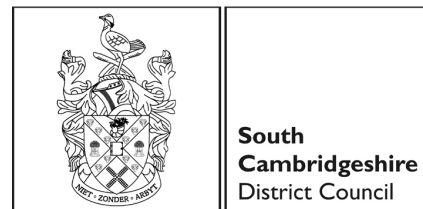


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27 January 2009

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, 4 FEBRUARY 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

|   | PAGES |
|---|-------|
| <b>PROCEDURAL ITEMS</b>   |       |
| 1. <b>Apologies</b><br>To receive apologies for absence from committee members.   |       |
| 2. <b>General Declarations of Interest</b>  | 1 - 2 |
| 3. <b>Minutes of Previous Meeting</b><br>To authorise the Chairman to sign the Minutes of the meeting held on 14 January 2009 (available on the Council's website) as a correct record. |       |

## PLANNING APPLICATIONS AND OTHER DECISION ITEMS

|     |   |                  |
|-----|---|------------------|
| 4.  | <b>S/1771/08/O – Gamlingay (Land South of Station Road)</b><br>The Appendix is attached to the online version of this agenda. | <b>3 - 34</b>    |
| 5.  | <b>S/2088/08/RM – Gamlingay (22a West Road)</b>   | <b>35 - 42</b>   |
| 6.  | <b>S/1873/08/F – Bassingbourn-Cum-Kneesworth (Brook Orchard Farm, Brook Road)</b>   | <b>43 - 50</b>   |
| 7.  | <b>S/2059/08/F – Histon (Land north of 26 Cottenham Road)</b>   | <b>51 - 58</b>   |
| 8.  | <b>S/1945/08/F – Impington (Impington Village College, New Road)</b>  | <b>59 - 68</b>   |
| 9.  | <b>S/2060/08/F – Melbourn (Land to the North East of 19/21 Dolphin Lane)</b>  | <b>69 - 78</b>   |
| 10. | <b>S/1669/05/F – Teversham (750-754, Newmarket Road)</b>  | <b>79 - 82</b>   |
| 11. | <b>S/1822/08/F – Pamisford (Solopark PLC, Station Road)</b>   | <b>83 - 88</b>   |
| 12. | <b>S/2029/08/F – Guilden Morden (5 Cold Harbour Farm)</b>   | <b>89 - 92</b>   |
| 13. | <b>S/1811/08/F – Landbeach (Walnut Farm Yard, High Street)</b>  | <b>93 - 104</b>  |
| 14. | <b>S/1919/08/F – Willingham (3 Cadwin Field, Schole Road)</b>   | <b>105 - 110</b> |

## INFORMATION ITEMS

The following items are included on the agenda for information and are available in electronic format only (at [www.scambs.gov.uk/meetings](http://www.scambs.gov.uk/meetings) and in the Weekly Bulletin dated 28 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.

|     |   |                  |
|-----|---|------------------|
| 15. | <b>Appeals against Planning Decisions and Enforcement Action</b><br>Summaries of Decisions of interest attached, relating to: <ul style="list-style-type: none"><li>• <b>Barrington:</b> Erection of dwelling – Hillside, Orwell Road – Appeal dismissed</li><li>• <b>Cottenham:</b> Use of premises without complying with conditions imposed on a previous planning permission – Unit J, Broad Lane Industrial Estate – Appeal allowed. Appellant's application for costs against the Council dismissed</li><li>• <b>Impington:</b> Erection of 20 affordable dwellings – Land adjacent to St George's Court – Appeal dismissed.</li><li>• <b>Over:</b> Change of use from light industrial to licensed premises (private members club) – 16a Norman Way Industrial Estate, - Appeal dismissed</li><li>• <b>Stow-cum-Quy:</b> Erection of dwellings and car port – 64 Station Road – Appeal dismissed</li></ul> | <b>111 - 116</b> |
|-----|---|------------------|

### Contact officers:

Gareth Jones, Corporate Manager (Planning and Sustainable Communities) – Tel: 01954 713155  
John Koch, Appeals Manager (Special Projects) – Tel: 01954 713268

**16. Appeal Statistics**

**Contact officers:**

Gareth Jones, Corporate Manager (Planning and Sustainable Communities) – Tel: 01954 713155

John Koch, Appeals Manager (Special Projects) – Tel: 01954 713268

**17. Planning Sub-Committee**

To receive the minutes of the meetings held on 29 July 2008, 2 December 2008 and 13 January 2009.

## **GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL**

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

### **Security**

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

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

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

### **First Aid**

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

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The Council is committed to improving, for all members of the community, access to its agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you. All meeting rooms are accessible to wheelchair users. There are disabled toilet facilities on each floor of the building. Hearing loops and earphones are available from reception and can be used in all meeting rooms.

### **Toilets**

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

### **Recording of Business**

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

### **Banners, Placards and similar items**

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

### **Disturbance by Public**

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

### **Smoking**

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

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

### **Mobile Phones**

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

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

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

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

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

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

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

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

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

You can have your say about the application or other matter but you must bear in mind that you are limited to three minutes. You should restrict yourself to material planning considerations: Councillors will **not** be able to take into account issues such as boundary and area disputes, the perceived morals or motives of a developer, the effect on the value of property (including yours), loss of a private view over adjoining land (unless there is 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'.

## South Cambridgeshire District Council

## Planning Committee – 4 February 2009 – Declaration of Interests

Councillor .....

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

Item no: ..... App. No. .... Village: .....

Reason:

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

Item no: ..... App. No. .... Village: .....

Reason:

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

Item no: ..... App. No. .... Village: .....

Reason:

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

Item no: ..... App. No. .... Village: .....

