape and Ecological Management Strategy Plan.
106. The key issue raised is in relation to the restoration of the lake and de-silting. The applicant is aware of the concern but does not wish to address this at this stage. While the concern is noted, it is not a matter of principle and therefore can be dealt with through reserved matters.

#### ***Environmental Matters***

107. The scheme is likely to bring about environmental improvements through de-contamination of the site, ecological enhancements and provision of measures to provide 10% of the site's energy requirements through renewable sources, as required by policies.
108. Planning conditions can address all matters relating to environmental and human health concerns, including detailed schemes for surface water drainage, foul water drainage, foundations, land contamination, ecological enhancement and renewable energy schemes.

#### ***Public Art***

109. The agent has confirmed that the applicant is willing to provide public art on the site. They consider that this should be dealt with at reserved matters stage and note that there are opportunities within the proposed layout to provide for a piece of public art such as in the squares, within the open space and at the entrance into the site. As the scheme falls within the parameters of Policy SF/6 (Public Art) provision is to be encouraged. It can be provided by a planning condition.

#### ***Public Open Space***

110. The scheme provides significant provision for open space to meet the needs of the development and the public generally. The provision being made accords with policy SF/10, and in fact exceeds what is required to serve the development itself. The scheme provides formal sports pitches and informal open space. Retirement schemes are not required to provide play space.
111. The publicly accessible areas are proposed on a limited access basis through a lease to the Parish Council and are intended to contribute to making up an acknowledged shortfall of sports pitches in the village. The draft proposed terms for public access are detailed in the S106 attached at Appendix 6 of the Planning Statement. The Consultation Draft Open Space Supplementary Planning Guidance (2008) states that public open spaces that "...are available as a matter of policy and practice for public use on a regular and frequent basis" can be included within provision. Communal spaces to serve the development will not be included. On this basis the provision proposed is

acceptable and it is noted that is supported by the Parish Council, subject to the details being agreed.

112. The provision of open space, including sports pitches is a positive element of the scheme. Notwithstanding, all new residential development is required to contribute towards the provision of open space to meet the needs of its occupiers. Provision over and above that which is directly required as a consequence of the development is of course welcomed. Following discussions with the agent and Parish Council it is noted, without prejudice, that an extant planning permission for sports pitches at Landbeach Road, which can provide alternative provision to that proposed, is unlikely to be implemented due to concerns about accessing it from across the A10.

### **Access**

113. The Highway Agency has not objected to the scheme in terms of traffic generation and impact upon the Trunk Road network.
114. The Local Highway Authority expresses a number of concerns relating to the access. A plan of the visibility splays has since been provided. The agent has responded to the points raised by the LHA. Most of the points it raises can be dealt with at reserved matters stage or through planning conditions and informatives. Several are not material planning conditions. A response is awaited from the Local Highway Authority, however it is Officer opinion that the application now addresses adequately all matters relating to the access, subject to safeguarding conditions.
115. The request for improvements to pedestrian facilities in Church Lane will be explored, as currently there is no definite plan to provide such a link. Officers are concerned that the LHA may be seeking improvements not directly required to meet the increased use arising from the development itself, contrary to the advice in circulars 11/95 and 05/05. The inclusion of such a requirement may act as a disincentive to them seeking the pedestrian link from the site to the private access road serving the hospice and church.
116. The traffic assessment is now accepted, subject to securing a Residential Travel Plan.

### **Impact on use of Milton Hall**

117. Concern has been raised at the proximity and height of the apartments and facilities block, which are sited adjacent to Milton hall, as these are considered to be potentially detrimental in terms of loss of light. This is a matter for the detailed stage. However from the indicative drawings, the apartment block is to the north of Milton Hall, and likely to have a 10-metre separation. This is sufficient to ensure natural daylight is not lost. It is also noted that there is a single storey building not more than 5 metres to the east from the Hall presently.
118. Security concerns have also been raised as the boundary between the two sites will be more open. At present there is a 3m metre high metal fence. Boundary treatments in the setting of a listed building require planning permission and can be dealt with by way of condition or separate planning applications.

***Reserved Matters***

119. Issues, such as landscaping, have been raised through consultation and representations that relate to the reserved matters of appearance, landscaping, layout and scale. If the application is supported these could be the subject of detailed discussion with the relevant officers and organisations to achieve an acceptable scheme.

***Very special circumstances***

120. The material considerations put forward which the applicant considers amount to very special circumstances, in summary, are:
- (a) The provision of housing specifically designed to meet the needs of the elderly, which is otherwise unlikely to be met.
  - (b) Improvements to the landscape, including removal of pylons and associated equipment (which impact on the openness of the Green Belt), restoration of the lake and its woodland setting.
  - (c) Provision of extensive recreational opportunities for local residents by way of sports pitches and managed access to woodland and parkland. Pitches to be made available on a managed basis to meet a specific local need.
  - (d) Restoration of North Lodge and rehabilitation of its setting – securing its long term future.
  - (e) Improvements to the setting of Milton Hall – screening of modern extensions to the Hall by way of 3-storey building adjacent and removal of pylons etc. and creation of a parkland vista.
  - (f) Restoration of the parkland designed by Humphrey Repton, including lake and woodland which forms part of the setting of the Church, Milton Hall and North Lodge.
  - (g) Delivery of around 40 affordable homes off-site which would otherwise not be forthcoming.
  - (h) Delivery of housing to meet the Regional Spatial Strategy target.

Cumulatively the applicants suggest these outweigh any harm by way of inappropriateness and other harm identified.

121. Officers agree that there is merit in these other considerations. These cumulatively do amount to very special circumstances that are sufficient to clearly outweigh the harm by way of inappropriateness and the other identified harm in regard to housing in the countryside, loss of employment and setting of North Lodge as a Listed Building.

***Departure***

122. The application proposals amount to a departure to the development plan. They do not accord with Green Belt, countryside, housing, employment, and conservation policies. Under the Town and Country Planning (Development Plans and Consultation) (Departures) Directions 1999, development which, by reason of its scale or nature or the location of the land, would significantly prejudice the implementation of the development plan's policies and proposals must be referred. In this case, the proposals are considered to be of a nature and scale that the implementation of the development plan could be significantly prejudiced due to the loss of employment land in favour of housing development.
123. In addition, on the basis that very special circumstances have been provided that outweigh the harm it will cause, officers are minded to support the application. Notwithstanding, the application must be referred to the Secretary of State under the Green Belt Direction 2005 referred as the proposals are for inappropriate development of more than 1000m<sup>2</sup>.

### **Recommendation**

124. Subject to:
- (a) Receiving amended proposals addressing concerns in relation to development in the North Lodge Area and parameters of development;
  - (b) Further comments from English Heritage, Principal Conservation Officer and the Local Highway Authority; and
  - (c) Referral to the Secretary of State under the departures and green belt directives and to the application not being called in for her decision, the application be approved subject to safeguarding conditions and the completing of a Section 106 Agreement.

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

- South Cambridgeshire Core Strategy DPD 2007
- South Cambridgeshire Development Control Policies DPD 2007
- Cambridgeshire and Peterborough Structure Plan 2003
- East of England Plan 2008
- Planning Policy Guidance 2: Green Belts
- Planning Policy Statement 3: Housing
- Planning Policy Statement 7: Sustainable Development in Rural Areas
- Planning Policy Guidance 15: Planning and the Historic Environment
- Open Space Consultation Draft SPD 2008
- Development Control Policies DPD Examination Statement ref. DCPR4 – SCDC
- Planning file refs. S/1601/08/O, S/0935/08/O, S/0205/99/F, S/1727/98/F, S/1413/98/F, S/1742/91/F, S/2141/90/A, S/0165/05/F, S/1941/01/PNT, S/0078/01/PNT, S/2041/97/PNT, S/1138/96/F, S/1038/02/F, S/1039/02/LB and S/1325/94/LB.

**Contact Officer:** Mrs Melissa Reynolds – Team Leader (East Area)  
Telephone: (01954) 713237

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee14<sup>th</sup> January 2009**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

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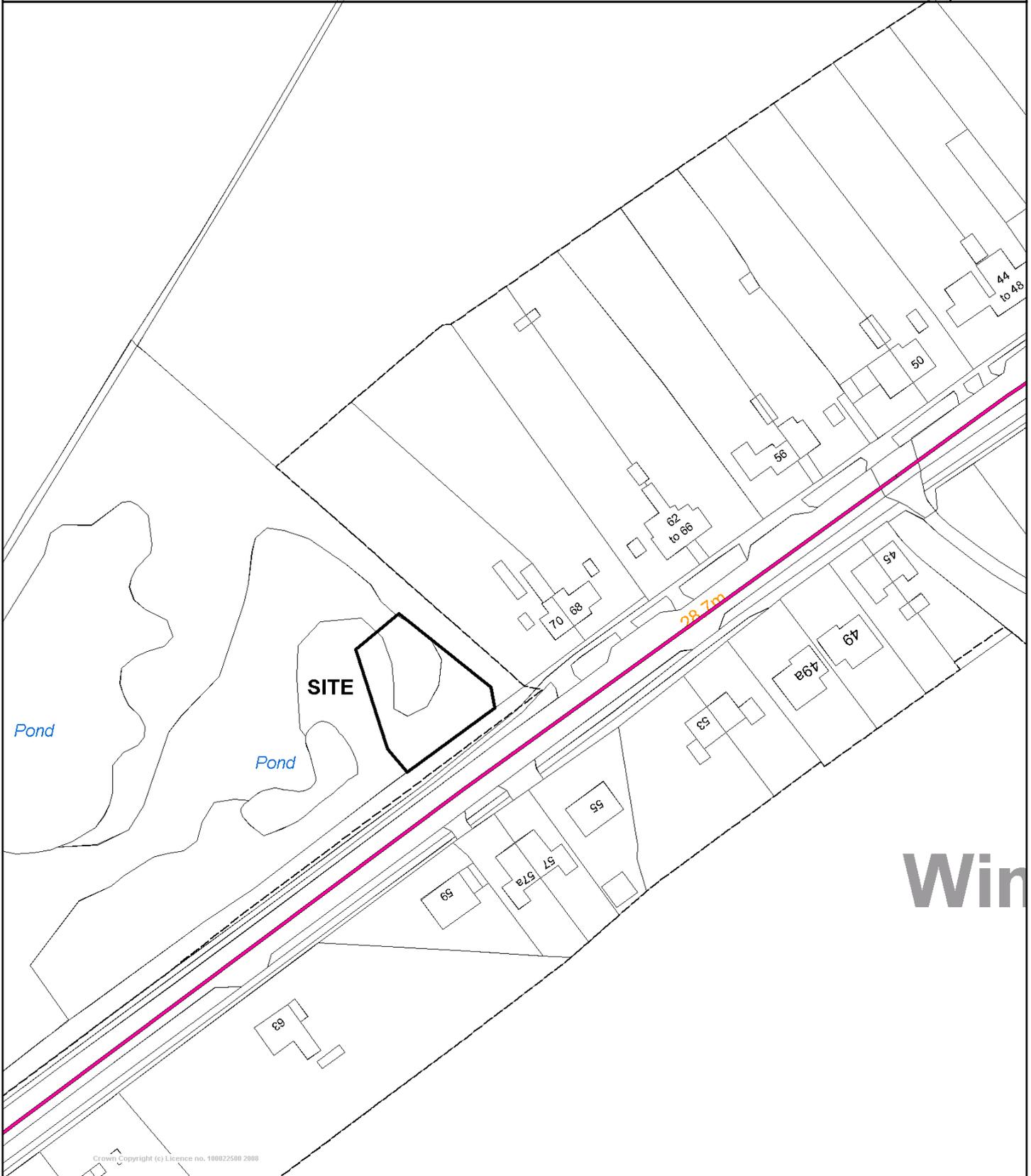
**S/0805/08/O - WIMPOLE****3 Affordable Houses, 72A The Cottages, Wimpole Woodyard, Cambridge Road for Mr R Foster****Recommendation: Delegated Approval****Date for Determination: 1<sup>st</sup> July 2008****Notes:**

**This Application has been reported back to Planning Committee following the receipt of amended plans requested at the 6<sup>th</sup> August 2008 meeting for determination as it relates to an exception site for affordable housing.**

**Site and Proposal**

1. Members considered this application at the August 2008 meeting (Item 6) following a site visit. Members granted officers delegated powers to approve the application subject to the receipt of revised drawings showing the provision of additional garden land to the proposed dwellings and details of proposed levels within the site. Amended drawings have been received, incorporating these changes.
2. As amended this outline application proposes the erection of a terrace of three 3-bedroom affordable dwellings, one for rent and two for shared ownership, on a 0.08ha area of land associated with the former woodyard site in Cambridge Road (A603). The site sits below the level of Cambridge Road
3. A new single vehicular access, 5.5m wide, is to be formed to Cambridge Road serving all three new dwellings, with parking provided for 7 vehicles and a shared turning area. The proposed dwellings are shown sited 14m back from the road and will have a ridge height of between 7.5 and 8.25m.
4. As amended the application includes a site cross section which shows the area of ground to be made up by up to 1m, although the land will be still be 0.8m below the level of Cambridge Road. The site area has been increased to provide rear gardens that are now 10m deep.
5. The application seeks approval of all matters apart from external appearance.
6. Two new market dwellings (see History below) to the south west of the application site, within the area of the old woodyard are currently in the course of construction.
7. To the north east of the site is a pair of semi-detached houses. A 4m wide strip of land has been left between the application site and the boundary with these adjacent properties. Opposite the site are residential dwellings.

S-0805-08-0



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8. The application is accompanied by a Design and Access Statement.
9. The density of the scheme is 15 dph.
10. The site is outside but adjoining the village framework.

### **Planning History**

11. Planning consent was granted in 2006 for the erection of two dwellings on the former woodyard site as a departure from the Development Plan (Ref: **S/0031/06/F**). That application indicated that the applicant would be prepared to provide an area at the north east end of the site for the construction of two affordable dwellings. A Section 106 Agreement was entered into requiring either the provision of two affordable dwellings (subject to obtaining the appropriate planning consent) or the payment of a commuted sum in lieu of such provision.
12. A revised planning application for the two market dwellings on the site was approved in 2007 (**Ref: S/1407/07/F**).

### **Planning Policy**

Relevant policies are listed below. Please refer to Appendix 1 to this Committee agenda for further details.

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

**Policy HG/1** - Housing Density  
**Policy HG/2** - Housing Mix  
**Policy HG/3** - Affordable Housing  
**Policy HG/5** – Exception Sites for Affordable Housing  
**Policy DP/1** - Sustainable Development  
**Policy DP/2** - Design of New Development  
**Policy DP/3** - Development Criteria  
**Policy DP/4** - Infrastructure and New Developments  
**Policy NE/1** - Energy Efficiency  
**Policy NE/6** - Biodiversity  
**Policy NE/9** - Water and Drainage Infrastructure  
**Policy NE/12** – Water  
**Policy TR/1** - Planning for More Sustainable Travel  
**Policy TR/2** - Car and Cycle Parking Standards  
**Policy TR/4** - Non-motorised Modes

### **Consultation**

13. The comments of **Wimpole Parish Council** on the revised drawings will be reported at the meeting.

In respect of the original submission it recommended refusal commenting:

14. “The Council understood that only 2 houses would be built. Parking allocated is inadequate. Some flooding has occurred in recent years. It is essential that the adequacy of the electrical and sewage systems are checked in view of the new

building on both sides of the road. A significant number of residents attended the PC meeting to express opposition.”

15. The **Housing Development and Enabling Manager** - supports the application.
16. The **Affordable Housing Panel** - supports the application. The last Housing Needs Survey carried out in the village in 2003 indicated 7 people in housing need. Since then one shared ownership dwelling has been secured in the village framework.
17. The **Trees and Landscapes Officer** - has no objection.
18. The **Corporate Manager (Health and Environmental Services)** - requests that a condition is attached to any consent requiring the submission of a scheme for the investigation and recording of any contamination of the site, along with remediation objectives.
19. The comments of the **Local Highway Authority** - on the amended drawings will be reported at the meeting.
20. In respect of the original submission it requested the provision of visibility splays and that the drawing show the dimensions of parking spaces and reversing space. Conditions should be attached to any consent securing the splays and the maintenance of the manoeuvring area. Provision should be shown for cycle parking. The access should be widened to a minimum of 4.8m, although 5.5m would be preferable. The applicants should be asked to consider accessing the development through the existing main entrance to the site. The Highway Authority states that it will seek the upgrading of the existing footpath to a minimum width of 1.5m along the frontage of the development under a Section 106 Agreement.
21. The **Environment Agency** comments that it assumes that drainage will be as the previous scheme for the main site and has commented accordingly. It points out that the issue of ground contamination remains unresolved.
22. **Anglian Water** comments that there are no current issues with the sewers in that area regarding flooding and the Pumping Station. Based on the anticipated foul flows from the proposed 3 dwellings this will not adversely affect the sewers/pumping station. The developer will need to apply for a connection to the public foul sewer. Anglian Water states that it will not permit the discharge of surface water to the foul sewer from any new development.
23. The comments of the **Ecology Officer** on the amended plans will be reported at the meeting.
24. In respect of the original submission he commented that he was aware of the proposed tree removal and feels that this is compensated for by the management of the front hedgerow. He states that he is aware of the orchid translocation and supports it in this case. The nearby pond has recently been reshaped under guidance and is not particularly ecologically sensitive, although he will advise the applicant to erect temporary fencing during the course of development if it is felt necessary
25. The comments of the **EDF Energy** will be reported at the meeting.

### **Representations**

Comments of the amended drawings will be reported at the meeting.

26. In respect of the original submission the occupier of No 70 Cambridge Road, the property immediately to the north east of the site, made the following comments.
27. The application states that the site is not recorded on the Environment Agency maps within any flood zones and is therefore not at risk of flooding, however the site was flooded recently (in April or May) and this was not the first time. The waters of the main lake and the pond shown adjacent to the proposed cottages “joined-up”, and the combined waters came to within 4m of the boundary with No70 and certainly covered part of the designated area for the proposed cottages.
28. The proposed car parking provision appears inadequate when looking at the experience of other new developments in the area and given that it is not possible to park on the road outside the houses. When a planning application was submitted for an extension to No 70 the owner was advised that two additional parking spaces should be provided.
29. There is concern about the extra loading on village utilities. The electricity for the village is fed by 2 transformers and previous conversations with electricity field engineers have indicated that both units are pretty much overloaded. Recently there have been a number of occasions when dimmed lights have occurred and low voltage warnings issued by power supplies in the house.
30. Have any checks been made on the capacity of the electricity supply, sewage and water supply?
31. All the existing houses on this side of the road are semi-detached. As the original proposal was for 2 houses why is a terrace of 3 now being considered.
32. The occupiers of 55 Cambridge Road, opposite the site strongly objected for the following reasons.
  - (a) Not enough services in the village and neighbouring villages for education to accommodate more dwellings.
  - (b) All new development within the village has been on brownfield sites, this is a Greenfield site.
  - (c) The location of the site is where common spotted and bee orchids have been found which now have to be relocated.
  - (d) In winter months when there is heavy rain the site is flooded
  - (e) Access to Cambridge Road will cause traffic problems
  - (f) Additional strain on drainage system which is already at capacity
  - (g) Inadequate parking provision which will lead to parking on the grass verge causing visibility obstructions.
  - (h) Trees will need to be removed to form the new entrance opening up views from properties on the opposite side of the road.
  - (i) Why has the proposal been increased to three dwellings?

**Planning Comments – Key Issues**

33. I have reported this application back to Members as the amended drawing, in proposing to raise the existing ground level within the site by up to 1m, has materially changed the scheme from that previously considered and may attract further comment from consultees
34. The key issues to consider with this application is whether the scheme complies with the criteria for exception sites in Policy HG/5. Although Members considered these matters at the August meeting I have rehearsed the issues again below, updating the comments as appropriate
35. The planning consent for the erection of the two market dwellings on the former woodyard site required either the erection of two affordable dwellings, subject to obtaining the necessary planning consent, or the payment of a sum in lieu of their provision. The previous application indicated that the north east corner of the land was where these dwellings might be sited. The Section 106 Agreement did not specify the size of the units but required one to be for rent and one for shared equity lease.
36. The current application proposes the erection of 3 affordable dwellings rather than 2. I have no objection to this change and the additional affordable units have been demonstrated to be in line with the proven local need for the village. The Affordable Housing panel supports the scheme .
37. I am of the view that the site complies with the criteria in Policy HG/5 in that it is well related to the built-up area of the settlement and that the scale of the scheme is appropriate to the size and character of the village. Although one of the neighbours has pointed out that the existing dwellings on this side of Cambridge Road are semi-detached, I do not consider that a well-designed small terrace of three dwellings would be inappropriate.
38. As an infill village the level of facilities and services are limited but existing development on the opposite side of Cambridge Road extends beyond the site to the south west so I consider it to be as well related as existing properties.
39. Provided there is a high quality of design achieved, with appropriate landscaping I consider that the development will not materially harm the character of the village or the rural landscape although at the reserved matters stage I will want to look at the maximum height of the units proposed to ensure that it is in keeping with the existing properties to the north east. The proposed raising of ground levels will mean that this issue is particularly important but does not in my view prejudice the potential development of the site when considered alongside the level of adjacent land. The existing property to the east of the site will still be sited on land that is slightly above the proposed levels within the application site.
40. I note the comments made about highway safety, including those of the Local Highway Authority. The amended drawing increases the width of the access to Cambridge Road and provides for 7 car parking spaces within the site. Existing ground levels are to be raised in recognition of the existing change of level from Cambridge Road. In response to the issues of sharing the existing access serving the two new dwellings to the west the applicant comments the original application for the market houses envisaged access for the affordable housing in the current proposed position. The applicant states that the markets units are of a size and have been positioned in such a way that he considers access via the existing gateway to the main site to be virtually

impossible and it is believed that the proposed access is in the best position. I am of the view that the subject to the comments of the Local Highway Authority on the revised plans that the access arrangements are acceptable.

41. The Corporate Manager (Health and Environmental Services) requests a condition regarding the investigation into possible contamination of the site. Although the applicant has indicated that this work has been carried out as part of the conditions attached to the planning consent for the erection of the two market dwellings the Corporate Manager (Health and Environmental Services) is of the view that insufficient investigative work would have been carried out in this part of the site and further work needs to be done.
42. Anglian Water has confirmed that in its view the existing foul sewage system is adequate to cater for the new development.
43. In response to comments made about flooding of the site the applicant comments that water levels in the Woodyard have been monitored since 2004 and it is considered that the risk of flooding to the market houses to be very low and even lower for the affordable houses.
44. The amended scheme has increased the depth of the rear gardens from 6.5m to 10m, and in my view has addressed Members concerns on this.

#### **Recommendation**

45. That, subject to the response to consultations on the amended drawings, the application is approved subject to safeguarding conditions.

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

- South Cambridgeshire Local Development Framework 2007
- Planning Files Ref: S/0805/08/O, S/1407/07/F and S/0031/06/F

**Case Officer:** Paul Sexton – Principal Planning Officer  
Telephone: (01954) 713255

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee 14<sup>th</sup> January 2009  
**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

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**S/1742/08/F – FEN DRAYTON**

**Dormer Window and Five Rooflights at Rear of 14 College Farm Court  
for Mr J Chapman**

**Recommendation: Approval**

**Date for Determination: 18 December 2008**

**Notes:**

**This Application has been reported to the Planning Committee for determination because it was referred from Chairman's Delegation Meeting on 10 December 2008.**

**Members will visit this site on 14 January 2009.**

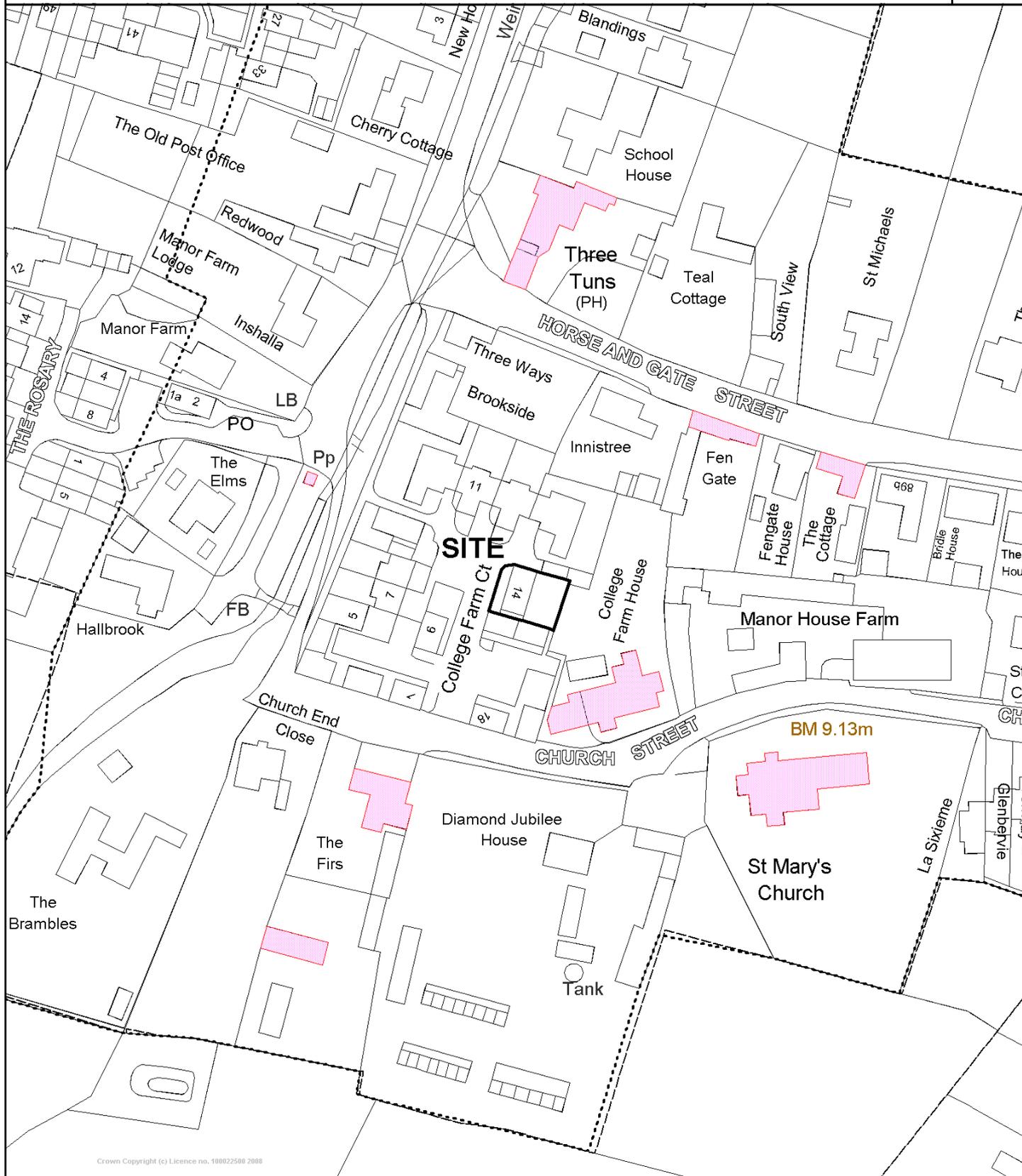
**Conservation Area****Site and Proposal**

1. No.14 College Farm Court is located within the Village Framework and the Conservation Area of Fen Drayton. The property forms part of a residential development, which was granted consent in 1984 for 10 starter units and 8 Houses.
2. No. 14 College Farm Court is a semi-detached two storey dwelling with a modest rear garden measuring 8.33m in depth and 11.48m in width. The rear garden and elevation back immediately onto the rear garden of College Farmhouse. The boundary treatment between these two properties consists of boarded fencing 1.8m high and with a limited amount of trees and shrubs within the control of the application site. There is however, a line of conifers on the boundary, in the garden of College Farmhouse which currently provides the majority of screening of the existing rear windows at 14 College Farm Court.
3. The application, received 23 October 2008, proposes to add a dormer window and 5 roof lights to the rear elevation of the dwelling. This would create two further bedrooms within the roof space. The new dormer window would light the staircase to these two additional bedrooms, with the roof lights serving as the only window openings and means of escape to the bedrooms. All of the openings for these new bedrooms are placed on the rear elevation, not on the front elevation.

**Planning History**

4. **S/0335/84/O** – Residential Development – Approve  
**S/1959/84/LB** – Demolition of Farm Buildings - Approve  
**S/2019/84/F** – 10 Starter Units and 8 Houses - Approve

S-1742-08-F



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5. Planning Consent S/2019/84/F, granted consent for the details of the development removed permitted development rights as below *“Notwithstanding the Town and Country Planning General Development Order 1977, no additional windows shall be installed in any of the properties backing onto College Farmhouse”*. The reason was to protect the privacy of the occupiers of College Farmhouse.

### **Planning Policy**

6. Relevant policies are listed below. Please refer to Appendix 1 to this Committee agenda for further details.

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

**Policy DP/2** Design of New Development, **Policy DP/3** Development Criteria, **Policy CH/4** Development within the Curtilage or Setting of a Listed Building and **Policy CH/5** Conservation Areas.

### **Consultation**

#### **Fen Drayton Parish Council**

7. Recommends Refusal – It is in the original charter of College Farm Court that nothing should be built which overlooks the already existing buildings. The proposed dormer window would overlook into bedrooms of adjoining properties.
8. Parish Council raises concern over parking, *“an increase in number of bedrooms exacerbating an already unsatisfactory use of parking spaces. This is based on the fact that this court is already seriously over-crowded with vehicles”*.

#### **Conservation Officer**

9. No objection, proposal would have minimal impact on the Conservation Area. Windows would be more elegant if the windows size/proportions correspond with the square form windows used throughout this estate. Even a double would look better and let more light in.

#### **Chairman’s Delegation Meeting Held 10 December 2008**

10. The application was taken to Chairman’s Delegation Meeting where it was decided that it should be taken to Planning Committee Meeting on 14 January 2009, with a site visit in order to assess overlooking of the rear garden of College Farmhouse.

### **Representations**

11. **Owner/Occupier of College Farmhouse, Church Street**

Raised objections on the following grounds:

12. “Proposal would result in the directly overlooking of our garden, patio, and rear bedroom. The installation of a dormer window in the roof space will more significantly over-look our garden and first floor bedrooms; additionally the pitch of the roof will not allow for the roof-light windows to be positioned above eye-level; it should be noted that this was specific requirement of the recent development over looking our right-hand boundary (Manor Farm), enforced by SCDC Planning Department.”

13. "Whilst the current trees on our boundary provide a degree of shielding, there are obviously gaps where the trees over the years have thinned and the trees have limited life span."
14. These windows could be fitted on the front elevation rather than the rear elevation.

**Planning Comments – Key Issues**

15. The key issue to consider in the determination of this application is:

**Impact upon Residential Amenity – Loss of Privacy/Overlooking**

16. The main concern regarding residential amenity is the loss of privacy/overlooking issues of the adjacent property College Farmhouse. The rear garden to 14 College Farm Court directly abuts that of the neighbouring property College Farmhouse. The existing two storey rear windows at 14 College Farm Court would directly overlook College Farmhouse if the row of conifers were not present in the rear garden of College Farmhouse. The neighbour stated that these were planted when consent for the development at College Farm Court was granted to prevent overlooking. The Parish Council and neighbour raised concerns regarding the proposal for additional windows in the roof space as this would increase the potential for overlooking even further particularly as there are some gaps within the trees. These trees are not in the control of the applicant. Therefore the Local Planning Authority cannot condition the maintenance of these trees.
17. However, the Local Planning Authority has requested that the plans are amended to reduce the number openings proposed and to reduce the size of the opening in the dormer window. As yet, no amended plans have been received, although the Agent verbally confirmed that amended plans would be forwarded shortly. The window in the dormer could be obscured also as it would be serving a staircase rather than a habitable room.
18. To the east of College Farmhouse there has been recent development to provide new dwellings, which inserted rooflights not in accordance with approved plans and resulted in the overlooking of the rear garden of College Farmhouse. This was investigated by the Local Planning Authority and was amended to comply with the approved plans. This side of the garden at College Farmhouse is much more open than the side to 14 College Farm Court. It is considered that an alternative source of lighting and ventilation should be sought to the two bedrooms to render the proposal acceptable in accordance with Policy DP/3 of the South Cambridgeshire Local Development Framework, Development Control Policies, adopted July 2007 and to avoid overlooking of College Farmhouse garden.
19. The proposal is considered not to be harmful to the Conservation Area and adheres to Policy CH/5 of the South Cambridgeshire Local Development Framework, Development Control Policies, adopted July 2007.

**Recommendation**

Subject to the receipt of satisfactory amended plans to avoid lighting of the bedrooms on the rear elevation.

20. Approve

**Conditions**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
  
2. 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 shall be constructed in the rear elevation of the dwelling at and above first floor level unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.  
(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Local Development Framework, Development Control Policies, (adopted July 2007)
- Planning File Ref: S/2019/84/F, S/1959/84/LB, S/0335/84/O and S/1742/08/F

**Contact Officer:** Laura Clarke – Planning Assistant  
Telephone: (01954) 713092

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee14<sup>th</sup> January 2009**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

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**S/1688/08/RM - PAPWORTH EVERARD**  
**Approval of Appearance, Landscaping, Layout and Scale**  
**for the erection of 150 Dwellings**  
**(Reserved Matters Pursuant to Outline Planning Permission Ref S/2476/03/O)**  
**Land South of Church Lane and West of Ermine Street South**  
**For David Wilson Homes South Midlands**

**Recommendation: Delegated Approval**

**Date for Determination: 23<sup>rd</sup> December 2008**  
**(Major Application)**

**Notes:**

**This Application has been reported to the Planning Committee for determination because the recommendation of delegated approval by Officers is likely to conflict with the views from Papworth Everard Parish Council.**

**Site and Proposal**

1. The site forms the southern 'half' of a larger site of 21.63 ha site that lies on the south western side of the village and is fringed with a ribbon of housing on the eastern Ermine Street boundary. To the south and west is open countryside; Cow Brook forms the south-western boundary with the newly completed bypass beyond.
2. Running north-west/south-east across the centre of the site at its highest point is a plantation of young trees. To the west of the belt, the site slopes sharply down into the valley of Cow Brook. The site is overgrown former agricultural land and there are few trees on site other than the plantation and adjacent to Cow Brook.
3. The reserved matters application received on 23<sup>rd</sup> September 2008 proposes to address the siting, design and external appearance of 150 dwellings as well as the landscaping of part of the overall site. The application is supported by a planning statement, a foul sewerage and utilities assessment, a lighting assessment, a health impact assessment, a site waste management plan and policy document, a sustainability plan, a boundary treatments plan, a materials plan, a storey heights plan, a visibility splays and tracking plan, a tree protection plan, a tree and landscape protection plan and method statement and a Design and Access statement.
4. The 150 dwellings comprise 7 one bedroom flats, 28 two bedroom flats, 0 two bed houses, 57 three bedroom houses, 40 four bedroom houses and 18 five bedroom houses. Excluding the garages, 63% of the dwellings are two storey and 37% are two and a half storey.
5. The design approach is traditional with more contemporary design incorporated into other parts of the overall site.