Reason:

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

**Reason:**

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

**Item no:** ..... **App. No.** ..... **Village:** .....

**Reason:**

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

**Item no:** ..... **App. No.** ..... **Village:** .....

**Reason:**

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

**Item no:** ..... **App. No.** ..... **Village:** .....

**Reason:**

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



**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee4<sup>th</sup> February 2009**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

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**S/1771/08/O - GAMLINGAY****Mixed Residential and Employment Use including Construction of Access Road,  
Provision of Open Space, Landscaping and Balancing Pond,  
Land South of Station Road for Merton College****Recommendation: Delegated Approval****Date for Determination: 7<sup>th</sup> January 2009 (Major Application)****Notes:**

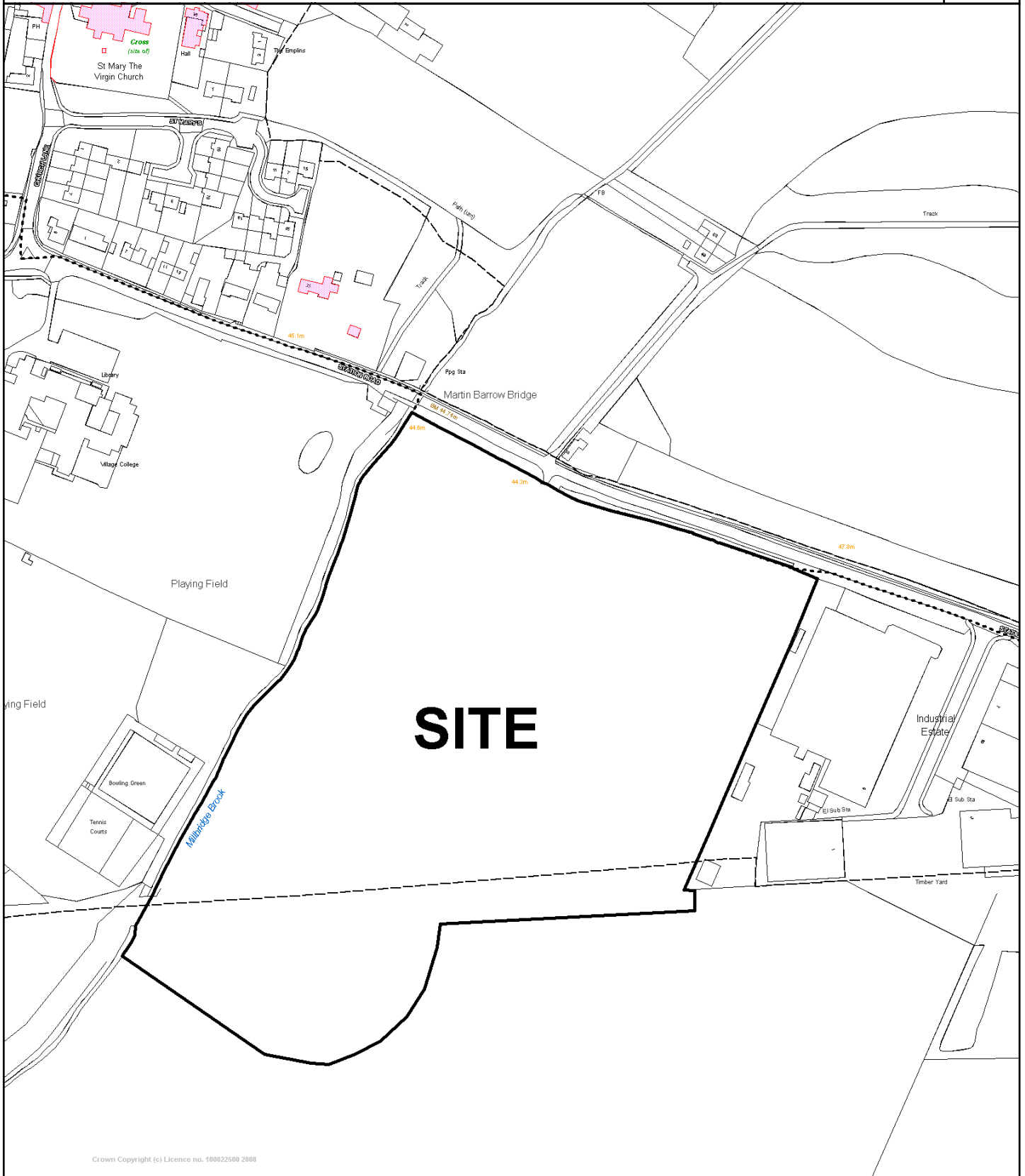
**This Application has been reported to the Planning Committee for determination because the proposal represents a departure from the development plan to which objections have been received.**

**Members will visit this site on Wednesday 4<sup>th</sup> February 2009**

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

1. This outline application, as amended by letter and drawings received 18 December 2008 and 13 January 2009 proposes development of a 7.18ha of land to the south of Station Road for mixed residential and employment purposes, including the construction of an access road, the provision of open space, landscaping and balancing pond.
2. All matters are reserved for consideration at the reserved matters.
3. The site, which is currently in agricultural use, is immediately to the west of the existing Station Road Industrial Estate. To the west the site is bounded by Millbridge Brook, beyond which is the Village College. To the south is agricultural land. The land to the north, on the opposite side of Station Road, is within the Conservation Area and is open fronted at the western end but well treed along the eastern end of its frontage. Midway along the frontage is a small Grade II listed cottage.
4. The site itself is open on its frontage to Station Road, although the land is banked. The western end of the site is fairly flat but then rises steeply one-third of the way along before levelling out for the remainder of the site. The land at the western end of the site, to be used for recreational purposes, is within the flood plain. This land is already in recreational use and has been transferred to Gamlingay Parish Council on a 99 year lease.