S-1688-08-RM



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6. The numbers of dwellings has not changed from that already approved on this part of the site. The overall density of housing on the overall site is approximately 30 dwellings per ha.
7. The southern portion of the overall site (16 dwellings) is to be developed in accordance with the reserved matters consent granted in December 2007 under planning reference S/2476/03/O. This includes the main contemporary building lying at the gateway to the southern entrance. The applicants refer to this portion of the site as Phase 1. The remainder that is the consideration of this application, is broken down, by the applicants, into two further phases – phases 2 and 3.
8. The layout of the streets largely follows that already approved which follows the basic principles laid down in the Council's Development Brief with, in relation to the overall site, the residential development confined to the allocated area on the eastern side of the existing plantation. To the west of the plantation an extensive area of public open space (7.6 ha) sloping down to Cow Brook.
9. The approved overall scheme includes a central landscaped spine road that runs through the housing area linking the northern and southern vehicular access points to Ermine Street South. This proposal retains this.
10. A number of small open spaces are proposed within the residential area including two Local Areas of Play and the central Local Equipped Area of Play.
11. **The Planning Statement** sets out the background with regard to the Outline Planning Permission and identifies the relevant local and national policies.
12. In relation to landscaping the Design and Access statement indicates that the landscaping is fundamentally the same as for the already approved Reserved Matters scheme with a few listed changes.
13. **The Design and Access Statement** indicates that 18 of the proposed 150 dwellings (12%) will be constructed with solar panels on south facing roofslopes. This compares to 11% that were to be provided in the overall approved scheme.

### **Planning History**

14. In 2003 the Council published a residential development brief for the site which was adopted as supplementary planning guidance.
15. In 2005 Outline Planning Permission was granted for residential development on the site, including public open space, vehicular accesses together with the demolition of 3 blocks of semi-detached housing.
16. In 2006 a reserved matters application for 397 dwellings and public open space was submitted and withdrawn later that year.
17. In December 2007 Reserved Matters for 365 dwellings was approved.
18. Since the 2007 approval the overall site has undergone transfers in ownership. This has resulted in the need for the new developers to revise the details of the scheme by the submission of further reserved matters applications.
19. All reserved matters pursuant to the Outline Planning Permission ref. **S/2476/03/O** had to be submitted by 30<sup>th</sup> September 2008. As a result no further such reserved matters applications can now be submitted.

## Planning Policy

20. **Local Plan 2004 Policy Papworth Everard 3(c), LDF Core Strategy 2007 Policy ST/5, Local Development Framework Development Control DPD 2007 Policy, DP/1 – Sustainable Development, DP/2 – Design of New Development, DP/3 – Development Criteria, DP/6 – Construction Methods, HG/1 – Housing Density, HG/2 – Housing Mix, SF/6 – Public Art and New Development, SF/10 – Outdoor Playspace, Informal Open Space and New Developments, SF/11 – Open Space Standards, NE/1 – Energy Efficiency, NE/3 – Renewable Energy Technologies in New Development, NE/6 – Biodiversity, CH/2 – Archaeological Sites, CH/4 – Development within the Curtilage or Setting of a Listed Building, TR/2 – Car and Cycle Parking Standards.**

## Development Brief

21. The site is subject to a Development Brief commissioned by the Council and adopted as supplementary planning guidance in September 2003.
22. A Statutory Press Notice was published on 21<sup>st</sup> October 2008. A Site Notice was posted on 5<sup>th</sup> November 2008, when all consultees had been consulted. The statutory consultation period has therefore expired.

## Consultations

23. **Papworth Everard Parish Council** comments are awaited. It states that it was not consulted. Investigation has revealed that the Council did send, in October 2008, an entire paper set of application forms, plans and supporting documents by post to the Parish Council shortly after the application was submitted. Notwithstanding this the Parish Council hopes to have its comments submitted prior to the meeting. Members will be updated at the meeting.
24. **The Council's Chief Building Control Officer** has assessed the submitted foul sewerage and utilities assessment and comments: "The proposed drainage layout for foul and surface water layout, as provided is satisfactory."
25. **Environment Agency** confirms that outstanding surface water drainage details may be dealt with, prior to commencement of development, under Condition 17 of the outline approval and has no objections.
26. **Local Highway Authority** makes the following comments:

Given the size and nature of the development the Highway Authority will seek to adopt those roads and paths etc. that serve a highway function.

The applicant should show on the submitted drawings the proposed widths of the carriageways (5.5 minimum), footways (2m minimum), areas of shared use (7m minimum), including specifically the initial access route into the site at 'Summer Hill Drive'.

The applicant should show the vehicle to vehicle visibility splays at the entrance to the site onto Ermine Street, these should be 2.4m x 70m in both directions.

Visibility splays should be fully dimensioned, these must accord with the proposed design speed for the road. The required dimensions can be found in table 7.1 in Manual for Streets.

The applicant should define the nature of the feature north of 'Summersfield Green' and plots 336-339 as this appears to represent another ramp, which would be impractical.

The remaining comments relate to conditions to control visibility and informatives to indicate that any tree planting within areas of proposed adopted public highway will require a licence under Section 142 of the Highways Act and that the granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within the public highway.

27. **Conservation Manager** comments are awaited
28. **Anglian Water** comments are awaited
29. **English Heritage** comments are awaited
30. **Cambridgeshire Fire and Rescue** comments are awaited.
31. **Council appointed Urban Design Consultant** comments are awaited :
32. **The Definitive Map Officer (County Council)** comments are awaited
33. **Cambridgeshire Archaeology** comments are awaited.
34. **The Council's Ecology Officer** comments are awaited.
35. **Natural England** comments are awaited.
36. **The Architectural Liaison Officer (Cambridgeshire Constabulary)** comments are awaited
37. **Hilton Parish Council** comments are awaited.
38. **EDF Energy** comments are awaited.
39. **Trees and Landscape Officer** comments are awaited.
40. **Environmental Protection Team Leader** comments are awaited.
41. **Housing Development and Enabling Managers** comments are awaited.
42. **Cultural Services Manager** comments are awaited.
43. **Arts Development Officer** comments are awaited.
44. **Environment Operations Manager** comments are awaited.

#### **Representations**

45. **None** received

#### **Planning Comments – Key Issues**

- (a) The siting of the buildings
- (b) Design and external appearance of the buildings
- (c) The landscaping of the site

***Background***

46. As stated above this application considers revisions to the details on the southern 'half' of the approved scheme for 365 dwellings (the approved scheme). The site has been transferred in ownership resulting in this revised application for Reserved Matters Consent.
47. The site has an extensive history of pre application negotiation with the Council going back several years as well as the formal planning submissions. For more detail on this history and for a general background to the proposal please refer to the August 2007 report to Planning Committee in relation to the approved scheme for 365 dwellings under reference S/0093/07/F, attached as appendix 1.

***Siting of the buildings***

48. The developers have largely retained the approved internal road layout and location of areas of open space. What is altered is the design of the dwellings, the mix and their siting. I consider the layout of the site to be generally satisfactory. As in the approved scheme there is a deliberate distribution of density and heights of buildings to take account of the desire to concentrate a more dense urban and enclosed feel to the central spine road. Dwellings along this road are therefore closer to the road with less front garden with detailing such as railings. The additional location here of the mainly 2½ storey dwellings adds to this more urban feel. A row of trees along this road will add a pleasant element of greenery and the regular placement will further add to the formality of the street scene. The density and heights of dwellings is reduced to the east and west and the arrangement largely follows the sweep of the roads in a more organic and less formal arrangement.
49. Visually this approach will also help to protect views of the site from its surroundings by concentrating the main bulk at its centre.
50. The scheme compares well to the approved scheme in relation to car parking with only 4 fewer spaces in total but with 3 more disabled spaces.

***Design and external appearance***

51. The central spine road in the approved scheme included some more contemporary buildings. Whilst this scheme has some buildings that are different from the rest of the scheme in massing and detailing the contemporary approach has not been as fully adopted. This is a subjective matter but I would have preferred to retain the more contemporary approach.
52. The design of the dwellings is, in general, traditional and has been considered at pre application stage. However, picking up one of the Parish Council's concerns, it is important that elements of the detailed design do not include features that are not traditionally found in the village of Papworth. Such matters need further consideration and Members will be updated at the meeting.

***Landscaping***

53. The landscaping broadly follows that already approved in the approved scheme with a few alterations that the Landscape Officer feels need further alterations. Members will be updated at the meeting.

**General issues**

54. The Council has, in its determination of the approved scheme employed the services of an Urban Design Consultant. For continuity reasons his services have also been employed to assist the Council with its consideration of this application.
55. The applicant approached the Council at an early stage with its proposals. It was established that the proposed changes were too extensive to be considered as minor amendments and that Planning Permission or revised Reserved Matters Consent needed to be sought.
56. Following a series of meetings involving the Case Officer, the Urban Design Consultant, the Local Highway Authority and representatives from Papworth Everard Parish Council, this application was submitted. No overall consensus was reached at the various meetings with the Parish Council in particular raising several concerns. However, the applicant through this process has made many revisions to try and address all of the concerns. These include:
  - (a) Minor changes to the road layouts and detailing.
  - (b) Redesigning of some hard engineered highways features.
  - (c) Reduction in excessive bulk of dwellings – particularly along the spine road.
  - (d) Removal of 3 storey elements from the scheme.
  - (e) Reduction to 2 storey from 2½ storey for dwellings along the eastern edge.
  - (f) General repositioning of plots to provide better layouts.
  - (g) Increase variation and definition of character zones.
  - (h) Changes to the siting of dwellings to take account of the flow of the road network.
  - (i) Consideration of house types and design issues.
  - (j) Consideration of views through green areas within the site.
57. The resultant scheme was in my opinion a significant enhancement over the first sketch proposals.
58. I am still awaiting the formal comments from the Council's Landscape Officer although I understand that the scheme has been considered and is largely satisfactory subject to some revisions.
59. Since the application has been submitted the Case Officer has met again with the Urban Design Officer and the Landscape Officer and, despite the lack of any formal comments, a number of further issues were identified. These include
  - (a) Reducing the impact of Plot 120 on existing properties.
  - (b) Resolving the issue of the impact the 2½ storey property on plot 66 would have on the entrance into the site and views from the southern approach to the village.
  - (c) The realignment of part of an internal footpath to provide a more organic solution to a particular layout issue.
60. The applicants have also met with the Parish Council. It has, amongst other concerns, indicated that it did not like the design of the dwelling to be inserted into the existing frontage development along the main road into the village. It is understood that the Parish Council would like a more contemporary approach, similar to the block of 16 flats in phase 1.

61. In addition I do not have the comments of the Council's Conservation Manager but yet a further recent meeting with him, the Urban Design Officer, the Landscape Officer and the Parish Council has taken place at which a number of issues were identified, mainly regarding the northern scheme that are relevant to this proposal. These relate to the need for more detailed information on materials and boundary treatments on a plot by plot basis prior to the granting of any consent.
62. The applicants for this application have agreed to provide this further detail and all of the above issues should be addressed before the Committee Meeting. Members will be updated verbally.
63. Although I do not have the formal comments from any of the main consultees regarding the design, layout and landscaping of the site I am nevertheless confident that such comments will be available for the meeting. Due to the extensive pre-application considerations I am hopeful that I will be in a position to recommend approval of the scheme at the meeting.
64. Whilst this approach is far from ideal the applicant has made every attempt to follow the pre-application process and I do not wish to further delay the consideration of the application.
65. Another potential point of concern is that this application is being put to Members before the consideration of the northern 'half' of the site. I regret this approach and would have preferred all three applications (the northern half has been submitted as two applications) to be considered together. However, these other applications were not subject to the same level of pre-application consideration and there are more fundamental concerns regarding design, siting and landscaping that need further negotiation. I do not feel I can justify delaying the consideration of this application while these matters are resolved (assuming that they can be).
66. I therefore invite Members to consider this proposal having regard to how it would sit with the existing approved scheme. Later consideration of the northern 'half' would need to take account of this current application, if approved. In this regard I note that this scheme has good natural enclosure and surveillance of/with the central open space area and the two halves of the site are separated by a road whose position will not change. Houses along this road are front facing and it is expected that the northern 'half' will similarly face the road and contribute to the enclosure of the central open space, as the approved scheme does such that I do not consider it necessary to consider all of the applications together. The landscaping detail of the site can similarly be considered in this way such that approval of this application may dictate elements of the treatment of the northern 'half'. The design of the dwellings on the northern 'half' of the site that directly abut the southern 'half' will need to be carefully considered should Members approve this application.
67. With regard to highways issues in relation to the layout, the Local Highway Authority has no objections but raises a question that I have put to the applicants. Members will be updated at the meeting.

***Other matters***

***Foul and surface water drainage***

68. Condition 17 of Outline Planning Permission ref. S/2476/03/O requires the submission of a drainage strategy prior to development commencing. All concerns regarding drainage can be addressed in the consideration of such a scheme.

**Renewable Energy**

69. Condition 5 of Outline Planning Permission ref. S/2476/03/O states that no reserved matters on any phase of development shall be submitted unless a sustainability appraisal (and a design and landscape statement) has also been submitted. It further states that the development shall be carried out in accordance with the approved documents.
70. The submitted Design and Access Statement addresses the need for renewable energy sources to be in line with the scheme as approved. It may be necessary for the applicants to submit this detail again in a document entitled Sustainability Appraisal in order to satisfy the condition referred to above. Such detail contained within it will be required to be carried out.

**Ecology**

71. Conditions 21 and 22 of Outline Planning Permission ref. S/2476/03/O require an assessment of all semi-natural habitats to be carried out and surveys and schemes of mitigation for protected species and species of importance to local biodiversity, including habitat creation and enhancement. The conditions require the schemes to be implemented in accordance with the approved details.
72. The application contains some details of proposed siting of bird and bat boxes but a more comprehensive scheme will need to be submitted separately to comply with these conditions.

**Public Art**

73. Public Art is encouraged to ensure the scheme is of high quality. I consider it to be an important part of the consideration of the overall design of the scheme. A draft brief had been discussed and agreed with the Council's Arts Development Officer prior to the approval of the earlier Reserved Matters consent. A condition can ensure that this or any revised brief is in place prior to development commencing and that the art will come forward in accordance with it.

**Mix**

74. The dwellings are generally larger than in the approved scheme with less 2-bedroomed dwellings and more larger dwellings. This proposal breaks down to: 5% 1-bed, 19% 2-bed 37% 3-bed, 27% 4-bed and 12% 5-bed.

The comparable area of the approved scheme contained:  
3% 1-bed, 23% 2-bed 57% 3-bed, 15% 4-bed and 2% 5-bed.

The previous approved scheme overall contained:  
3% 1-bed, 31% 2-bed 47% 3-bed, 18% 4-bed and 1% 5-bed (including 1 6-bed)

75. Whilst the mix has altered, this was not a matter controlled at the outline planning permission stage and this scheme is considering the detailed Reserved Matters only. Members should therefore consider the design implications for the change in mix rather than the principle of the change itself.

**Conclusions**

76. This scheme represents revisions to house design, siting and landscaping that are not sufficiently minor to be considered as amendments to the approved scheme yet do not fundamentally alter the design philosophy of the scheme, its road layout, areas of open space etc.

***Previous Reserved Matters Consent***

77. Papworth Everard Parish Council has, with regard to other parts of the site, wished to see all the previous conditions from S/0093/07/RM to be attached to any Reserved Matters consent granted. However, I have carefully considered these conditions and concluded that a number of them do not pass the tests laid down in planning legislation. Some, for example, are unnecessary as they concern matters already controlled by the Outline Planning Permission. Circular 11/95, "The Use of Conditions in Planning Permissions", makes it clear in Paragraph 45 that:
- "Once outline planning permission has been granted, it cannot be withdrawn except by a revocation order under Section 97 of the Act, and any subsequent approval of reserved matters does not constitute the granting of a further planning permission. Any conditions relating to anything other than the reserved matters should be imposed when outline permission is granted. The only conditions which can be imposed when the reserved matters are approved are conditions which directly relate to those matters".
78. I understand that this raises concerns within the Parish Council about the status of its involvement in the consideration of matters that are the subject of conditions. I have therefore agreed that should Reserved Matters Consent be granted that a letter confirming that the Parish Council will be involved in all of the matters previously outlined in the conditions for their direct involvement will be sent and that the views of the Parish Council in all of these matters will be taken into consideration.
79. Attached as Appendix 3 is the Decision Notice for the Reserved Matters consent reference S/0093/07/RM.
80. Members are invited to consider my assessment of the previous conditions.
1. This should be an informative since the means of access for all construction vehicles is controlled by Condition No. 10 of planning permission reference S/2476/03/O (the Outline Permission). Further control extends beyond the consideration of the Reserved Matters.
  2. Materials for the external surfaces of the dwellings, walls and all hard surfaces. As stated above materials for the external surfaces of the dwelling is to be considered prior to the granting of any consent. However, it may be necessary to control the precise details such as manufacturer, brick texture etc and the condition should therefore be repeated but omitting the words "following consultation with the Parish Council" as third parties should not be referenced in conditions.
  3. Window detail pertaining to the new designs – acceptable.
  4. Specific design exclusion – no longer necessary if this is resolved prior to the meeting.
  5. Specific design issue – no longer necessary.
  6. Solar panels. The development has to be carried out in accordance with the sustainability appraisal required by Condition No. 5 of the Outline Permission. It is therefore unnecessary to repeat this requirement and goes beyond the consideration of the Reserved Matters.
  7. Details of cycle storage – acceptable.

8. Temporary parking for the Bernard Sunley Centre goes beyond the consideration of the Reserved Matters and should not be imposed.
9. Provision of footpaths goes beyond the consideration of the Reserved Matters and is in any case controlled by Condition No. 10 of the Outline Permission and is therefore unnecessary.
10. Boundary treatments for each plot is unnecessary as this is specifically required by Condition No. 9 of the Outline Permission and as stated above is to be considered prior to any consent being granted.
11. Parking court lighting in the interest of highway safety goes beyond the consideration of the Reserved Matters. Street lighting is controlled by Condition No. 10 of the Outline Permission and should be sufficient.
12. This relates to the detail required to satisfy Condition No. 17 of the Outline Permission and is therefore unnecessary. It can be an explanatory informative.
13. Provision of bird and bat boxes can be an informative as this is controlled through Condition No. 22 of the Outline Permission.
14. Public art can be regarded as part of the design and hard landscaping of the site and can therefore be required. It has been identified as being necessary in order to ensure the detail of the development is of a high quality.
15. This trigger condition does not relate to the consideration of the Reserved Matters and should not be imposed.
- 16, 17, 18, 19, 20, 21 and 22 relate to landscape matters and may need to be revised. The elements of these conditions relating to implementation may already be covered by Condition No. 7 of the Outline Permission. To be advised by the Landscape Officer.
23. Relates to the monitoring of the landscape scheme. It is unnecessary as the requirement to ensure the planting is successful is already contained within the landscape implementation Condition No. 7 of the Outline Permission.
24. This is imprecise and does not relate to the consideration of the Reserved Matters.
25. Detail of play equipment etc in so far as it relates to the hard landscaping of the site can be required but omit the words "following consultation with the Parish Council" as above.
26. Drainage detail of the kickabout area is not relevant to the consideration of the Reserved Matters. Drainage is already considered by the Outline Permission at Condition No. 17.
27. No youth shelter is proposed. The condition is therefore unnecessary.
28. Scheme for the protection of all grass verges and landscape areas adjacent to road edges consisting of extra high conservation kerbs. This may be necessary in relation to the landscaping detail of the site but omit the words "following consultation with the Parish Council" as above.