S-1771-08--0



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February 2009 Planning Committee

5. The application indicates the provision of approximately 85 dwellings incorporating 40% affordable housing and employment providing around 3,270 sq.m of floor area suitable to accommodate light industrial, office and research and development premises suited to accommodate the needs of small 'start-up' and developing businesses.
6. An indicative layout plan shows the employment floor space located at the east end of the site, adjacent the existing industrial estate, with the recreational land at the western end with the housing development between the two. The application states that 85 dwellings will equate to a density of 34 dwellings per hectare, with a mix being provided in line with the requirement of Policy HG/2. In the Design and Access Statement it is indicated that the ridge height of the proposed dwellings will be between 6m and 9m and the ridge height of the employment buildings will be between 8m and 8.5m.
7. A single point of access is to be provided to Station Road in the same position, and to the same specifications, as an existing entrance which benefits from an extant planning consent in connection with the allocated use of the site for employment purposes (See History below).
8. The application is accompanied by a Design and Access Statement, Flood Risk Assessment, Foul Drainage Assessment, Environmental Noise Impact Assessment, Environmental Desk Study, Transport Assessment, Workplace Travel Plan and Ecological Assessment.
9. As part of the application the applicants have put forward heads of terms for a legal agreement and includes a contribution towards improving education facilities and bus stops (as required by Cambridgeshire County Council); the provision of 40% affordable housing, a sum towards the maintenance of public open space and public art as required by LDF policies); the transfer of up to 4 acres of land in Dutter End on a 99 year lease for allotment use, the transfer of freehold ownership of land at St Mary's Field, including the land fronting Station Road, the transfer of the freehold ownership of the Millbridge Brook recreation land, allow permissible footpath routes; the payment of financial contributions in respect of the establishment of a cemetery/recreation area on St Mary's Field, towards establishing allotments at Dutter End, towards establishing the Millbridge Brook recreation area, a sum towards the Phase 3 community centre improvements, a sum towards the youth pavilion, a sum towards street lighting improvements and a sum towards assisting parking improvements in Church Street.

### **Planning History**

10. The main body of the site is currently allocated for employment use in the South Cambridgeshire Local Development Framework 2007, having been first allocated for this use in the 1993 Local Plan. The comments of the Planning Policy Team below give a detailed breakdown of the history of the site in relation to the Development Plan.
11. Outline consent was granted in 1996 for the use of the site for industrial development (Class B1 and B2) (**Ref: S/1479/95/F**). That consent was subsequently renewed in 1998 (**Ref: S/1768/08/O**), in 2001 (**Ref: 1737/01/O**) and in April 2005 for a further 3 year period (**Ref: S/1302/04/F**).
12. In 2002 planning consent was granted for the construction of an access road to serve industrial development, use of land in connection with industrial development,

associated landscaping and engineering works involving the construction of a balancing pond, and the use of land for recreational purposes (**Ref: S/1467/97/F**).

13. That consent has been implemented by virtue of the use of land for recreational purposes, which has commenced.
14. There is a current planning application on land to the east of the application site, as amended, for an extension to the KMG factory building. That application is yet to be determined (**Ref: S/1830/08/F**).

### **Planning Policy**

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

### **Policy ST/5 – Minor Rural Centres**

16. *South Cambridgeshire Local Development Framework – Development Control Policies 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 HG/1** - Housing Density

**Policy HG/2** - Housing Mix

**Policy HG/3** - Affordable Housing

**Policy NE/1** - Energy Efficiency

**Policy NE/6** - Biodiversity

**Policy NE/9** - Water and Drainage Infrastructure

**Policy NE/12** - Water Conservation

**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

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

**Policy SF/11** - Open Space Standards

**Policy NE/15** – Noise Pollution

### **Consultation**

17. **Gamlingay Parish Council** recommends refusal:

“The Council has resolved on 22<sup>nd</sup> July 2008 to consider a proposal to submit a planning application for change of use to part industrial part residential on this site, subject to the normal planning process. The Council recognize that this is a departure from current planning policy framework.

It was proposed that Gamlingay Parish Council (GPC) recommend refusal of the current planning application as it fails to satisfactorily address the major concerns of traffic, safety, and the range of community benefits. These benefits specified in the application do not seem to fit the longer term aims of the Parish Council and the community as discussed in closed session.

In determining the application the Planning Committee demanded that if SCDC were minded to approve the planning application the following conditions and obligations be provided:

- (a) that GPC be party to the Section106 negotiations;
- (b) that if the Section106 agreement is not to the satisfaction of GPC the application be referred back to the District Councils Planning department;
- (c) The specifics relating to these major concerns are as follows:-

If SCDC were minded to approve the following issues need to be addressed:

1) Traffic and safety

- i) A form of traffic flow control to address speeding and congestion along Station Road
- ii) Remodelling of Church lane/Stocks Lane junction to cope with lorry turnings, dedicated pedestrian walkway (protected) and safe crossing point/zebra crossing.
- iii) Provision of 2 metre wide pathway from development to Stocks Lane junction on side of the development, incorporating pedestrian bridge over brook if necessary to address pinch point/width restriction, or incorporation of a solution through the Millbridge brook open space.
- iv) Provision of suitable footway and highway lights along entire length of Station Road from the site to Stocks Lane junction.
- v) Realignment/redesign of road frontage in front of middle school in terms of pathways and vehicular access, increasing visibility splays and drop off/pick up bays to reduce congestion/on street parking.
- vi) No through road- Church Lane to Church Street/Wheatsheaf pub to prevent a rat run.
- vii) Movement of 30mph limit to village entry point on other side of railway bridge on Hatley Road from 40mph.

2) Community benefits

- i) Requirement for all affordable housing to have a local restrictive covenant to ensure that the housing needs of the village are able to be accommodated here in perpetuity.
- ii) A satisfactory range of community benefits be delivered via a s.106 agreement, and a satisfactory mechanism to ensure benefits being derived for the village by separate/ private agreement between the Parish Council and the applicant are recognized.

- iii) Millbridge brook is to provide informal recreation space only-ground is not suitable for formal equipment, and provision of equipment/contributions by the developer should be provided for the Butts Play area for older children. Provision should be provided within the housing development itself for smaller children."

18. The **Planning Policy Team** comments that the application site has a long history as an employment site in successive plans since the early 1990's. Despite being an allocated site for 17 years, the only development that has taken place is the expansion of a neighbouring employer onto a small part of the site. An understanding of the planning policy history does however assist with the determination of this planning application where the objective remains to secure some additional employment in Gamlingay for which there is an identified demand in the District as a whole but requires some assistance to be secured in Gamlingay.

(a) 1993 Local Plan

The Deposit version of the 1993 Local Plan contained a package of linked proposals for Gamlingay comprising:

- (a) the redevelopment of the R & H Wale site in Green End for housing;
- (b) the allocation of land owned by Trinity College on Honey Hill for housing, a site created by a proposed link road (see (d) below);
- (c) the allocation of land owned by Merton College on Station Road for employment relocating from the R & H Wale site; and
- (d) a link road from Potton Road to the employment area on Station Road funded by the Honey Hill and Station Road allocations.

Whilst the Inspector who considered the objections to the Local Plan was supportive of this strategy in his report, his changes 'unpicked' the strategy as follows:

- (i) the removal of the link road;
- (ii) the allocation of the Trinity site for housing development in its own right and;
- (iii) severing any policy link between the redevelopment of the R & H Wale site for housing and the Merton College site for employment but noting in the supporting text "This site is capable of accommodating the uses on the R H Wale site. Such a move would enhance the village centre by removing commercial traffic and reducing noise and other disturbance in residential parks."

In his 1992 report the Inspector commented "Although circumstances may not be propitious at present, it is reasonable to hope and to expect that they will become so during the next nine years or so. I therefore see no good reason to doubt that the proposals would be likely to be implemented during the life of the Plan."

(b) 2004 Local Plan

Twelve years later, the 2004 Local Plan retained the employment allocation on Station Road but dropped the housing allocation on the R & H Wale site.

The deposit version of this Local Plan retained the housing allocation on the R & H Wale site but responding to representations the Council agreed to the deletion of this allocation. The Inspector's report records "A number of objectors opposed residential allocation of the R & H Wale site, mainly on the basis that there was little likelihood of it being implemented during the plan period. The District Council now recognises this point and acknowledges the sustainability benefits of retaining a local employment site in the centre of the village. The Pre-Inquiry changes thus replace the allocation with a new housing allocation, i.e. 1.75ha of land off Wootton Field to the south of West Street.

The removal of the Green End allocation was welcomed by the Parish Council and others but they consider that the change did not go as far as it should. In their view industrial use of the site is no longer the problem that it once was; consequently the land should be more positively safeguarded for continuing employment use in the interests of maintaining the overall sustainability levels of the village".

The R & H Wale site was subsequently covered by Local Plan 2004 policy EM8 which sought to restrict the loss of employment sites in villages to other forms of non-employment generating development such as housing.

Responding to objections from Merton College, the Inspector saw the continued allocation of the Station Road site served a planning purpose, as it would enable more employment development within the village making it more sustainable.

(c) Site Specific Policies DPD

Submitted to the Secretary of State in January 2006, the Site Specific Policies DPD retains the 2004 employment allocation to help make the village more sustainable.

(d) Core Strategy Review

In preparing for the review of the Core Strategy, the District Council followed the advice in Planning Policy Statement (PPS) 3 "Housing", which at paragraph 44 advises local planning authorities to consider whether sites that are currently allocated for industrial or commercial use could be more appropriately re-allocated for housing development.

Jointly with Cambridge City, the Council followed this advice and carried out an Employment land review of all employment land (allocated and with planning permission) in South Cambridgeshire following guidance set out in Employment Land Reviews: Guidance Note, ODPM, 2004.

That study concluded that South Cambridgeshire had a substantial oversupply of employment land and of particular relevance to the current planning application that there was a lack of demand for the Station Road Gamlingay site. This lack of market demand is evidenced by the granting and renewal of outline planning permission in 1996, 1998 and 2001 with the normal submission of reserved matters being amended in 2004 to add a further 3 years.

A mixed housing and employment development

Subsequent discussions with Merton over the future use of the land have included ways of bringing forward some employment use on the site to improve the job balance in Gamlingay as part of a mixed housing and employment development. This now appears to be the best way forward to secure the policy objective of providing additional employment in Gamlingay.

A report commissioned by the Greater Cambridge Partnership (Economic Interventions for the Greater Cambridge Sub-region, Roger Tym & Partners 2006) included in its findings market evidence to suggest that, whilst there is an availability of specialist supported hi-tech start-up accommodation, there is a lack of supported small incubator space for small business start-ups and unsupported space for both general and hi-tech start-ups, which would underpin new business growth in high value added sectors. They also identified an unmet demand for move-on space.

In order to ensure that small business units are provided as part of this development to help increase employment opportunities in Gamlingay, any planning permission for residential development of the application site should be tied by a Section 106 Agreement to the provision of the proposed business space. This should take the form of a phasing agreement linking the commencement of stages of the housing development to the completion and marketing of stages of the employment development if necessary with start-up funds being made available for managing the units, which, to be successful, are likely to have a frequent turnover of occupiers.

19. The **Urban Design Team** makes detailed comments on the illustrative layout and highlights that further consideration should be given to key focal/gateway buildings, improved legibility, position of green spaces, visual permeability and built relationship. It concludes that the indicative layout is helpful in achieving the fixes on the parameters for the proposed development at this stage with an understanding that design concerns raised over street layout, parking and other areas will be resolved in a future detailed application. A view is also given on what level of information should be shown in order that this plan, along with other parameter plans and associated text form a sound basis for the consideration of a reserved matters application. Overall the applicant still needs to revise the entire illustrative plan so that all the information is shown relating to the proposed application in a series of 'parameter plans'. The applicant is required to submit a series of parameter plans justifying the proposed layout, covering issues like Access, Landscape, Density and Urban Design in further stages.
20. The **Local Highway Authority** requests that visibility splays of 2.4m x 120.0m are provided prior to the commencement of development. No dwellings should be served from the industrial access road, which affects plots 24, 25 and 26. The size of the parking courts should be reduced; there should be no more than eight to a parking court. Dimensions should be shown for the access, kerb radii, internal access roads and footways

In respect of the industrial section of the scheme a plan should be required showing the tracking of an HGV to demonstrate that turning areas provided will work satisfactorily. Cycle parking provision should be made.

It comments that it will seek the provision of a footway link to the village along Station Road from the development to provide a link to Stocks Lane.