29. Conditions should not require covenants. Any additional legal controls, where necessary, should be made under planning legislation e.g. S106.
30. As 29.
31. As 29.

### **Recommendation**

Delegated approval of the reserved matters subject to satisfaction of the Local Highway Authority and further revisions following negotiations between the Council, the developers and the Papworth Everard Parish Council, without the need for further consultation, for the siting, design and external appearance of the buildings, and the landscaping of the site in accordance with the outline planning permission ref: S/2476/03/O subject to the conditions listed below.

1. Materials for all external surfaces of the buildings, free standing walls and hard surfaces.
2. Window details on specific plots
3. Cycle and bin storage detail
4. Exclusion of plot 160 (if necessary)
5. Public art provision
6. Details of play equipment
7. Any detailed landscape requirement following the comments of the Landscape Officer

### **Informatives**

1. Hall road and means of access for construction vehicles located at and via the southern entrance at Stirling Way only.
2. Bird and bat boxes will be required in accordance with ecology conditions on the Outline Permission.
3. Parish Council to be consulted on Public Art.
4. Solar Panels to be erected in accordance with the Sustainability Appraisal
5. The drainage strategy referred to in Condition No. 17 of planning permission reference S/2476/03/O shall include details of the design, including sections, of the proposed balancing pond. These details, to include the detailed design and 'furnishing' of the area immediately surrounding the pond, shall be agreed in writing by the Local Planning Authority, following consultation with the Parish Council, and the works shall be carried out in accordance with the approved details.

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

- South Cambridgeshire Local Development Framework - 2007 (Core Strategy / Development Control Policies)
- South Cambridgeshire Local Plan 2004
- Planning Files Ref: S/1688/08/RM and S/0093/07/RM
- Documents referred to in the report including appendices on the website only and reports to previous meetings

**Contact Officer:** Nigel Blazeby – Team Leader Development Control  
Telephone: (01954) 713165

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee 14<sup>th</sup> January 2009  
**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

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**S/1738/08/F - SAWSTON**  
**Construction of Two Residents Parking Bays**  
**at Land to the South of 49 Huntingdon Road for South Cambridgeshire District Council**

**Recommendation: Approval subject to amended plan**  
**ref: 83/CP/15 Rev A received 4<sup>th</sup> December 2008**

**Date for Determination: 29<sup>th</sup> January 2009**

**Notes:**

**This Application has been reported to the Planning Committee for determination because the applicant is South Cambridgeshire District Council and the Officer recommendation is contrary to that of the Parish Council.**

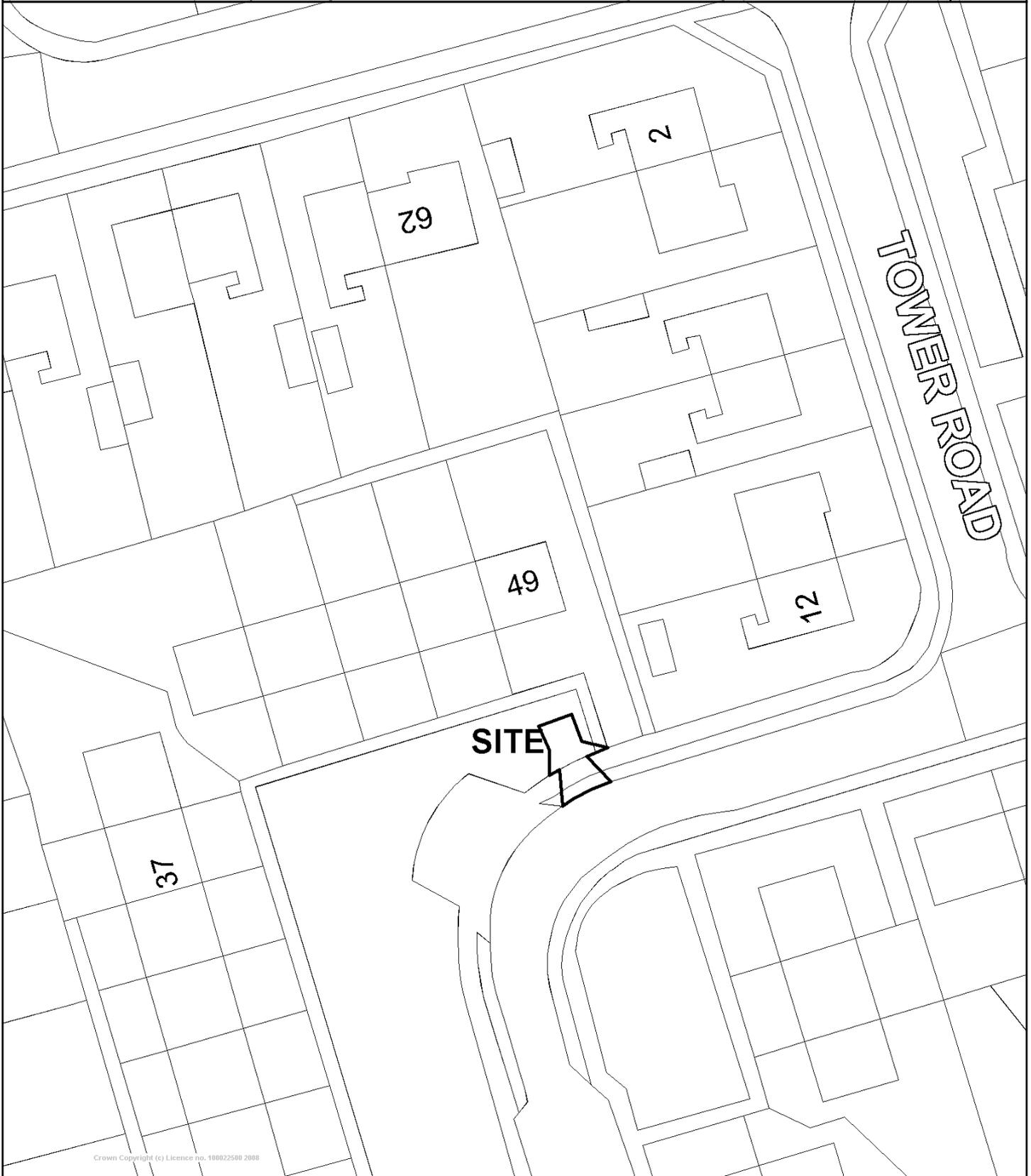
**Site and Proposal**

1. Huntingdon Road is a through road that leads from Tower Road to Falkner Road. The road makes a 90° bend at its mid point. Surrounding development forms part of a mid – late 20<sup>th</sup> century residential estate. The immediate vicinity is characterised by single storey terraced dwellings set back from the road. At the point of the bend in the road large grass verges line the highway. Within the verges on the north side of Huntingdon Road are existing residents parking bays with a combined capacity for approximately seven vehicles. The verges are in the ownership of South Cambridgeshire District Council.
2. The site itself is an area of grass verge encompassing part of the footpath on the north side of Huntingdon Road approximately 9m by 5m in area.
3. The application, received 3<sup>rd</sup> October 2008, as amended on 4<sup>th</sup> December 2008, proposes the construction of two residents parking bays on the site. The proposed bays are each 2.5m x 5m in dimension and are to be finished with mono key block paving laid in a herringbone pattern to match the existing parking bays in the vicinity. A dropped curb is also to be constructed to provide access from Huntingdon Road to the proposed bays.

**Planning History**

4. Planning Application **S/2267/06/F** was approved for the construction of three residents parking bays at a site on Huntingdon Road approximately twenty metres south of the site that is the subject of this application. The Parish Council recommended approval of this application.

S/1738/08/F - Sawston



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January Planning Committee

## Planning Policy

Relevant policies are listed below. Please refer to Appendix 1 to this Committee agenda for further details.

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

**Policy DP/1** “Sustainable Development”, **Policy DP/2** “Design of New Development” and **Policy DP/3** “Development Criteria”.

## Consultation

6. **Sawston Parish Council** – Recommend refusal of the application on the grounds of the loss of green space and the fact that approval may set a precedent for the further loss of green verges in the area.
7. **Local Highways Authority** – Has no objection to the proposals but has requested that the applicant show the dimensions of the car parking spaces which should be 2.5m x 5m and recommends that the following condition be applied to any consent granted:

Details showing two 2.0m x 2.0m visibility splays shall be provided and shown on drawings. The splays are to be included within the curtilage of the site and the area shall be kept clear of all planting, fencing, walls and obstructions exceeding 600mmm high

## Representations

8. None received.

## Planning Comments – Key Issues

### **Material Considerations**

9. **Visual Amenity** – One of the key planning issues to consider in this instance is the impact upon the visual amenity of the area as a result of the proposed parking bays. Whilst the proposed parking bays do regrettably result in a loss of green space, it is Officer opinion that the loss is minimal. Furthermore the bays are not considered an incongruous feature within the existing street scene given the context of the existing parking bays along Huntingdon Road. As such the proposal is not considered to harm the visual amenity of the area. An existing silver birch tree and hedges on the west, north and east sides respectively of the development will be retained.
10. **Highway safety** - Huntingdon Road is a through road. However it appears to be relatively quiet outside of peak traffic times and ambient vehicle speed appear to be relatively slow. As such parking bays in this location are unlikely to pose a significant issue for highway safety providing adequate visibility splays can be accommodated. Amended plan ref: 83/CP/15 Rev A clearly shows that two 2.0m x 2.0m visibility splays are provided within the curtilage of the site and these are not obstructed in any manner. To this end the proposed parking bays are not considered to inhibit highway safety in any manner.

11. **Permeability** – A relatively new consideration for any form of hard surfacing is the permeability of the surface and its propensity to absorb or re-direct surface water run-off. The mono key block paving proposed for the hard surface can be laid in such a manner as to allow a reasonable degree of permeability. However in this instance the plans show that surface run off will be directed to a soak away. Hence there are no concerns regarding permeability.
12. Having regard to the above and having taken all applicable national and local planning policies into account I am satisfied that the application should be approved.

### **Recommendation**

13. Approve subject to amended plan ref: 83/CP/15 Rev A received 4<sup>th</sup> December 2008.

### **Conditions**

1. Standard Condition 1 (Reason 1)
2. SC22 (a) Visibility (RC22)

### **Informatives**

1. The granting of Planning Permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway. Separate permission must be sought from the Highway Authority for such works and all costs will be borne by the developer.

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

- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Planning Applications ref: S/2267/06/F and S/1738/08/F

**Contact Officer:** Matthew Hare – Planning Assistant  
Telephone: (01954) 713180

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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<b>REPORT TO:</b>	Planning Committee	14 <sup>th</sup> January 2009
<b>AUTHOR/S:</b>	Executive Director / Corporate Manager - Planning and Sustainable Communities	

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**S/1733/08/F- Little Shelford**  
**Erection of Dwelling & Reconfiguration of Existing Car Parking Area at**  
**Sycamore House Restaurant, 1 Church Street, for Mr & Mrs Sharpe**

**Recommendation: Approval**

**Date for Determination: 28<sup>th</sup> November 2008**

**Notes:**

**This Application has been reported to the Planning Committee for determination as the Head of Development Control considers that this Application should be presented to Committee for decision having considered the nature of the recent appeal decision, the objection of the Parish Council and the sensitive location of the application site.**

**Conservation Area****Site and Proposal**

1. The 0.154 hectare application site lies within the Little Shelford village framework and the Conservation Area. No 1 Church Street is a 2 storey building. The ground floor is used as a restaurant whilst part of the ground floor and the whole first floor form an accommodation unit. The existing restaurant car park entrance is off Hauxton Road. To the northwest of the site is an access leading to the Ropewalk and beyond that access is No 2 Hauxton Road, a 2 storey semi-detached house with a single storey lean-to at the side and a rooflight facing the boundary hedges. To the northeast of the site is No 3 Church Street, a 2-storey cottage with a part 2 storey and part single storey rear projection. The common boundary of Nos 1 and 3 has high conifers, 1.5-1.8m high fencing and brick wall.
2. There are four Listed Buildings in the locality: to the southwest is No1 Hauxton Road, to the northwest is No 7 Church Street and to the southeast are Nos 4 and 6 Church Street.
3. The full application, received on 3<sup>rd</sup> October 2008 proposes to subdivide the plot at No 1 Church Street to erect a part single storey and part 1.5-storey 'L-shape' dwelling comprising three bedrooms and to reorganise the restaurant car park with 11 parking spaces. The car park entrance would be off Church Street. The application is accompanied by a Planning, Design and Access Statement.
4. Amended plans submitted by letter dated 2<sup>nd</sup> December 2008 (received 3<sup>rd</sup> December) revise the details of the proposed dwelling according to the Council's Conservation Officer's comments and amend the dimension of car parking spaces to meet highway requirement. The density equates to 13 dwellings per hectare (inclusive of the existing building).

S/1733/08/F - Little Shelford



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**Allotment Gardens**



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Scale 1/1250 Date 15/12/2008

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January Planning Committee

### Planning History

5. **S/0398/92/O** – Application for a house adjoining the former Prince Regent Public House was refused for the following reasons (summarised):
- a) The occupiers of the new dwelling would suffer disturbance from users of public house and its car park.
  - b) The subdivision of the site would result in the loss of the public house's garden which performs an important role as a buffer zone, both minimising the visual impact of the car park on this corner site within the Conservation Area and helping to limit general disturbance to nearby residents.
  - c) The proposal requires the severance of the Hauxton Road access from the public house, leaving it a single point of access onto Church Street that would have inadequate visibility to the Church Street, High Street and Hauxton Road junction.
  - d) The proposal with a smaller car park will lead to the parking of vehicles along Church Street and Hauxton Road which would interfere with visibility and cause obstruction to the free flow of traffic.
6. **S/1241/92/O** – Application for a dwelling adjoining the Public House was refused for the following reasons:
- a) The erection of a house in a such close proximity to a car park associated with the public house would cause the occupiers of the new house severe disturbance, particularly in the back garden and during the evenings, by reason of noise emanating from vehicles manoeuvring in and out of the car park; such disturbance will be exacerbated by the substandard layout, in terms of bay length and aisle width, of the car park.
  - b) The sole use of the Church Street access to the public house car park will necessitate the provision of a pedestrian/ vehicle visibility splay to the north east; the position of parking spaces no. 14 and 15 are likely to result in vehicles reversing out onto Church Street; and it has not been demonstrated that delivery vehicles will be able to turn within the site. The proposal will have an adverse effect on the highway safety.

A Planning Inspector upheld this decision and dismissed the appeal, finding that:

- a) Although the boundary wall would mitigate the problem to some extent, he considered that the use of the car park would seriously disturb the enjoyment of the rear garden by the occupiers of the proposed dwelling. The acoustic measures considered by the Council's Chief Environmental Health Officer did not lead the inspector to a difference view.
- b) Examples of where the dwelling houses close to the public house in the district did not justify a permission to allow a new dwelling to a consolidated existing noise source that would result in unacceptable living conditions to the occupiers of the new dwelling.
- c) New residential development had been permitted adjacent to public house in the Cambridge area but these cases were not comparable because the sites were not in a village setting with on-site parking facilities.
- d) The site neither contributed significantly to, nor detracts from the setting of the public house.

7. **S/1209/05/F** – Application for erection of dwelling and reorganisation of restaurant car park was refused on 6<sup>th</sup> February 2006 for the reason of ‘The subdivision of the site to accommodate a dwelling would result in the loss of the restaurant’s garden which performs an important role as an open space within the Conservation Area. The proposal would therefore detract from the character of the village, and the character and appearance of the Conservation Area, contrary to Policies P7/6 of the 2003 Structure Plan and EN30 of the South Cambridgeshire Local Plan 2004.....’

A Planning Inspector upheld this decision and dismissed the appeal, finding that:

- a) The site is in a prominent location in the village, at the northern boundary of the Little Shelford Conservation Area.
- b) The site in its present condition forms part of a significant undeveloped gap along Hauxton Road, which provides visual permeability to the linear street frontage and a welcome open aspect in an otherwise built up character. Whilst the site is not designated as a Protected Village Amenity Area by the South Cambridgeshire Local Plan, the Inspector considers that it forms an essential part of village character as set out in the local plan.
- c) When viewed from close by and from a wider perspective both from within and outside the Conservation Area, the appeal proposal would create a dominant and unwelcome visual intrusion into the street scene.
- d) The proposed “L” shaped form articulates the mass of the proposal and its scale and massing would be excessive.
- e) The loss of the distinctive open character resulting from the construction of a substantial two storey dwelling on the site would be contrary to policies.

### **Planning Policy**

Relevant policies are listed below. Please refer to Appendix to this Committee agenda for further details.