21. **Cambridgeshire County Council**, in commenting on the Traffic Assessment, has confirmed that, following further discussions with the applicants agent and the submission of additional information concerning vehicular trip generation for the B1 use; daily trip generation of the B1 use; vehicular trip distribution; A1198/A603/B1042 junction modelling capacity assessment; and traffic growth, that the submission is acceptable.

It notes SCDC policies ST/5, DP/1 and TR/1, which are considered relevant in the determination of the application. Mindful of these policies it is noted that the current public transport provision serving Gamlingay is significantly less than the level of transport needed to support housing growth of the scale proposed and that existing public transport services struggle in terms of financial viability, with no prospect of any significant improvement in the foreseeable future. Gamlingay is relatively remote from key generators of travel such as major employment centres. It is very unlikely that the size of development proposed would generate sufficient demand to financially support any increase in the service level of any of the bus services serving Gamlingay on a commercial basis. If developer funding were secured for a limited time it would necessitate a decision in due course as to whether the County Council would continue to support those. In the light of this, if the District Council were minded to permit the application the County Council would not require a contribution from the developer towards the enhancement of bus services serving Gamlingay. Whilst the County Council considers that such improvements would be necessary to support the development to meet policy objectives they could not be sustained commercially without a much greater increase in population than the proposals would bring.

The County Council therefore has significant concerns regarding the suitability of the development in terms of meeting national, regional and local sustainable transport objectives. While there is no transport objection to the proposals on the grounds of highway capacity or safety, residential development of this scale would be contrary to SCDC LDF policy as it relates to location of development and minimising the need to travel, minimising distance travelled, and reducing car dependency.

Noting the above if the District Council is minded to grant consent contributions should be sought to fund the upgrade and enhancement of bus stops in Gamlingay that residents associated and employed with the development would be likely to use. The Transport Assessment describes 5 bus stops, 2 in Stocks Lane/Blythe Way, 2 in Church Street/Waresley Road and one Grays Road. Waresley Road. The indicative cost per bus stop is £15,000 and therefore a total contribution of £75,000 is sought from the developer. The figure includes the potential to provide real-time passenger information, raised kerbs to enable level boarding, new shelter and commuted sums to the Parish Council for maintenance.

It comments that whilst the village of Gamlingay has a number of services contained within its confines there are a number of key services, which residents of Gamlingay have to travel further afield to access, such as major areas of employment, major areas of retail, leisure centres, secondary and upper schools and sixth form colleges.

Given the above and the following points –

The applicant has acknowledged that the development is located in a poorly accessible location by virtue of the fact that it is proposing 2 car parking spaces per dwelling, which SCDC parking standards state should only be considered for developments in 'poorly accessible areas';

There is currently no footpath on the south side of Station Road that links the development with the centre of the village;

Relevant national and local policies require new developments to be sufficiently accessible by sustainable modes of transport and to encourage the use of walking, cycling and public transport;

- (a) Gamlingay is poorly served by public transport - in terms of am peak bus services it has only one 80 minute bus service during term time to Cambridge, one bus service to S Neots and one bus service to Biggleswade;
- (b) Nearest bus stops are located 700m from proposed development;
- (c) the County Council does not consider the applicant has demonstrated the proposed development is sufficiently accessible by walking, cycling and public transport to key services or sufficiently encourages these sustainable modes to be considered acceptable.
- (d) The County Council therefore requires the applicant to provide a mitigation package that includes the following:
- (e) Path on the southern side of Station Road that links the development to the village;
- (f) Provision of bus stops located within 400m of development;
- (g) Contribution towards enhancement of bus services serving Gamlingay;
- (h) Other public rights of way requirements

Comments have been made in respect of the Residential Travel Plan which can be addressed by condition/agreement.

With regard to the Workplace Travel Plan the section on public transport should be clearer that at present there is only one bus available for employees commuting to work during the am peak hours that has Gamlingay as its destination. It should also be made clearer that all other services mentioned will only be of limited value in terms of commuting to work and may only be of use for employees undertaking work related trips during off-peak hours. The question of how often the demand for cycle parking be monitored should be addressed.

The County Council would expect to see both Travel Plans secured by means of a Section 106 Agreement should the District Council be minded to accept the application.

22. The **Environment Agency** comments that the site is adjacent to the Bedford Group of Internal Drainage Board's (IDB) area and the Board's engineer should be consulted in respect of Floodrisk Assessment, flood risk and surface water drainage.

The adjacent watercourse is under the jurisdiction of the Bedfordshire and River Ivel IDB and the Board should be reviewing the model to ensure it is appropriate for this reach of their watercourse.

The principle that the proposed development has been identified as being outside the 1% probability floodplain with climate change allowance is accepted.

If the Board accepts the model and flood levels as produced then the Agency would not object to the proposed development on flood risk grounds.

The modelled floodplain area is within land associated with the public open space and any landscaping and planting works will need to be agreed with the Drainage Board to avoid detriment to the floodplain regime. It would be prudent to review the use of the space at an early stage, for instance would warning signs be erected or are there deep-water shelf areas that need to be isolated or improved by landscaping?

Surface water drainage proposals will also need to be agreed by the Board if discharging to the Brook. However, the Agency will need to agree any on-site infiltration drainage, as the impermeable areas of the built development are outside the Board's area.

Conditions are requested in respect of ground contamination, surface water disposal and pollution control. The Agency requests that a number of informatives are attached to the decision notice.

23. The **Corporate Manager (Health and Environmental Services)** has commented, in respect of contaminated land issues, that the Environmental Desk Study has highlighted the need for further investigation and requests that this is covered by condition.

In respect of noise issues it is noted that the site is adjacent to an industrial estate and the most critical material consideration will be noise from KMG (metal fabrication) and Pinewood (wood fabrication). It is understood that these units have unrestricted use and both businesses can operate 24 hours.

The site is typically rural, with extremely low background noise levels and there are numerous existing noise sources at the industrial units which have the potential to be detrimental to amenity of future residential premises and may cause statutory noise nuisance. For example it appears that some of the processes can generate noise levels in the order of 117 to 120 dB(A). There is serious concern that the proposals are incompatible with the existing industrial units.

The following environmental health issues need to be carefully considered and appropriately controlled to protect the amenity/health of future occupiers and minimise disturbance to existing premises:

- (a) Construction noise/dust
- (b) Impact of noise from adjacent Industrial Estate on proposed residential
- (c) Noise from proposed office and B1 light industrial use
- (d) Contaminated land
- (e) Health Impact Assessment
- (f) Residential Waste/Recycling Provision

There is concern that the noise assessment undertaken, reliance on noise modelling and the fact that the sustainability of the site appears to rely wholly on noise mitigation/attenuation measures off-site. It is recommended that the application is not determined until further detailed information as detailed below is received.

Conditions should be attached to any consent covering the construction phase restricting the hours of work and construction collections/deliveries, and a scheme to minimise airbourn dust.

The Memorandum, which can be viewed as part of the background papers, sets out very detailed issues and concerns.

It concludes that there are serious concerns about noise associated with the industrial units adjacent to the site and adverse impact on the proposed residential premises.

The information provided regarding noise assessment is inadequate to fully assess and evaluate the ongoing long-term noise impact. There are concerns regarding the reliance on predictive noise modelling that has not been validated/verified, the fact that noise mitigation measures to achieve a suitable noise environment are all off-site at both KMG and Pinewood and whether they can actually be delivered and secured. It would be preferable that noise mitigation measures are fully implemented and checked by detailed noise assessment under a worst-case scenario when both KMG and Pinewood are operating at night time at full capacity.

The application is not felt to be in accordance with PPS1: Delivering sustainable development: Protection and enhancement of the environment, PPS 3: Housing: environmental constraint inadequately considered, Planning Policy Guidance (PPG) 24: Planning and Noise and LDF Policy NE/15 Noise Protection.

On balance, based on the information submitted he recommends that the application is not determined until the further information/clarifications regarding noise as requested, are submitted for consideration and conformation that conditions and or S106 obligations or similar can deliver/achieve an acceptable residential noise environment prior to occupation of residential premises. If the information is not forthcoming the application should be refused.

If approved, conditions should be attached to any consent in respect of noise boundary limits; noise insulation; plant noise scheme; noise management plan; restriction on vehicle types, numbers etc; restrict hours of use for class uses; restrict units to specific class uses; S106 to secure noise mitigation off-site.

In a further memorandum dated 21 January he comments that concerns were originally expressed about the suitability of the proposed site for residential development, due to the impact of noise from the adjacent Station Road Industrial Estate and in particular the operation of KMG Fabrication and Pinewood. Both of these businesses can operate 24 hours a day, seven days a week should demand necessitate

Clarifications and or further information were requested on various issues and assumptions made in the noise impact assessment. Since the initial comments there have been further discussions/correspondence with the applicant's acoustic consultant and two site visits.

Additional information has now been submitted in respect of:

1. The interpretation of PPG24 – most appropriate assessment criterion; dominant noise source affecting proposed site and use of Noise Exposure Categories (NECs) for traffic and or BS4142: "Method for rating industrial noise affecting mixed residential areas" for industrial noise. Existing noise from Station Road Industrial Estate affecting current open and clear development site.
2. Maximum peak noise levels from industrial sources

3. The noise insulation scheme for bedrooms
4. Use of noise prediction model clarifications including validation or verification is provided to support the modelling and facilitate checking/uncertainty analysis
5. Update of progress since the previous assessment was prepared
6. Other factors affecting the predicted noise levels in the noise impact assessment
7. The ability for the Local Planning Authority to control noise levels that are outside the area of the development proposals
8. Issues of concern raised/representation by Pinewood
9. Acoustic feature correction factor in BS 4142 assessment.

The additional information is satisfactory and allows full assessment and evaluation of the ongoing long-term noise impact of the industrial estate. The main information addresses the original concerns regarding the suitability of the site for residential development.

However the following specific concerns and uncertainties remain.

Noise modelling – although the noise modelling used in the acoustic assessment is acceptable and in accordance with the relevant British Standards, as with all predictive modelling, due to the complexity of the real world the actual acoustic environment is inherently variable in both time and space. Whilst the modelling undertaken by the consultant is robust and a useful decision making tool, a precautionary approach is recommended in terms of variability. Will the actual noise predictions/sound propagation be in agreement with actual noise that will be experienced by future residents?

Securing Noise Insulation Measures – ensuring that all noise mitigation measures both on and off site can be fully implemented prior to residential occupation. This is particularly relevant to the off-site noise mitigation measures to the Station Road Industrial Estate, which is outside the control of the development site. Can they actually be delivered and secured?

Boundary acoustic/noise barrier. There is some confusion regarding the actual specification of the proposed boundary acoustic / noise barrier along the boundary between KMG at Station Road Industrial Estate and the development site. The Spectrum Acoustic *“KMG Systems Gamlingay, Noise Control Feasibility Report”* dated November 2008 (Report ref: PJB5157/28271) details a 2m high boundary barrier between the proposed garage and factory extension at KMG. However, it is understood that it may be KMGs intention to install 3m high full acoustic / noise barrier along the boundary between KMG at Station Road Industrial Estate and the development site, the boundary between KMG and Pinewood and between KMG and the Agricultural Land. This appears to conflict with the submitted plans both for this application and KMGs application S/1830/08/F for extension to existing factory, which detail a combination of an acoustic and security type fencing. The higher specification is welcomed. It should be noted that during the site visit to Pinewood on the 19 January 2008 it was observed that three new sound generating pieces of plant

had been relocated / installed on the external façade of Pinewoods Auxiliary Unit adjacent to KMGs rear yard. A partially enclosed plant for local ventilation / dust extract system at a height of approximately of 2-3 metres generates noise that may impact on the proposed residential. A noise barrier at the boundary between KMG and Pinewood and between KMG should provide some additional noise mitigation. This should be clarified with the applicant.

These are minor outstanding issues that are not sufficient to warrant refusal. However they are relevant and require consideration and clarification by the applicant or agent.