8. **National Planning Policy**

**Planning Policy Guidance 15:** Planning and the Historic Environment - Paragraphs 4.19.

9. **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007**

Policy **ST/7** “Infill Villages”

10. **South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007**

Policy **DP/1** “Sustainable Development”  
Policy **DP/2** “Design of New Development”  
Policy **DP/3** “Development Criteria”  
Policy **DP/4** “Infrastructure and New Developments”  
Policy **DP/7** “Development Frameworks”  
Policy **HG/1** “Housing Density”

Policy **SF/10** "Outdoor Play Space, Informal Open Space and New Developments"  
Policy **SF/11** "Open Space Standards"  
Policy **CH/4** "Development Within the Curtilage or Setting of a Listed Building"  
Policy **CH/5** "Conservation Areas"  
Policy **NE/6** "Biodiversity"  
Policy **NE/15** "Noise Pollution"  
Policies **TR/1** and **TR/2** "Planning for More Sustainable Travel" and "Car and Cycle Parking Standards"

### **Consultation**

11. **Little Shelford Parish Council** recommends refusal and states that 'the scheme is an improvement on previous application. However, our comments regarding traffic still stand.' A copy of the letter to the Planning Inspectorate in relation to the previous planning application reference S/1209/05/F has been received as part of the Parish Council's comments. Attached, as Appendix 1 is a copy of the letter.
12. **Conservation Manager** has no objection to the proposal in principle subject to an amendment on design details and conditions on materials and landscaping including bound gravel for the driveway and parking area. The amended drawings received 3<sup>rd</sup> December seek to address these comments.
13. **Landscape Design Officer** considers that low planting between the edge of the shingle drive and the new house will help to soften its appearance from the road and settle it into the garden. She has no objection subject to landscaping scheme.
14. **Trees and Landscape Officer** considers that details of tree protection should be submitted and approved prior to any construction on site.
15. **Corporate Manager (Health and Environmental Services)** - raises no objections in principle although does express concerns about potential noise disturbance to residents during the construction period. As such, it is recommended that conditions and informatives are attached to any permission including a condition restricting hours of use of power-operated machinery.
16. Given the proximity of the restaurant car park to the private garden area of the proposed new dwelling, comments from the Corporate Manager (Health and Environmental Services) of the previous application S/1209/05/F on the matter of acoustic scheme is relevant to this application. He does not consider that an acoustic scheme would be necessary and recommends the erection of a 2m high brick wall along the common boundary of the new dwelling and the restaurant car park and to maintain the surface of the restaurant car park similar to the existing.
17. **Local Highway Authority** comments on dimensions for proposed car parking spaces, hard surface finish, visibility splays and on-site car parking and turning areas. No objections are raised in principle.

### **Representations**

18. The occupiers of 5 Hauxton Road have no objection to the proposed height limits, building size and design. However, they have reservations on:
  - a) The proposal would be very restrictive to the existing and future business of the restaurant;

- b) Demolition of buildings and changes to car parking in a Conservation Area would require a separate application;
  - c) Car parking arrangement would be insufficient: for the restaurant, accommodation unit above the restaurant, casual staff and the proposed new dwelling;
  - d) Concerns about on-street parking; and
  - e) Concerns about the permitted development rights and further enlargement of the proposed dwelling.
19. The occupiers of The Ropewalk object although they consider that the general layout and house design are an improvement on the previous applications. However, they do not negate the fundamental objection agreed by the Inspector at the 2006 appeal. The grounds of objection are:
- a) The effect of the proposal on the character and appearance of the Conservation Area.
  - b) To justify this application on the ground of housing need is undermined by a recent planning consent allowing the demolition of a house at No 8 Church Street to provide triple garages for the use of No 6 Church Street. That resulted in the loss of a house in the Conservation Area.
  - c) Appeal decision confirms that development on this site does not enhance or preserve the character and appearance of the Conservation Area. The importance of a significant undeveloped gap along Hauxton Road would be lost.
  - d) Little Shelford is not well connected by public transport services.
  - e) Little Shelford is an infill village where up to 2 dwellings may be located on appropriate sites but this does not mean that every gap in a frontage is suitable for infilling. Inspector's report confirms that the site is not appropriate.
  - f) The Council's informal view to support the application is contrary to Inspector's comments.
  - g) On-site car parking provision for the restaurant is tight and parking in Church Street is unacceptable.
20. Representations submitted by the applicants' agent:
- A letter dated 13 November 2008 and the accompanying plan shows the proposed streetscene and explains that:
- a) The proposed dwelling has been substantially revised and is significantly smaller than that previously dismissed at appeal. The proposed 1.5 storey dwelling with an ancillary single storey wing is less mass and bulk which is set back from the highway and will not form an obvious or prominent feature within the street.
  - b) The design is based on the specific recommendation of the Council's Conservation Officer.
  - c) The development is not excessive in terms of its scale and mass and will not affect the visual permeability of the linear street frontage, nor will it, when viewed from either close or wider perspectives, create a dominant and unwelcome intrusion into the street scene.
  - d) It will provide a high quality and sympathetic form of development that reflects the local built form in a manner that retains the sense of openness within the street.
  - e) The existing tarmac area of the restaurant car park does little to preserve and enhance the character and appearance of the Conservation Area. The views

- of the extensive tarmac area and the presence of parked cars are not in keeping with the well landscaped character and appearance of the area.
- f) The erection of the proposed dwelling and the associated hard and soft landscaping works will reduce the extent of visual separation provided between the existing built form located along Hauxton Road, and provide a far more sympathetic appearance to the area.
  - g) The impact will not be significant and harmful.
  - h) The proposal would be an enhancement to the character and appearance of the area.

An email sent on 21<sup>st</sup> November 2008 responded to the Conservation Team's comments in relation to design improvement.

### **Planning Comments – Key Issues**

21. The key issues in relation to this application are:
- a) Car parking provision and highway safety;
  - b) Visual impact upon the street scene, and character and appearance of the Conservation area and the wider setting of nearby Listed Buildings; and
  - c) The affect on the amenity of the occupiers of the new dwelling in relation to the use of the restaurant car park.

#### ***Car parking provision***

22. The rearrangement of the car parking to the restaurant would result in 11 on site parking spaces. Based on the floor plan of the restaurant from the previous application S/1209/05/F, the floor area of the restaurant is approximately 54.5 square metres. 10 parking spaces for the restaurant and 1 park space for the existing dwelling at No 1 Church Street would meet the maximum standard for car parking provision listed in the LDF. 2 on-site car parking spaces would be provided for the proposed new dwelling. It is my view that the proposal would have no adverse impact on traffic conditions. This was not a factor which led the Inspector to dismiss the appeal in 2006.

#### ***Highway safety***

23. Highway issues were addressed when the previous application, reference S/1209/05/F was determined. Given that the proposed car parking arrangement and access for the existing restaurant and residential accommodation on the site are similar to the previous application, and that standards for car parking provision listed in the LDF are the same as the standard in the Local Plan 2004, I consider that there have been no change in material circumstances.
24. An independent transport planning consultant confirmed in December 2005 that a proposal for 11 parking spaces and the amount of traffic using the proposed new access to Church Street for the restaurant would not create an unsuitable safety or amenity situation. It is based on the fact that:
- a) The proposed access to Church Street is of good width at the point of connection with Church Street, being some 6 metres wide. The proposed access is approximate 28m clear of the junction with Hauxton Road, with which there is good visibility. Vehicle speeds on Church Street (30 mph) are relatively low. The use of the existing access onto Church Street as the new means of accessing the restaurant car parking is acceptable; and

- b) The amount of parking to be provided in the proposal would be adequate. Although 10 parking spaces for the restaurant (and one for the flat) is just below the maximum standard (under Policy TP1 of the Local Plan 2004 that 54 square metres would justify a maximum of 11 parking spaces for the restaurant) and some of the proposed parking spaces are not easy to leave and turn in the immediate vicinity of the parking space in order to proceed in forward gear, it would appear that all spaces may seldom be used thus enabling easier reversing and manoeuvring by those leaving other spaces.

***Impact on street scene, the character and appearance of the Conservation area and the wider setting of nearby Listed Buildings***

25. Inspector's comments on the previous application have been taken into account. The significance of the site has been identified by the Inspector, who considered it formed an essential part of village character. The appeal report also noted the care taken in the design of the previous proposal that included the retention and enhancement of the boundaries and verdant setting of the overall site, the relocation for parking to a better screened location with no increase in the hardened area of the overall site. However, the Inspector commented that it would create a dominant and unwelcome intrusion into the street scene and that its scale and massing would be excessive.
26. The existing properties in this part of the village are mixed with cottages, modern two storey dwellings and listed buildings. The new dwelling will be in a 'L-shape' with a 1.5 storey gable end facing Hauxton Road and set back 10m from the frontage. The proposed dwelling has a height of 3.2m to the eaves and 7m to the ridge. A single storey wing has a height of 2.25m high to the eaves and 4.7 high to the ridge. This will be set back 15m from the frontage of the site. The proposed 1.5 storey gable wing measures 11.2m long and 5.7m wide. The height, size and mass of the proposed dwelling have been greatly reduced compared to the refused scheme, which extended at two storey for a distance of 14m across the width of the site, compared with 5.7m width of the 1.5 storey gable in the proposed dwelling.
27. While the Inspector recognised the proposed retention and enhancement of the boundaries and the green setting of the overall site with the relocation of the restaurant car park and no increase in the hardened area, this scheme would maintain the identified open aspect by setting the proposed dwelling 10m away from the highway, and set the proposed restaurant car park further from Hauxton Road thereby retaining a green frontage between the restaurant and the proposed dwelling.
28. I consider that the new dwelling is modest in scale, sensitive in design, is in keeping with the local character and will not have an adverse impact on the street scene. I consider that the proposal will enhance the character and appearance of the Conservation Area outweighing the loss to the Conservation Area of this undeveloped gap. I am mindful of the Conservation Manager's comments and I do not therefore consider that the Conservation Area or setting of the Listed Buildings in the locality will be adversely affected. The Inspector in 2006 did not consider that that proposal would harm the setting of adjacent Listed Buildings.

***Impact on amenity of occupiers of the new dwelling resulting from the use of the restaurant car park***

29. I consider that the design and siting of the proposed dwelling and the arrangement of the ground floor openings would be acceptable. The proposal would not cause adverse impact on the amenity of occupiers of the new dwelling from the use of the

restaurant car park. The proposal is acceptable in terms of the living conditions of the occupiers of the new dwelling subject to the imposition of conditions on the boundary wall between the restaurant car park and the garden of the new dwelling, and the hard surface for the car park.

30. Finally the applicant does not object to a financial contribution to open space being secured by way of a planning condition.

**Recommendation**

31. Approval as amended by letter dated 2<sup>nd</sup> December 2008 and drawings number 07006-12A, 10B and 11B date stamped 3<sup>rd</sup> December 2008 and subject to the following conditions:
1. Standard Condition 1 – Full planning permission, time limit (3 years) (Reason 1).
  2. No development shall take place until details and samples of the clay pantiles for the roof, gault clay brick for the plinth and stack, lime render and painted timber windows to the 1.5 storey element and stained timber to the single storey element have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (Reason – To ensure the appearance of the development is satisfactory in accordance with Policies DP/2 and CH/5 of the adopted Local Development Framework 2007.)
  3. No development shall take place until details of the flashing and junction for the dormer windows have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (Reason – To ensure the appearance of the development is satisfactory in accordance with Policies DP/2 and CH/5 of the adopted Local Development Framework 2007.)
  4. SC5 - Landscaping Scheme (Rc5) - No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.  
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
  5. SC6 – Landscaping implementation (Rc6) - All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

6. SC12– Boundary details - No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment [for each dwelling] shall be completed before that/the dwelling is occupied in accordance with the approved details and shall thereafter be retained.

(Reason – To ensure the appearance of the development is satisfactory in accordance with Policies DP/2 and CH/5 of the Local Development Framework 2007 and to minimise noise disturbance to the occupiers of the new dwelling from the restaurant car park in accordance with Policy NE/15 of the Local Development Framework 2007.)

7. SC14 – Details of materials to be used for hard surfaced areas within the restaurant car park, driveways and car parking areas of the dwelling.  
(Reason – To ensure the appearance of the development is satisfactory in accordance with Policies DP/2 and CH/5 of the Local Development Framework 2007 and to minimise noise disturbance to the occupiers of the new dwelling from the restaurant car park in accordance with Policy NE/15 of the Local Development Framework 2007.)

8. SC7 –Trees - In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from [the date of the first occupation of the dwellings hereby approved].

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with the relevant British Standard.

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

(Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)

9. SC8 – Tree Protection - No demolition, site clearance or building operations shall commence until tree protection comprising weldmesh secured to standard scaffold poles driven into the ground to a height not less than 2.3 metres shall have been erected around trees to be retained on site at a distance agreed with the Local Planning Authority following BS 5837. Such

fencing shall be maintained to the satisfaction of the Local Planning Authority during the course of development operations. Any tree(s) removed without consent or dying or being severely damaged or becoming seriously diseased during the period of development operations shall be replaced in the next planting season with tree(s) of such size and species as shall have been previously agreed in writing with the Local Planning Authority.

(Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)

10. During the period of construction and demolition, no power operated machinery shall be operated on the premises before 0800 hours on weekdays and 0800 hours on Saturdays nor after 1800 hours on weekdays and 1300 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions. (Reason – To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the Local Development Framework 2007.)
11. SC30 – Permitted Development – Windows – in the northwest/ side elevation of the dwelling at and above first floor. (Reason – To safeguard the privacy of adjoining occupiers at No 2 Hauxton Road in accordance with Policy DP/3 of Local Development Framework 2007.)
12. The permanent spaces to be reserved on the site of the restaurant at No 1 Church Street for turning and parking as shown on the drawing number 07006-12A shall be provided before commencement of the development of the dwelling, hereby permitted, and thereafter maintained. (Reason – to minimise interference with the free flow and safety of traffic on the adjoining public highways.)
13. SC63 -Grampian Condition - No development shall begin until details of a scheme for the provision of open space infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policy SF/10 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details. (Reason - To ensure that the development contributes towards open space in accordance with the above-mentioned Policy SF/10 and Policy DP/4 of the adopted Local Development Framework 2007.)

### **Informatives**

1. Should driven pile foundations be proposed, before development commences, a statement of the method for construction of these foundations shall be submitted to and approved in writing by the District Council's Environmental Health Officer so that noise and vibrations can be controlled.
2. During construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.

3. The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.
4. The applicant's attention is drawn to officer's comment regarding noise disturbance to the occupiers of the new dwelling. The boundary treatment in relation to condition No.6 includes the boundary between the new dwelling and the restaurant car park and it should comprise a 2m high brick wall, and the chosen materials to be used for hard surfaced areas within the restaurant car park should reduce reflected noise.

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

- Planning Policy Guidance 15: Planning and the Historic Environment
- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007
- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- Planning Files Ref.: S/0398/92/O, S/1241/92/O, S/1209/05/F and S/1733/08/F

**Contact Officer:** Emily Ip – Planning Officer  
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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

**REPORT TO:** Planning Committee

14<sup>th</sup> January 2009

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

**S/1637/08/F- LITTLE SHELFORD  
Extension at 41 Hauxton Road, for Mrs T Knight**

**Recommendation: Approval**

**Date for Determination: 3<sup>rd</sup> December 2008**

**This Application has been referred to the Planning Committee for determination by the Chairman's 1<sup>st</sup> Delegated Meeting on 1<sup>st</sup> December 2008.**

**Members will visit this site on Wednesday 14<sup>th</sup> January 2009.**

**Site and Proposal**

1. The application received 22<sup>nd</sup> September 2008, proposes a front extension to the kitchen. It would measure approximately 2.4m by 2.6m under a lean-to roof.
2. No. 41 and its neighbours on the south-western side of Hauxton Road are predominantly semi-detached dwellings, while the properties on the north-eastern side of Hauxton Road are mostly newer dwelling houses, on large plots, set back from the road and well screened by trees and mature vegetation.
3. No. 41 Hauxton Road is set back approximately 8m from the front boundary. The land level drops to the southwest away from the road, by approximately 0.75m.

**Site History**

4. **S/1521/07/F**, Extension, Dormer Window, Solar Panels, and Wind Turbine – Refused
5. **S/1070/07/F**, Extension, Dormer Window, Solar Panels, and Wind Turbine - Refused
6. **S/0125/00/F**, Extensions – Refused (appeal part dismissed)
7. **S/1099/99/F**, Extensions- Refused
8. **S/2328/07/F**, Granted planning permission for the following extensions. A single storey front porch, Two-storey side extension, and a Rear two-storey extension.