Having discussed some of these concerns, it is understood that there are controls or mechanisms within the planning system such as a combination of conditions and or 106 obligations, to ensure the required noise mitigation / insulation measures and or similar are fully implemented including approval of the final detailed layout and orientation design of residential uses to ensure an acceptable residential noise environment prior to occupation of residential premises.

It is the view of the Corporate Manager (Health and Environmental Services) that the full implementation of noise mitigation / insulation measures, confirmation that predicted noise modelling is reasonably achieved and approval of the final detailed layout and orientation design of residential uses are paramount and a prerequisite if this application is to be approved.

There are no objections to residential use on the proposed site and with regard to securing an acceptable noise environment for residential environment and a number of conditions and or section 106 planning obligations have been drafted for inclusion in any decision notice.

These are very much draft conditions and section 106 planning obligations that will require careful consideration and legal advice before finalising. However, if agreeable in principle, the opportunity should be afforded to agree the exact / precise wording and format.

24. The **Housing Development and Enabling Manager** comments that there is a large need for affordable housing in South Cambridgeshire and as this scheme is not an exceptions site, it would not be restricted to those only with a local connection to Gamlingay. The principle of affordable housing on this site is supported provided that the policy of requiring 40% or more on the site can be achieved. The Housing Strategy and Development Team would wish to undertake more detailed discussions with the applicant prior to any submission for detailed permission to ensure that the correct mix and tenure is achieved on this site.
25. The **Trees and Landscapes Officer** comments that the land rises quite sharply from the west and then flattens out. Trees planted at the top of the slope would have maximum impact in screening the new buildings from the west on this rising land. If the public open spaces are aligned along this roughly north-south line they could provide the space necessary for trees of a significant scale. Additional trees could be associated with the residential road which could form the backbone of this housing part of the site

Detailed comments are made about the site layout.

The enclosure of the development within the suggested planting screen is acceptable, replicating the sense of small field enclosures that are still common in some villages. Detailed guidance is given on the form this should take. There should be a minimum amount of incidental open space in the layout for maintenance by the Parish Council other than the main open spaces. Such land should be incorporated into individual gardens.

There should be a hedge at least 5m wide along the boundary with Station Road, with hedgerow trees to reinforce rural character of the road. There should be no access points to individual dwellings.

There should be additional tree planting in the space between the industrial areas and housing.

Open spaces should be designed for increased biodiversity.

26. The **Bedfordshire and River Ivel Internal Drainage Board** comments that the proposed rate of surface water discharge from this site into the adjacent watercourse under the statutory control of the Board is too high and has not been agreed. In accordance with the Board's byelaws no development should take place within 7 metres of bank top, without the Board's prior consent, this includes any planting, fencing or other landscaping.

Planning permission should not be granted without conditions requiring that the applicant's storm water design and construction proposals are adequate before any development commences.

27. The **Ecology Officer** has no objection to the principle of this development although there are still some issues that need resolving. He is aware that the agricultural land had been previously assessed for its arable plant value and was found to be low. He accepts the findings of the Ecological Assessment by Green Environmental.

He is pleased to see the general layout of the public open space and the fact that its transfer is supported by funds in the order of £90K but information on how this figure was arrived at should be supplied in order to assess whether or not it is appropriate.

The application has the potential to deliver biodiversity gain to what was previously agricultural land. However the application appears to have missed the consideration of Millbridge Brook in any detail. This feature has much potential for habitat and amenity enhancement. The brook will form a wildlife corridor running through the village and as such should not be ignored. In this respect it is felt that Policy NE/6 has not been fully met and further negotiations should be sought on the matter.

Furthermore the application proposes an off-site access to Gamlingay Wood and the Wildlife Trust should be fully consulted on the matter as the balance between public access and habitat protection will need to be carefully considered. This issue will require further negotiations and S106 funding to ensure its proper delivery. At present the application cannot be supported when the view of the Wildlife Trust has not been formally obtained.

At the present time a holding objection is submitted until these two issues are discussed in more detail.

28. **Cambridgeshire County Council**, as Education Authority, is concerned that there is not adequate education capacity in the area to support the proposed development.

The development is likely to generate 8.5 pre-school children, 21.25 primary aged children and 17 secondary aged children.

There is sufficient capacity at Gamlingay First Primary but the development is likely to exceed the capacity of the Village College by 7 places.

If permission is granted a contribution of £158,900 is requested to be applied to education facilities serving Gamlingay.

29. The **Conservation Manager** recommends that the application is refused. The proposal is adjacent to the south-eastern edge of the Gamlingay Conservation Area and Listed Buildings at Merton Farm and the Lodge, 55 Station Road. The land slopes significantly down to the west to face the eastern slopes of the village. The site has a rural character and is very prominent in views to and from the village and Conservation Area. Visually the site is unconnected with the built-up village due to the open lands around and to the east of the Village College which separate them and will be further separated by the area indicated as recreation land.

Concerns about the application in principle are:

1. This proposed housing development on a rural agricultural site in the open countryside would appear isolated within the countryside and in the longer term is likely to increase pressure on important open spaces at Merton Manor Farm and the Village School. It is likely to be a precedent for the redevelopment of the playing fields at the Village school, which are between this site and the village, and the area indicated as recreation land.
2. Because of the lack of continuity with the existing settlement and the opposing contours of the land, a substantial housing development on this site will fail to 'knit' into the built framework of the village, but instead would appear in competition with the historic village.
3. The proposed houses would be prominent on the approach to the historic village and Conservation Area and the first indication of the character of the village, but there is insufficient information on the proposed buildings and the character of the development and its impact.
4. Because of the sloping land the houses could not be adequately screened from the village and the approach to the Conservation Area and Listed Buildings.
5. The development would incorporate significant excavation and ground works (especially around the access) because the site is much higher than the road, and there is insufficient information to determine the impact of this on the village and its heritage. Also, whilst an access road has been approved as part of an industrial scheme that gained approval in 2002. The requirements of a residential scheme are likely to be different and a new residential access would compete with the nearest existing residential access at the Listed lodge.
6. The rural context and views of the Listed lodge would be obscured and damaged by the proposed urban development.