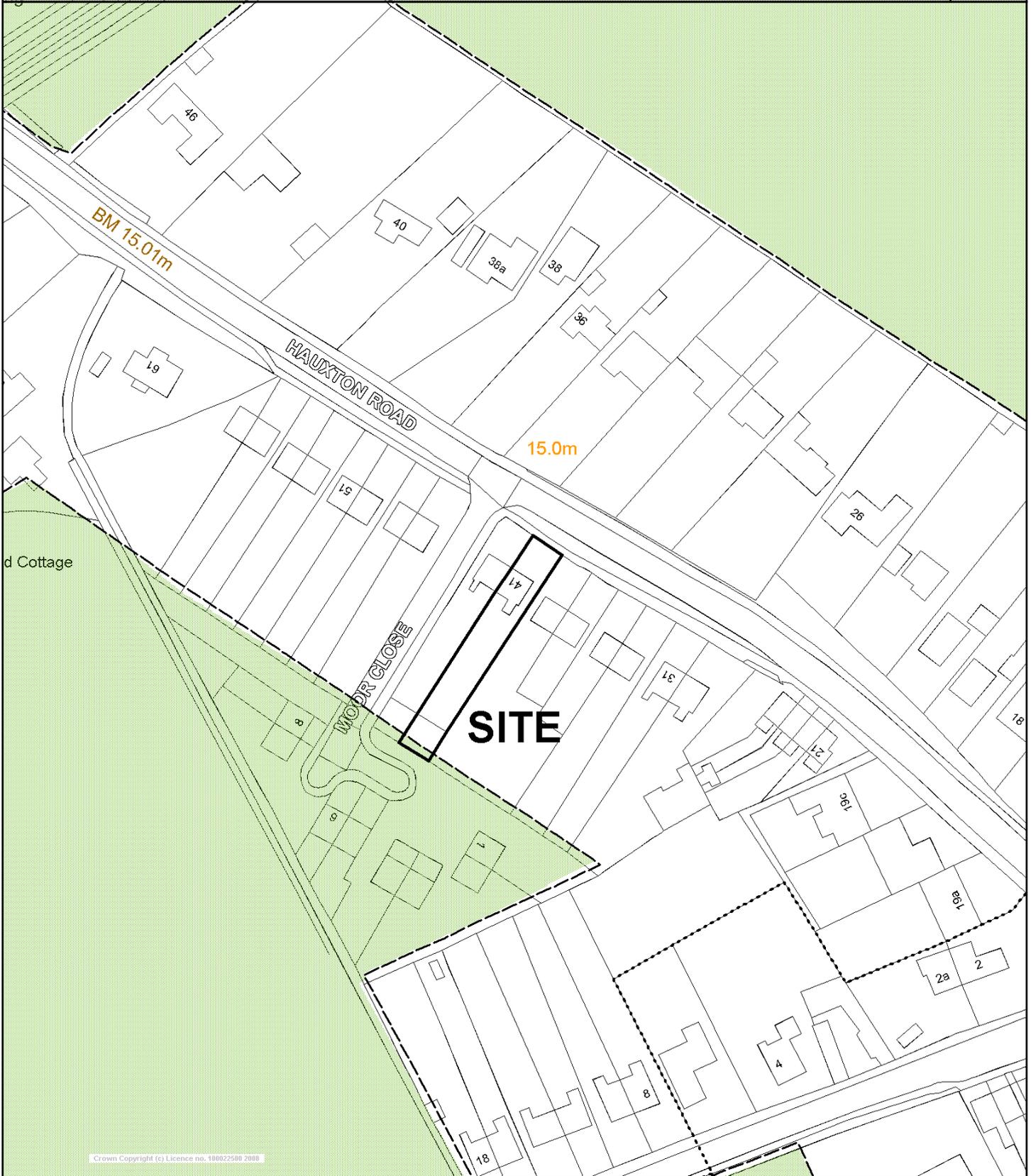
**Planning Policy**

Relevant policies are listed below. Please refer to Appendix 1 to this Committee agenda for further details.

9. *South Cambridgeshire Local Development Framework (LDF) Development Control Policies adopted July 2007:*

**Policy DP/2** "Design of New Development", and **Policy DP/3** "Development Criteria",

S/1637/08/F - Little Shelford



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January Planning Committee

### **Consultation**

10. **Little Shelford Parish Council** has recommended Refusal.

“Proposal would change the appearance of the building fronting onto Hauxton Road. Proposal appears to overdevelop the plot, given the extensions already planned. The proposed works would adversely affect the amenity of No 43”.

**Local Highways Authority** - No objection

### **Representations**

11. The neighbour at No 43 Hauxton Road has objected, on the following grounds:
- (a) They believe the proposed development has a negative impact on streetscene and is not in keeping with the rest of the properties in Little Shelford or Hauxton, unlike the approved small porch.
  - (b) They consider their amenities would be negatively impacted by a reduction in light through their front windows and in loss of a private view.
  - (c) Loss of value of property.
  - (d) Precedent for similar front extensions, severely altering the character of these properties.

### **Planning Comments – Key Issues**

12. The design of the proposed extension is in keeping with the approved extensions and alterations, (S/2328/07), on the front and side elevations. External materials would match the existing.
13. Due to the character of the surrounding area, and the nature of the recently approved extensions, it is not considered that the proposed front extension would harm the character of the area.
14. The proposed extension would be approximately 0.5m from the south east boundary of No. 43. The orientation of Nos. 41 & 43 Hauxton Road would result confined to early in the morning. The proposed front extension would not cause any greater loss of light than the previously approved extension (S/2328/07/F), due to it not breaching a 45° angle from the mid-point of the adjoining window at No. 43. Therefore this proposed extension is not considered to result in a significant loss of light in the neighbouring property. Loss of a private view or de-valuation of property are not material planning issues. Each application has to be considered on its merits;

### **Recommendation**

15. Approve

### **Conditions**

1. Standard Condition 1 - Time Limit (Reason 1).

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

- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Planning file references: S/2328/07/F, S/1521/07/F, S/1070/07/F, S/0125/00/F, S/1099/99/F and S/1637/08/F
- Documents referred to in the report including appendices on the website only and reports to previous meetings

**Contact Officer:** John McCallum - Planning Assistant  
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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee 14<sup>th</sup> January 2009  
**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

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**S/1025/08/F – STOW-CUM-QUY**  
**Extensions to Existing Outbuildings to Provide Outdoor Centre and Offices/Store at Quy Mill Hotel, Newmarket Road for Munroe Leisure Ltd.**

**Recommendation: Refusal**

**Date for Determination: 4<sup>th</sup> August 2008**

**Notes:**

**This application has been reported to the Planning Committee for determination at the request of the Local Member.**

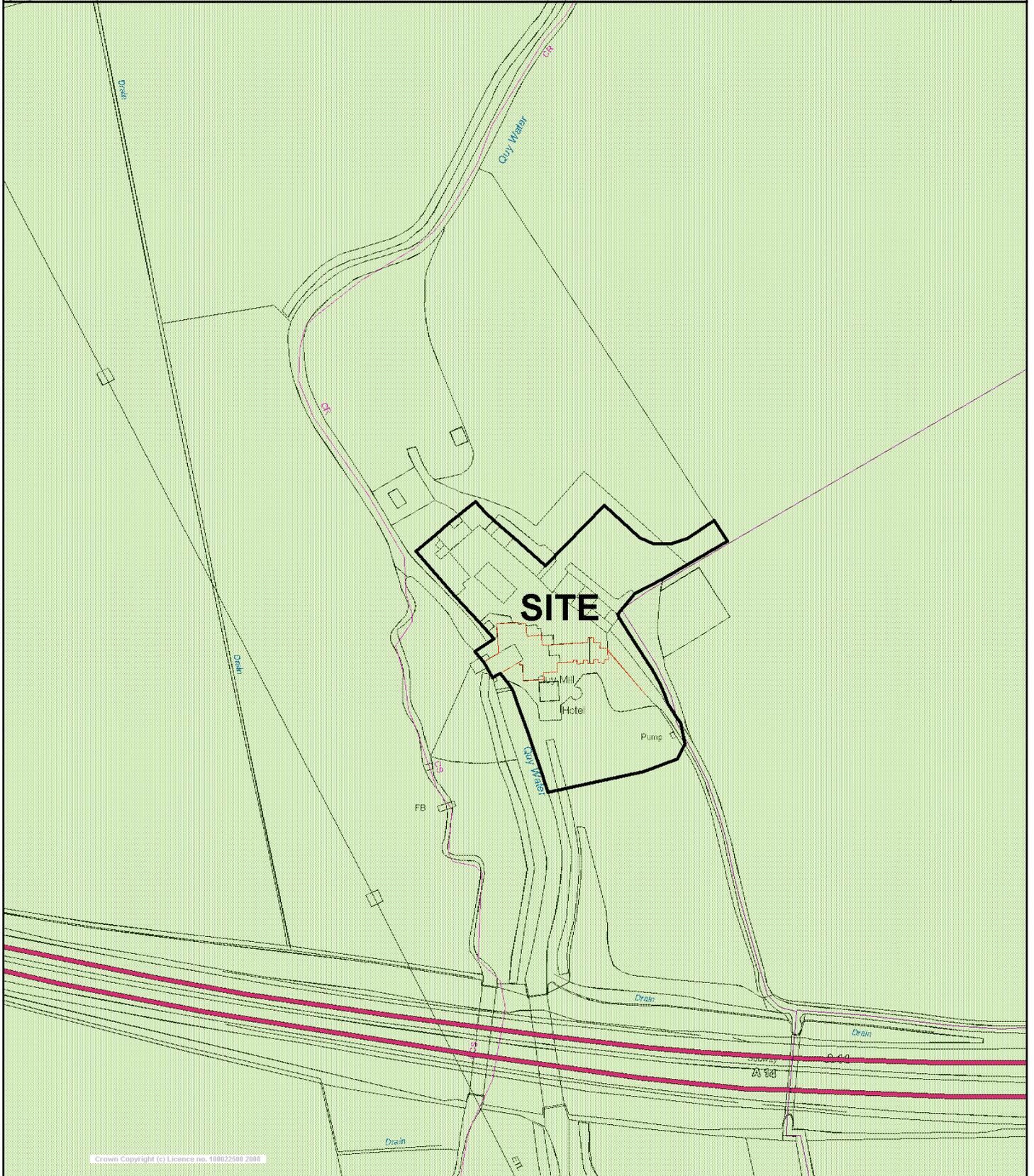
**Members will visit the site on 14<sup>th</sup> January 2009**

**Departure Application**

**Site and Proposal**

1. Quy Mill Hotel is located to the north of the A14 trunk road, approximately 5 miles to the east of Cambridge. The site covers approximately 4.4 hectares and is situated outside of any village framework and in the Green Belt/ countryside. It comprises the grade II listed Mill, the grade II listed Miller's House and various curtilage listed outbuildings. It is surrounded by open agricultural land. Quy water flows along the western site boundary.
2. The property was converted from offices to a hotel in 1983. The Mill is a four storey, gault brick and slate building that is situated in the south western corner of the site. The Millers House is a two and a half storey gault brick and slate building that is situated to the east of The Mill. The two buildings have been linked by modern single storey extensions comprising function rooms. The outbuildings range between single and two-storey in height and lie to the north and north west of the main buildings. The north western building is a fitness centre and the remaining outbuildings are bedroom accommodation. There are small hard surfaced areas between the buildings providing approximately 15 parking spaces. A large car park lies on the north eastern part of the site providing approximately 80 parking spaces.
3. This full planning application, received 9<sup>th</sup> June 2008, proposes three separate extensions to the existing outbuildings that lie on the northern part of the site. The first extension consists of a part two-storey, part one and a half storey, and part single storey 11 metre long element to the north eastern elevation of the fitness centre. It comprises a lecture hall and two seminar rooms for the outdoor centre at ground floor level and changing rooms at first floor level. The extension ranges from 7 metres to 3.5 metres in height. The second extension consists of a one and a half storey element measuring 23 square metres in floor area and 5.5 metres in height. It would be situated within the courtyard to the south eastern corner of the fitness centre and

S/1025/08/F - Stow-cum-Quy



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provide an enlarged reception area. The third extension consists of a one and a half storey 17 metres long element to the south east elevation of the existing swimming pool. It would comprise storage rooms at ground floor level and staff offices at first floor level. A single storey undercover walkway link to the main reception is also proposed. The design of the extensions would match that of the existing outbuildings. The materials would be brick plinth and timber weatherboarding for the walls and slate for the roof, to match the existing outbuildings. A number of small outbuildings would be removed. The net additional gross internal floorspace comprises 381 sq.m, which represents a 12.3% increase.

### Planning History

4. Planning permission was refused in August 2007 for an extension to create leisure suite containing spa and gymnasium with ancillary offices and general store **(S/1138/07/F)** for the following reason: -

*“The proposed extension to the existing leisure facility is contrary to Green Belt Policies P9/2a of the Cambridgeshire and Peterborough Structure Plan 2003 and GB/1 of the South Cambridgeshire Local Development Framework 2007 in that it is inappropriate development for which no very special circumstances have been put forward in order to justify a departure from these Green Belt Policies. The proposal is therefore by definition harmful to the Cambridge Green Belt and, by reason of the additional floorspace proposed, would be harmful to the openness of the Green Belt.”*

5. Planning permission was granted in January 2007 for a clay pigeon shooting shelter **(S/2149/06/F)**.
6. Planning permission was granted in April 2003 for function room and orangery extensions to the rear and a foyer to the front **(S/0325/03/F)**. Planning permission was granted in June 2002 for extension and conversion of the outbuildings to form fitness centre and bedroom accommodation **(S/0482/02/F)**. Planning permission was granted in January 2001 for extension and conversion of stables to bedroom accommodation and office extension, and an extension to form function room and link **(S/1537/00/F** and **S/1517/00/F)**. Planning permission was granted for conversion and extension of outbuildings to bedroom accommodation, function room and staff accommodation in May 1998 **(S/1263/97/F)**. Planning permission was granted for a conservatory extension in April 1997 **(S/0045/97/F)**. Planning permission was granted for a front kitchen and lobby extension in March 1986 **(S/0058/86/F)**. Planning permission was granted for change of use to hotel and link extension in January 1981 **(S/1890/80/F)**.

### Planning Policy

Relevant policies are listed below. Please refer to Appendix 1 to this Committee agenda for further details.

7. *South Cambridgeshire Local Development Framework Development Control Policies Document:*

Policies **GB/1, GB/5, DP/2, DP/3, DP/7, CH/3, CH/4, ET/10 and NE/6** are relevant.

8. *National Planning Guidance:*

**Paragraph 3.2 of Planning Policy Guidance Note 2 (Green Belts)**  
**Planning Policy Statement 7 (Sustainable Development in Rural Areas)**

**Paragraph 2.12 of Planning Policy Guidance Note 15 (Planning and the Historic Environment)**

**The Good Practice Guide on Planning for Tourism**

**Consultation**

9. **Stow-cum-Quy Parish Council** – Recommends approval.
10. **Conservation Officer** – The proposal will have a minimal impact upon the setting of the listed mill and the character and appearance of the curtilage listed barn buildings. The extensions are fairly modest in scale and the form and design matches the existing extensions. However, there is some concern regarding the openings to the rear elevation, as these would detract from the simple character and appearance of the building.
11. **Local Highway Authority** – Objects to the application on the grounds that it is unable to assess the proposal, as there is insufficient information on the expected traffic flows generated and the subsequent traffic impact upon the surrounding highway network.
12. **Ecology Officer** – No objection subject to a condition to ensure ecological enhancement of the site as proposed in the ecological report submitted with the application.
13. **Environment Agency** – No objection in principle to the development but makes the following comments: -

The proposed development is adjacent to the former Quy Mill Hotel landfill site. The developer needs to carry out a spike test to investigate the presence of gases and, if found, a gas monitoring survey should be undertaken during the course of development.

The site is within Flood Zone 1 (low risk) but lies adjacent to land that falls within the medium and high risk flood zones.

Any works within 9 metres of the top of the bank of the main river requires separate consent from the Environment Agency.

The application does not sufficiently consider surface and foul water drainage as the site delineated is within an area of major aquifer and unknown sewerage capacity. Any consent should be subject to conditions and informatives in respect of these issues.
14. **Corporate Manager (Health and Environmental Services)** – No significant noise or environmental pollution impacts.
15. **Fleurets Surveyors (Business and Property Services for the Leisure and Hospitality Industry)** – The business is operating profitably, albeit that the profit margin is at the lower end of expectations. However, it is at a level which operators in the market would consider viable.

The weekly turnover for the business in 2008 has increased by 20% from 2006 and 2007. Income from accommodation has grown by 9% from 2005 to 2008. This is likely to be as a result of the seven additional rooms. Food and beverage sales have fluctuated from year to year, but declined by 8% from 2005 to 2008. The income from

room hire and functions and the fitness club have remained broadly stable at 7% and 11%. The gross profit from the three accounting years ending May 2007 is stable and in line with expectation for a business of this nature. The gross profit for 2008 shows a marked decline, but this is likely to be due to outsourcing of the catering. The adjusted net profit is low for a business of this nature and declined from 23% in 2005 to 14% in 2008. However, although not available, the net operating profit for 2008 shows a significant improvement and is likely to be in the region of 25% of turnover.

## **Representations**

### ***Applicant's Agent***

16. It is absolutely essential that expansion or diversification of the enterprise should take place, to enable the hotel to survive. The hotel has not made the maximum use of the extensive grounds and the opportunities for outdoor sport and recreation. It is argued that the proposal is not inappropriate development in the Green Belt as it is for essential facilities for outdoor sport and recreation.

### ***Applicant's Accountant***

17. The market is fiercely competitive and at least six new hotels have opened in the area surrounding Cambridge over the last 12 years. The business has had mixed fortunes over the last few years. The heavy loss in 2006-2007 eroded all the previous retained profit. In April 2008, the food and beverage operation of the hotel was franchised out to a local contractor. A significant burden on the business is the cost of maintenance of the Grade II listed building. The hotel's performance has improved in the first part of 2008 but it is difficult to predict the macro economic climate of the future. The business needs to provide alternative facilities to attract additional guests to the hotel to remain viable in the long term and survive.

### ***Other***

18. **Visit Cambridge**, the tourism service for Cambridge, supports the application. It makes the following comments: -  
*"The tourism industry, both leisure and business is an essential part of the economy. Any improvements to the venue that will in turn extend the visitor's stay longer in the area, or enhance their experience whilst in venue, is always a positive sign. In these uncertain times, every effort should be made to secure one's share of the market and by offering extra facilities such as an outdoor centre, in my opinion, will help secure future business for Quy Mill."*

## **Planning Comments – Key Issues**

19. The main issues to be considered during the determination of this application relate to whether the extensions would:
- (a) Represent inappropriate development in the Green Belt;
  - (b) Result in any other harm to the Green Belt/ countryside;
  - (c) Amount to very special circumstances to clearly outweigh the harm to the Green Belt through inappropriateness and other harm in the Green Belt as a result of the case put forward by the applicants;
  - (d) Adversely affect the character and appearance of the curtilage listed buildings and/ or the setting of the grade II listed Mill and Mill House; and,
  - (e) Be detrimental to highway safety through such an increase in traffic generation.

**Green Belt**

20. The Mill and Mill House were converted to a hotel in 1986. Since that time, the Council has granted planning permission for various extensions to the main buildings, and conversion and extension of the outbuildings. The cumulative impact of the existing extensions has significantly reduced the openness of the site, and consequently the Green Belt.
21. The proposed extensions are for a lecture room and two seminars rooms, and changing rooms for an outdoor centre; a reception area to the fitness club; and storage rooms and offices. Such uses do not fall within any of the criteria outlined under paragraph 3.4 of Planning Policy Guidance Note 2 (Green Belts). The extensions are therefore considered to represent inappropriate development that is, by definition harmful to the Green Belt.
22. Whilst it is acknowledged that extensions to tourist accommodation is supported in principle, the proposed extensions are considered to further increase the mass of built development, and reduce the openness of the site. Whilst it is acknowledged that the extensions would be attached to the existing group of outbuildings in order to make a courtyard style development, this would close the open spaces that currently exist between the buildings that retain a sense of openness to the area. The development is therefore visually intrusive and would harm the rural character and appearance of the area.
23. The applicants consider that very special circumstances have been demonstrated that outweigh the harm through reason of inappropriateness and any other harm. However, given the advice from Fleurets on the viability of the business, it is officers' view that the business is currently viable and therefore very special circumstances have not been demonstrated.
24. Fleurets state that there are a number of factors that can cause a business to become unviable. These are: -
  - (a) A building that falls into disrepair to the point that the cost of repairs would be disproportionate to the cost of the business;
  - (b) The poor management of a business and subsequent depletion of a customer base;
  - (c) Strong competition;
  - (d) Where the level of turnover falls below an acceptable level where the operators cannot make a living; and,
  - (e) Material changes to the local area such as the loss of a factory or the demolition of a housing estate.
25. Given the assessment of each factor below, the only significant issue that may affect the viability of the hotel business appears to be competition from new hotels in the area and the general state of the market at the current time.
26. Quy Mill Hotel is generally in good repair with significant elements of the complex either newly built or subject of conversion and refurbishment over the last 12 years. There is no knowledge of any major items of expenditure required for the building beyond general maintenance.
27. The business appears to be competently and professional managed by the current owners providing the level expected of a good quality 3\* hotel. Facilities are

maintained to a high standard, pricing levels are competitive and the business appears to be effectively promoted and marketed.

28. Significant development of hotels has taken place in Cambridge in the last five years, notably in the budget branded sector with the Quay Mill Hotel in direct competition for corporate business guests in particular. These recent additions place pressure on existing businesses to review their business model in order to sustain turnover and profitability. Unless a unique selling point or superior facilities can be offered, hotels have to undercut room rates to attract sufficient custom. Although the range of facilities and accommodation allow the hotel to compete in business and leisure markets, it is at a competitive disadvantage as a result of the nature of the complex of buildings and high running costs, and the lack of superior offerings such as a golf course or a city centre location. By virtue of current and future development, competition may be expected to increase.
29. The hotel has maintained a steady level of turnover in the year ending May 2006 and May 2007, with turnover improving 20% from the preceding year. The business is capable of maintaining a modest level of profitability and although at the lower level, it would be sufficient for the operator to make a living. However, given the high underlying costs of the business and the low profit margins, it will be sensitive to fluctuations in turnover, such that any reduction is likely to result in disproportionate reduction in net operating profit. In the short term, competitive pressures are likely to be exacerbated by the current economic climate with rising inflation and the credit crunch increasing downward pressure upon business and consumer spending.
30. Cambridge is a popular centre for tourism and an important centre for science and technology based research and development. The area has seen continued expansion in recent years and on this basis it is unlikely that any external factors would provide the hotel operator with cause for concern.

#### ***Listed Building***

31. The proposed extensions are not considered to adversely affect the character and appearance of the curtilage listed outbuildings. Whilst they would change the historic plan of the buildings, they would retain its overall simple design, form and agricultural nature.
32. The extensions would also not damage the setting of The Mill and Mill House listed buildings, given that they would remain similar in scale to the existing outbuildings.

#### ***Highway Safety***

33. The Local Highway Authority is unable to make an assessment on the traffic generation of the proposal at present and its impact upon highway safety, as a result of the lack of information submitted with the application. The Committee will be updated of any data received and subsequent evaluation of the impact upon the highway network.

#### ***Other Matters***

34. The site lies within Flood Zone 1 (low risk). The proposed extensions would not significantly increase the risk of flooding to the site and surrounding area, as they would be situated in existing hard surfaced areas.

35. The proposal is considered to enhance the biodiversity of the area through improving habitats for birds and bats, and by increasing botanical diversity. This would be a condition of any consent.

**Recommendation**

36. Refusal.
1. The proposed extensions would represent inappropriate development. Inappropriate development is, by definition harmful to the Green Belt. The proposal is therefore contrary to Policy GB/1 of the South Cambridgeshire Local Development Framework Development Control Policies Document 2007 and Paragraphs 3.2 and 3.4 of Planning Policy Guidance Note 2 (Green Belts) that outline the presumption against inappropriate development in the Green Belt.
  2. The cumulative impact of the existing extensions and proposed extensions would also cause other harm to the Green Belt. The increase in the floorspace and mass of built form on the site would result in a significant loss of openness.
  3. No very special circumstances have been demonstrated by the applicants that clearly outweigh the harm through inappropriateness and loss of openness of the Green Belt.

**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 Policy Guidance Note 2 (Green Belts), Planning Policy Guidance Note 7 (Sustainable Development in Rural Areas), Planning Policy Guidance Note 15 (Planning and the Historic Environment), and Good Practice Guide on Planning for Tourism
- Planning File References: S/1025/08/F, S/1138/07/F, S/2149/06/F, S/0325/03/F, S/482/02/F, S/1537/00/F, S/1517/00/F, S/1263/97/F, S/0045/97/F, S/0779/86/F and S/0058/86/F.

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee14<sup>th</sup> January 2009**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

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**S/1605/08/F – HORNINGSEA  
Extension at 3 The Square for Mr & Mrs P. Halford****Recommendation: Approval****Date for Determination: 2<sup>nd</sup> December 2008****This Application has been referred to the Planning Committee by Chairman's Delegation Meeting on 1<sup>st</sup> December 2008****Members will visit this site on 14<sup>th</sup> January 2009****Conservation Area****Site Location**

1. The property 3 The Square is located within the village framework and lies in the Horningsea Conservation Area. The dwelling at 3 The Square is an end of terrace house in a residential group of seven dwellings off the High Street. It is a modern one-and-a-half storey building with its garage to the north elevation; a large landscape garden to the south and to the rear of the property to the west. There is a 1.8m high brick wall and dense hedges on the boundary between the adjoining property no. 4 and the application site.

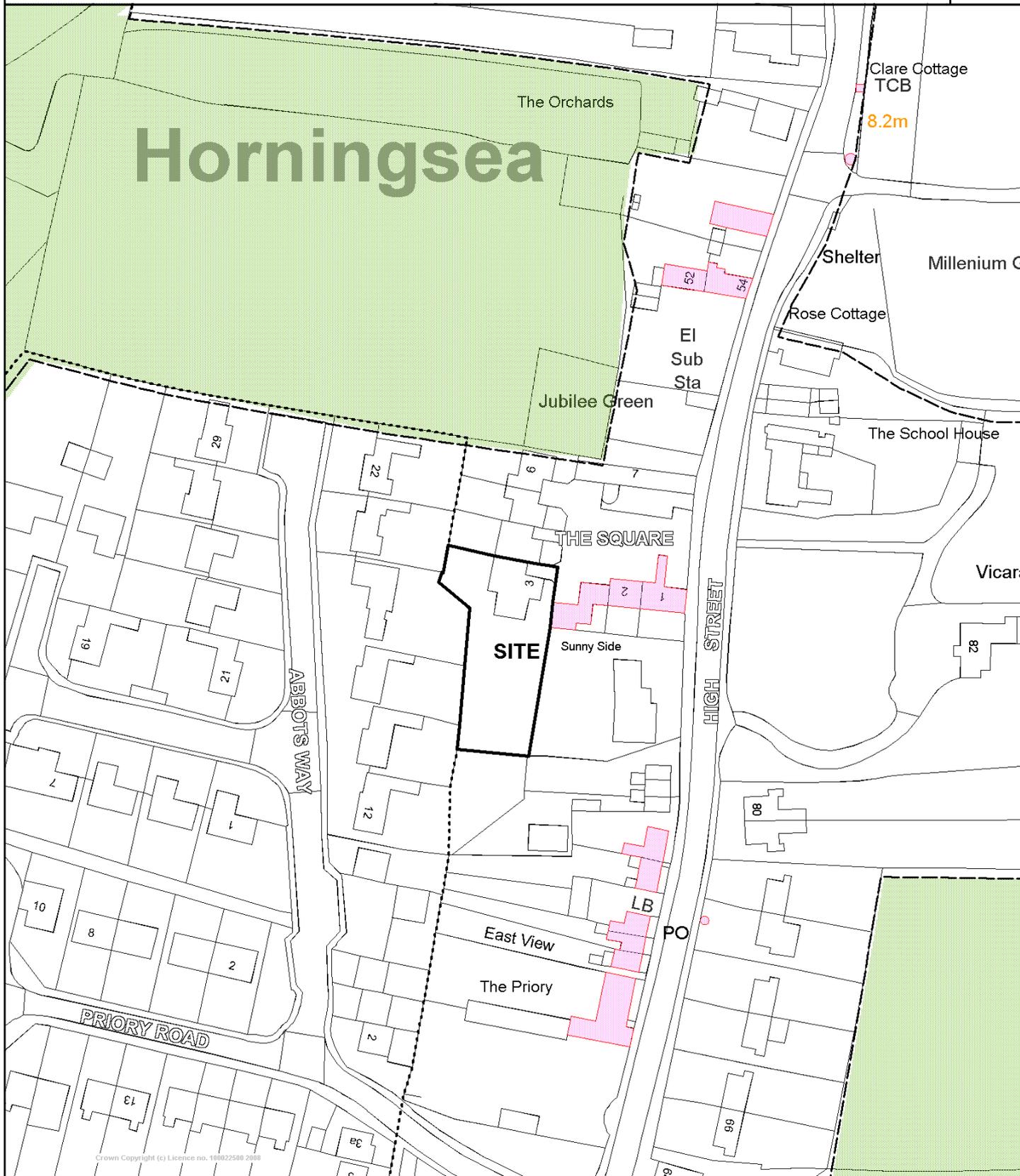
**Proposal**

2. The application, received 17<sup>th</sup> September 2008, proposes a single storey rear extension with its depth of 9.8 metres beyond the existing house running along the boundary with the adjoining property No. 4. The extension will have a ridged roof design, eaves height of 2m and a ridge height of 3.6m dropping to 3.4m. It will be 1.6 metres from the north boundary. Part of the boundary wall will be extended to the length of the extension. The proposed materials are matching and complimentary to the existing dwelling.
3. The proposed accommodation comprises a new shower room, sitting/carer's room and bedroom. The submitted Design and Access Statement explains that the applicants need to provide suitably designed accommodation for an elderly parent, who has a skin disease and is suffering with symptoms associated with Alzheimer's disease.

**Planning History**

4. The site has been a subject of several planning applications. Planning permission reference **S/2198/01/F** was refused for an annex extension in 2001. Recently a planning application reference **S/0698/08/F** was refused for a similar extension 11 metres in depth and positioned abutting the boundary with No. 4. The reasons for

S/1605/08/F - Horningsea



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refusal were on the grounds that the extension will be visually overbearing and will result in a significant loss of day and sunlight to the adjoining property No. 4, contrary to Policies DP/2 and DP/3 of the Local Development Framework 2007. Following the refusal of the application, there were subsequent pre-planning discussions, which led the submission of this current proposal.

### **Planning Policy**

Relevant policies are listed below. Please refer to Appendix 1 to this Committee agenda for further details.

5. *Local Development Framework Development Control Policies (Adopted July 2007):*

**Policy DP/2** "Design of New Development", **Policy DP/3** "Development Criteria" and **Policy CH/5** "Conservation Areas".

### **Consultation**

6. **Horningsea Parish Council** – Recommended refusal on the grounds that the extension is far too large, in the wrong location and the fact that it will inflict permanent loss of light view, light and value of property in the case of No. 4 in particular, but also other properties which remain virtually unchanged from receipt of an architect award, with exception of No. 3 which received a substantial extension some years ago.
7. **Conservation Officer** – The scheme will have minimal impacts on the Conservation Area, as the revised plans appear to respond to previous neighbour and Parish Council's objections.

### **Representations**

8. Two letters of objection were received from neighbouring residents at Nos. 2 and 4 The Square, raising the following concerns (summarised):
- (a) Incongruous development;
  - (b) Permanent loss of light, vision, and value to neighbouring properties;
  - (c) Inconsistent with the overall design of the corridor of gardens between the houses of Abbots Way and The Square;
  - (d) Bulk and height of the building would be out of proportion to the surrounding properties and would occupy an inappropriate space within the green corridor between the houses;
  - (e) Inappropriate size in relation to its proximity to property at No. 4 The Square;
  - (f) It would be substantial, overbearing obstruction close to the southern boundary of No. 4 hemming the garden in, having a considerable visual impact and adversely affecting the light reaching the garden and patio;
  - (g) It would increase the risk of flooding at the back of No. 4;
  - (h) Development would have impact on the health of the neighbour at No. 4.

### **Planning Comments (Considerations) – Key Issues**

9. The key issues to consider in the determination of this application are:
- (a) Impact upon the amenities of neighbouring properties
  - (b) Impact upon the character and appearance of the Conservation Area

10. Although situated to the south of No. 4 The Square, I do not consider that the proposal will be visually overbearing or result in loss of light. The 45 degree horizontal natural light test and 25 degree vertical test have been conducted from the patio door of No.4. The extension failed the former test but not the latter. With the eaves at 2.0m, the extension setback from the boundary by 1.6m and the existing brick wall at 1.8m high, it is considered that the visual and light impact would be minimized to an acceptable degree.

***Impact upon character and appearance of the Conservation Area***

11. The concern that the bulk and height of the proposal will be out of proportion and in an inappropriate position is refuted by the fact that the proposal has a low ridge height, is in proportion with the applicant's dwelling and occupies less than 10% of the garden area. The development is not visible or dominant, the materials are complimentary to the existing and, based on the comments from the Conservation Officer, the proposal will not have a detrimental impact on the character of the Conservation Area or the garden/green corridor. There are no public viewpoints of the proposal.
12. The proposed development is considered acceptable on the basis that no significant harm will be caused to residential amenity or the character of the Conservation Area in general and complies with Policies DP/2, DP/3 and CH/5 of South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007).

**Recommendation**

13. Approve with conditions

**Conditions**

1. Standard Condition SC1 – Time limited permission  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)

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

- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Planning Application Files S/1605/08/F, S/0698/08/F and S/2198/01/F

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee14<sup>th</sup> January 2009**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

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**S/1568/08/F – OVER****Siting of Container for Storage of Agricultural Equipment (Retrospective Application)  
Paddock Rear of 6 Meadow Lane for Mr and Mrs Chapman****Recommendation: Approve****Date for Determination: 24<sup>th</sup> November 2008****Notes:****The application has been referred to Planning Committee by Chairman's Delegation Meeting on 1<sup>st</sup> December 2008.****Site and Proposal**

1. Meadow Lane is a narrow residential street, without footpaths, comprising a mixture of 1, 1 ½ and 2 storey dwellings, located on the fringe of the village framework of Over.
2. The application site is a broadly rectangular parcel of open paddock/scrub grassland located to the north-east of the dwellings in Meadow Lane, adjacent to the rear boundaries of 2, 4, 6, 10 and 12 Meadow Lane, outside of the village framework. It is accessed via a gravel drive that runs between the dwellings at 6 and 10 Meadow Lane. The land is partially enclosed to the north-west by the dwellings in Barns Close and to the south-east by various dwellings in Fen End, including a number of new dwellings being erected on the former joinery site.
3. The boundaries to the site broadly consist of a mixture of landscape planting and fencing of varying heights around 1.8m to the dwellings in Meadow Lane, a 2m wall that forms the rear boundary of the dwellings in Barns Close and a 1.8m chain link fence to the dwellings in Fen End. The northern boundary of the site is broadly made up of a natural landscape belt, with a mixture of mature trees and hedging.
4. This full application, received on 29<sup>th</sup> September 2008 and amended on 28<sup>th</sup> November 2008, seeks retrospective consent for the siting of a container on a parcel of land approximately 7m from the rear boundary of the curtilage serving 10 Meadow lane, to provide storage for agricultural equipment. It is intended to store fencing materials and other relevant items to maintain this paddock and other land nearby in Swavesey. It is also to be a safe storage for feed and tack when the application's grand-daughter has a pony. The container is proposed to have its end facing towards the dwellings in Meadow Lane and measures approximately 6m long by 2.5m wide and would measure 2.9m in height, including its plinth. The applicants have proposed that the container be clad in feather edge timber. The amendment corrected inaccuracies on the plans and clarified the intention to clad the entire structure in timber.



## Planning History

The most relevant planning history for the site is as follows:

5. **S/0420/08/F** – retrospective application for the siting of a container for storage of agricultural equipment on the application site. The application was refused on two grounds. Firstly on the basis that the design, scale and form of the container neither preserved or enhanced the character of the local area as it had not been designed to fit into its context, and was therefore inappropriate development in the countryside. Secondly by virtue of the design, scale and location of the container, being approximately 4.3m from the rear boundary of 10 Meadow Lane, running parallel to it, would be unduly overbearing upon the amenities of those residents.
6. **S/0223/06/F** – application for the erection of a single dwelling on land adjoining 10 Meadow Lane. This application was approved, with the dwelling now erected and forming 6 Meadow Lane, alongside which the access is achieved for the paddock to its rear.

## Planning Policy

7. Relevant policies are listed below. Please refer to Appendix 1 to this Committee agenda for further details.

**Policy DP/2** of the South Cambridgeshire Local Development Framework (the 'LDF')

**Policy DP/3** of the LDF

**Policy DP/7** of the LDF

## Consultation

8. **Over Parish Council** – recommends refusal and comments that “the container would be sited outside the building line and would have a negative impact on neighbouring properties.”
9. **Corporate Manager (Health and Environmental Services)** – raises concerns with regard to potential noise generation and suggests a number of planning conditions, in respect of the use of power operated machinery, flood lighting and hours for deliveries and collections to be attached to any consent.

## Representations

10. At the time of preparing this report representations have been received from the neighbouring owner/occupiers in Meadow Lane at 'Beausite House', 10, and 12. The main comments/concerns raised by the neighbours are as follows:
  - (a) Application should be refused on the same grounds as the previous – inappropriate development in the countryside and unduly overbearing to the amenities of adjoining residents.
  - (b) Rotation has not served to overcome overbearing impact – more visible to residents of 2, 4 and 12 Meadow Lane, Fen End and Barnes Close.
  - (c) Screening inadequate. Do not consider mitigation effective solution.
  - (d) Paddock land higher than gardens of 10 and 12 Meadow Lane, raising container.
  - (e) Believe application to be misleading regarding status of adjoining landscape features and use of paddock in attempt to sway favour for application.

- (f) Query need for storage on site. Concern that container is part of intended change of use of land to agricultural yard – noise and disturbance, given proximity to neighbours or that storage is for occupants of 6 Meadow Lane, in which case it should be located with that dwelling's curtilage.
- (g) Inaccuracies in plans (these have been addressed by amendment).
- (h) Container has been located on site for some time – 18 months or more. Has taken a long time for applications to come forward.
- (i) Applicants did not consult local residents prior to siting.
- (j) Grant of consent would set a precedent for similar items to be located on the site.
- (k) Seek containers to be removed as soon as reasonably possible.

### **Planning Comments – Key Issues**

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

- (a) Impact upon Character and Appearance of the Countryside;
- (b) Impact upon Residential amenity;
- (c) Nature of intended use.

#### ***Impact upon Character and Appearance of the Countryside***

12. The container is proposed to be sited on a relatively open area of land to the rear of the adjoining dwellings in Meadow Lane, Fend End and Barns Close, with little screening afforded naturally. Given the proposed location of the structure and the open nature of the parcel of land it is considered unlikely that any degree of planting could take place that would screen the structure from the various vantage points afforded to the site, without either altering the landscape of the area significantly, taking up a large proportion of the site or by being incongruous in its own right.
13. Notwithstanding this point, however, it is not unreasonable or uncommon for the applicants to require storage on the site for purposes related to the use of the land. To that end officers and members must be satisfied that any development on the site is appropriate to its location.
14. Since the time of the previous proposal the applicants have sought to revise the scheme so that the design of the proposed structure is in keeping with its intended location. To this end they are proposing to retain the existing container, but clad it on all sides with feather-edge timber boarding so that the metal container is hidden within the appearance of a timber shed. The applicants have argued that they wish to retain the container within the cladding as they consider it to be a more secure structure than a standard timber construction. One side of the structure has been clad to this effect currently, with further works awaiting the outcome of the planning application.
15. Although the resultant structure would be relatively large, I am of the view that subject to the timber cladding being completed, the proposal would result in a structure broadly in keeping with its location. Should members consider the scheme to be acceptable, conditions of consent can require any works, to make the appearance of the development acceptable, to be completed within a prescribed timescale.

#### ***Impact on Residential Amenity***

16. Although visible from numerous dwellings, any physical impact arising from the siting of the structure will be felt by the dwellings at 6 and 10 Meadow Lane, given that these

are the two dwellings with a common boundary in close proximity to the proposed structure.

17. Whilst visible from various parts of the rear garden serving numbers 6 and 10, the structure, in its revised position, would not extend along the width of either curtilage, as was the case with the earlier scheme. Furthermore, the structure is proposed to be approximately 2.7m further from the rear boundary of no. 10's curtilage than the previous scheme.
18. By virtue of the revised siting and location of the container, it will not result in any loss of light to the adjoining garden and would no longer former a complete visual barrier, providing the previous sense of enclosure to the neighbouring garden. On this basis I am of the opinion that the second reason for refusing the application has been overcome.

### ***Nature of Intended Use***

19. The concerns raised by the occupants of adjoining residences are noted in respect of the intended use of the structure. However, the applicants have made no reference to and have not applied for a change of use of the land from its existing status as an agricultural field, and have stated that the container would be used for purposes incidental to that use. The Authority can only consider the merits of the proposal against that intended use. Should any subsequent change of use be sought, the impact of that proposal would be considered on its own merits. The grant of permission for the structure based upon an agricultural use of the land would not prejudice the consideration of any future proposals.
20. Noting the comments of the Chief Environmental Health Officer and given that the applicants are proposing the siting of an agricultural storage facility, affording the opportunity for activity within the structure, a condition regarding the use of power operated machinery appears reasonable. However, should the use of the site change to the point at which commercial activity was occurring on a regular basis, involving increased traffic generation, such activity would be likely to require formal planning consent. As such, conditions regarding movement of vehicles appear unnecessary and unreasonable in relation to the development proposed. Similarly any floodlighting would constitute development requiring planning permission. It would therefore also not be necessary to impose a condition of consent in this regard.

### **Recommendation**

21. Approve (as amended by letter and plans date stamped 28<sup>th</sup> November 2008).

### **Recommended conditions of consent**

1. The storage container, hereby permitted, shall be removed from the site unless within a period of 3 months from the date of this consent, the container, has been clad on all four elevations in feather-edge timber boarding  
(Reason - To minimise the visual impact of the development in the countryside in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
2. No power operated machinery (or other specified machinery) shall be operated on the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing by the Local Planning Authority in accordance with any agreed noise restrictions. (Rc - 38)

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

- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Planning Files Ref: S/1568/08/F, S/0420/08/F and S/0223/06/F
- Documents referred to in the report including appendices on the website only and reports to previous meetings

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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<b>REPORT TO:</b>	Planning Committee	14 January 2009
<b>AUTHOR/S:</b>	Corporate Manager – Planning & Sustainable Communities	

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**APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION:  
SUMMARIES OF DECISIONS OF INTEREST – FOR INFORMATION****Purpose**

1. To highlight recent Appeal decisions of interest. These form part of the more extensive Appeals report, which is now only available on the Council's website and in the Weekly Bulletin.

**Summaries****Barratt Homes Limited – Erection of 182 dwellings – Land parcel L2 and land to rear of POS 5, Arbury Camp, Kings Hedges Road, Impington – Appeal dismissed.**

2. This appeal followed the Council's non-determination of a scheme for a mix of 1-, 2- and 3-bedroom dwellings as part of the ongoing development at Arbury Camp. The appeal was recovered for the Secretary of State's determination because it could significantly impact on the Government's objective of securing a better balance between housing demand and supply and the need to create high quality, sustainable, mixed and inclusive communities. The inquiry sat for five days. The inspector had recommended that the appeal be dismissed. The Secretary of State accepted most of her conclusions.
3. The main issues focussed on the need to create a high quality, sustainable, mixed and inclusive community.
4. The Arbury Park development was granted outline planning permission in accordance with a Development Framework Plan. This designated the appeal site for use as part commercial and part residential use. Nonetheless, the Secretary of State was satisfied that, as a matter of principle, the site could be developed solely for housing. This would not compromise planning policies aimed at securing sustainable development.
5. While the proposal would make efficient use of land in terms of density, the Secretary of State accepted there were several deficiencies in respect of its design. The scale and massing of part of the scheme next to the area of public open space would be overly dominant and incongruous. There were also concerns regarding the layout of car parking areas and that some of the flats would not provide satisfactory living conditions for future residents. The levels of car parking and open space were found to be satisfactory. There were, however, insufficient measures to provide renewable energy in accordance with adopted standards.
6. The Council had objected to the amount of affordable housing offered by the appellant. The appellant's default option was around 25%, which was below the

policy requirement. This also excluded the use of renewable energy technologies and thus reduced even further the ability of the scheme to generate its own energy. While there was a second offer to provide up to 40% affordable housing, this created uncertainty about the mix and its delivery. In the circumstances, the Secretary of State found there was insufficient evidence to justify a relaxation in development plan requirements

7. Other concerns regarding noise, air quality, traffic flows and biodiversity could all be satisfactorily addressed.
8. Overall, the Secretary of State concluded that the proposal would not accord with development plan policy and would fail to provide a high quality, sustainable, mixed and inclusive community. The appeal was therefore dismissed.

**Mr D Daish – Removal of condition that requires occupation of dwelling in conjunction with Hare & Hounds PH – 62 High Street, Harlton – Appeal allowed**

9. The new dwelling at 62 High Street was approved in May 2004 and is occupied. The reason given for the condition restricting its future occupation was to protect the amenity of the occupiers of neighbouring properties. However, the reason for refusal to carry out the development without the condition was to protect the residential amenity of future occupiers of the new dwelling. For clarity, the inspector addressed both matters.
10. The dwelling is situated between the public house and its pub garden. Removal of the condition would mean that residents would have no control over the pub's rear yard adjacent to the front door of the dwelling, or over the garden or car park to the rear and side of the dwelling. Nonetheless, the inspector found the dwelling is well screened. This affords complete privacy to its main windows and courtyard garden. The front door is also along a narrow screened passage and there was therefore unlikely to be any conflict between the use of the dwelling and the pub. The occupants of the dwelling could be inconvenienced through inconsiderate parking in the pub car park or from late night noise and disturbance. However, these risks were not significantly greater than for other nearby dwellings. Future occupants of the dwelling would be aware of the potential risks before they occupied the property. Whilst set back behind most of the buildings along the High Street, occupancy of the appeal dwellings is unlikely to harm the occupants of other properties.
11. There was, therefore, no need for the condition or to restrict occupancy of the dwelling.

**Northern affordable Homes Ltd – 19 affordable dwellings – Land at the Valley, Comberton – Appeal dismissed**

12. This application was refused by the Planning Committee due to the impact of the increased traffic generated on congestion in surrounding streets, resulting in harm to the amenities of local residents. The inspector also considered the impact on highway safety as a result of local objections. While the site lies in the Green Belt, it was accepted that it is not inappropriate development and there was no Green Belt issue.
13. The inspector based her conclusions on traffic impact following a mid-morning site visit and photographs provided by third parties. She had also been invited to make an evening visit. She found that The Valley suffers from parking congestion, largely caused by residents' cars and vans. Off-street parking is limited and parking occurs

in the turning heads and parking bays and partially on the footpaths. She observed there is often only enough room for one vehicle to pass at a time. She accepted that at weekends and evenings, there is likely to be a marked increase in parked vehicles. Garages appear to be quite small and are not used to park vehicles.

14. These factors were considered to contribute to increased accident risk and to reduce intervisibility between drivers and pedestrians. Pedestrians experience inconvenience with particular difficulties for partially sighted, older and disabled people, and those with prams and pushchairs. In these circumstances, pedestrians, including schoolchildren, are likely to walk along the carriageway.
15. To open up the head of the cul-de-sac to provide access for another 19 properties would result in a material increase in traffic both along The Valley and Harbour Avenue. This would only exacerbate the existing situation. The proposed road improvements and parking provision would not overcome this harm and traffic speeds may actually be increased as a result.
16. Thus while the need for more affordable housing was acknowledged, the balance lay in safeguarding existing living conditions and avoiding further risks to highway safety. The appeal was therefore dismissed.

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**INDEX OF CURRENT ENFORCEMENT CASES**  
**14<sup>th</sup> January 2009**

Ref No	Location	See Page No for full update	Remarks
18/98	Setchell Drove COTTENHAM	1 - 3	Plots 7, 7A and Four Winds being monitored.
34/98	Camside Farm Chesterton Fen Road MILTON	3 - 8	Defendants appeared before Cambridge Magistrates Court on 15 <sup>th</sup> May 2007. Each given a conditional discharge for 18 months with £200 costs. Planning permission S/1653/07/F approved 12 <sup>th</sup> August 2008. Letter received from defendants' Solicitors regarding current circumstances – File submitted to Legal for opinion.
10/03	Plot 12 Victoria View, Smithy Fen COTTENHAM	9 - 11	Site being monitored. Not currently proceeding with legal action as a result of decision by Planning Sub-Committee on 18 <sup>th</sup> June 2007.
15/03	Plots 1-11 Victoria View Smithy Fen COTTENHAM	11 - 13	Site subject of injunction.  Dismissed by the Court of Appeal 28 <sup>th</sup> October 2008 – Injunction application stayed until 2 <sup>nd</sup> January 2009.
19/03	Land adjacent to Moor Drove Cottenham Road HISTON	14 - 16	Application for injunction refused by the High Court, 5 <sup>th</sup> June 2008. Planning Appeal allowed, planning conditions to be monitored. All schemes required as part of the planning conditions have been submitted within timescale.
9/04	Land adjacent to Cow Fen Drove SWAVESEY	16 - 18	Defendant appeared at Cambridge Magistrates Court on 10 <sup>th</sup> January 2008. Each fined £700 with £200 costs. Refusal of planning permission S/1823/07/F and S/1834/07/F appealed. Hearing date listed for 6 <sup>th</sup> January 2009.
13/05	Plots 5, 5a, 6, 10 & 11 Orchard Drive COTTENHAM	18 - 19	Planning Appeal dismissed. Report to be considered by Planning Sub Committee.

Ref No	Location	See Page No for full update	Remarks
18/05	Land off Schole Road (known as Cadwin Lane) WILLINGHAM	19 - 20	Three year temporary planning permission granted for 3 plots. Injunction granted on 18 <sup>th</sup> November restricting development on plots 3 and 4. Planning application S/2330/06/F - three year temporary consent approved for plot no. 5. Plots 3 & 4 continue to be monitored.
4/06	Plot 15 Water Lane Smithy Fen COTTENHAM	21 - 22	Appeal dismissed on 29 <sup>th</sup> January 2007. File submitted for an application for an injunction.
8/06	1 London Way Clunchpits MELBOURN	22 - 23	Appeal allowed in part and dismissed in part. Partial compliance. Landscaping scheme now approved. Highways & Environmental Health issues reviewed on site. Findings to be published shortly.
12/06	Unit J Broad Lane COTTENHAM	23 - 24	Planning application S/0334/08/F refused and Appeal lodged. At Cambridge Magistrates Court on 29 <sup>th</sup> May 2008 the defendant was fined £1,000 for breach of Enforcement Notice and £500 for Breach of Condition with costs of £300. Planning application S/1017/08/F refused at Planning Committee 3 <sup>rd</sup> September 2008. Appeal Inquiry date 2 <sup>nd</sup> & 3 <sup>rd</sup> December 2008 – waiting decision.
7/07	The Drift Cambridge Road BARTON	24 - 25	Appeal dismissed on the 1 <sup>st</sup> April 2008. Compliance date 1 <sup>st</sup> October 2008 Partial compliance. Discussions continue.
8/07	Land adjacent to Church Farm STEEPLE MORDEN	25	Appeal dismissed in part on 6 <sup>th</sup> June 2008. Compliance date to remove containers 6 <sup>th</sup> December 2008. Notice complied with. Remove from active list.

Ref No	Location	See Page No for full update	Remarks
12/07	The Firs 117 Duxford Road WHITTLESFORD	25 - 26	Enforcement Notice issued for unauthorised wall. Appeal dismissed. Planning application S/0360/08/F approved 25 <sup>th</sup> April 2008. Monitoring planning conditions. Further planning application S/1701/08/F submitted. Refused at Chairman's Delegation 10 <sup>th</sup> December 2008 – Enforcement Notice effective in three months unless a planning application is submitted that significantly lowers the height of the wall/fence, brick pillars and gates.
16/07	38 Silver Street WILLINGHAM	26	Enforcement Notice issued 28 <sup>th</sup> September 2007 for unauthorised work on listed building. At Cambridge Magistrates Court on 10 <sup>th</sup> January 2008 the owner was fined £10,000 for unauthorised works. A listed building application S/0192/08/LB, approved 19 <sup>th</sup> March 2008 complies with first part of the Enforcement Notice. Site is being monitored for compliance.
17/07	Lordship Cottage Fardells Lane ELSWORTH	27	Enforcement Notice appealed. Hearing 25 <sup>th</sup> November 2008 - Waiting result.
18/07	North Hall Farm Barley Road GREAT CHISHILL	27	Enforcement Notice issued 6 <sup>th</sup> December 2007 for unauthorised use of farm offices. Enforcement Notice appealed. Appeal dismissed 7 <sup>th</sup> October 2008, 6 months compliance period.
1/08	7 Flitmead CAMBOURNE	27 - 28	Appeal dismissed 16 <sup>th</sup> June 2008. Enforcement Notice Compliance date 16 <sup>th</sup> July 2008 not complied with. Prosecution file submitted, hearing date to be advised.
2/08	8 Buck Lane LITTLE EVERSDEN	28	Appeal dismissed. Compliance date 29 <sup>th</sup> October 2008 - Enforcement Notice complied with. Remove from active list.

Ref No	Location	See Page No for full update	Remarks
5/08	27/28 Newfields Fen Road Chesterton MILTON	28	Enforcement Notice appealed. Hearing date to be confirmed. Fresh application submitted.
6/08	6 Sunningdale Fen Road Chesterton MILTON	28 - 29	Enforcement Notice appealed. Inquiry date 10 <sup>th</sup> February 2009.
7/08	Lower Camps Hall Farm CASTLE CAMPS	29	Enforcement action authorised by Planning Committee. File submitted to Legal - Enforcement Notice issued.
8/08	43 Fowlemere Road HEYDON	29	Enforcement action authorised by Planning Committee on 2 <sup>nd</sup> July 2008. File submitted to legal. Enforcement Notice issued 11 <sup>th</sup> November 2008. 3 Months compliance period - Appealed.
9/08	Duke of Wellington Public House WILLINGHAM	29	Enforcement Notice issued. Partial Compliance. Further EN to be issued.
10/08	Elizabeth House High Street HORNINGSEA	29	Enforcement Notice issued – Appealed.
11/08	5 Home Farm 89 High Street HARSTON	30	Listed Building Enforcement Notice issued – Appealed.
12/08	Plot 4 Moor Drove HISTON	30	Prosecution file submitted to Legal regarding failure to comply with a “Temporary Stop Notice” Enforcement Notice Issued.
13/08	49 High Street MELBOURN	30	Enforcement Notice issued. Prosecution file submitted to Legal for failing to comply with the Enforcement Notice, hearing date to be advised.
14/08	26 Granhams Road GREAT SHELFORD	30	Enforcement Notice issued - Appealed.