7. Substantial historic hedges are characteristic of the approach to the village, but the proposed entrance and landscaping show the continuity interrupted and the hedging replaced in a less substantial and estate manner.
8. The indicative buildings are laid out in a random manner uncharacteristic of the orderly and contained character of the village; and because of larger spans, the houses are likely to dominate the modest Listed lodge building adjacent.

The proposal in principle would therefore have a significant and potentially harmful impact on the interest of Listed buildings and the Conservation Area and refusal is therefore recommended. The information submitted with the application is insufficient to determine the full impact of the scheme on these sensitive historic assets and therefore any application for housing on this site should have full details and be a full application rather than outline.

30. **Anglian Water** does not object to the application. It comments that the foul flows from the development can be accommodated within the foul sewerage network system that at present has adequate capacity. Foul drainage from the development will be treated at Gamlingay Sewage Treatment Works that at present has available capacity for these flows. It requests that an informative is attached to any consent advising of the need to make an application to Anglian Water for the discharge of trade effluent.
31. The comment of the **Environment Operations Manager**, the **Primary Care Trust**, and **The Wildlife Trust** will be reported to the meeting

### **Representations**

32. The occupier of **4 Charnocks Close** objects on the grounds that Gamlingay has suffered from gross over development and if enlarged even further will no longer be a village. The volume of traffic in the village is now incredible and to add further to this congestion seems to be illogical.
33. The occupier of **55 Station Road**, which is the cottage opposite the site in Station Road objects, although is aware of the planning permission for industrial development on the land.
  - (a) The development site is considerably higher than the surrounding land and the land on which No 55 and its garden are sited. As a result any houses built at the front of the site will overlook resulting in a loss of privacy. The proposed planting of trees is not sufficient to prevent this or to blend the new development into its surroundings. Lowering of the land level and thicker planting of screening plants may help to merge this development into the Conservation Area and go some way to preserving privacy.
  - (b) The development will dominate the landscape when exiting the village along Station Road due to its elevated position and remoteness. The style of houses is not in keeping and the developers have not tried very hard to screen or blend the development into its surroundings.
  - (c) Station Road is already very busy with the majority of traffic ignoring the 40mph speed limit. This development will increase traffic levels and new users will experience the dangerous manoeuvre of trying to get onto Station Road. Visibility is poor due to the incline. Are there any provisions to address

these issues? If not what could be done by the Parish Council to address them?

- (d) There should be provision of adequate street lighting and footpaths to connect this area with the rest of the village. At present the only footpath is on the opposite side of the road and any adult or child wishing to walk to school or into the village will have to cross this dangerous stretch of Station Road. If no footpath is to be provided then there should be crossing.
- (e) The general increase in traffic in the village, which already suffers badly from heavy traffic and poor visibility is not acceptable.

34. The occupier of **The Emplins** objects. It is pointed out that the applicants state that 'despite active marketing sufficient interest has failed to emerge...to bring the site forward'. It is fundamental to the application that Merton College has tried to market the site for a period of years but failed to find purchasers. The application further states that 'despite active marketing the site has failed to come forward to justify the required infrastructure'. Within SCDC's document entitled Employment Land Review it states 'Land Values: The substantial difference between the value of employment land and housing may result in employment land being held vacant in the hope of change of use to housing'.

- (a) There is a body of evidence that this is what has happened in this case Merton made its position quite clear when the Local Plan was considered in 2004 for they sought the land to be designated for 100 houses and the College has apparently sought to confuse the Authority. Applicants have been met with a demand price so far above the appropriate land value that no developer or industrialist has been prepared to take the enquiry further and it is known for certain that Merton College refused to convey the land at a proper price to three different firms.
- (b) KMG has been seeking land over many years to expand its business for at least another 25 workers and went so far as to request the Parish Council to see if a letter to Merton could help them in their need. It is only in 2008 that Merton agreed to convey the land to KMG and even then the agreement was conditional upon the application for 85 dwellings being successful. It is understood that the Council has made no enquiries to see if the Merton College assertion has any foundation in fact, and in spite of the 2004 Local Plan Inspectors finding that 'active marketing does not appear to have taken place for some time'.
- (c) The development of 85 dwelling is a significant breach of Policy ST/5. The 2004 Local Plan Inspector commented 'that for a relatively large village in South Cambridgeshire terms Gamlingay has a comparatively poor ratio of jobs to economically active residents (about 0.5) and eventual development providing up to 300 jobs here could result in an increase in self sufficiency'. The Inspector concluded 'I do not consider it necessary to plan for further 'balancing' residential growth in the village'. The Merton proposals increase the inhabitants of Gamlingay but remove the necessary work area.
- (d) Policy ET/6 states that employment site in villages are a scarce resource which should be retained to provide local employment. This site represents some 33% of all undeveloped B2 employment areas in South Cambridgeshire.

- (e) Gamlingay is situated at the very edge of the County and there are no more than 5 buses a day in any direction. The journey to Cambridge takes some 75 minutes. The last buses leave before 17.45pm making it impossible to undertake any activity after that time in any area outside the village. By private transport the journey is 18 miles and takes 35 minutes. The transport assessment accompanying the application clearly demonstrates that it is expected that the development will be used by those working to the south of Cambridgeshire, which is in direct contravention of the first strategy of the Core Strategy. The use of the Station Road site for houses produces quite different demands upon the users compared with employment. Young mothers with children regard distances quite differently to fit employed workers and therefore what is a sensible site for employment is often not so for residential. The nearest bus stop is some 700m away and only serves Potton and Biggleswade. To walk to the bus stops for Cambridge or St Neots the distance is 0.9km and 1.2km and is not consistent with the consultants' conclusion that the proximity of bus stops providing connections to the wider area enhances the site's overall accessibility. Policy DP/1 requires that development should minimise the need to travel and reduce car dependency.
- (f) The consultants have submitted a travel assessment which has numerous errors and contains a table which shows that the shops, main bus stops and pre and first schools and the Post Office are all more than 900m away, well beyond the walking distance for the elderly or mothers with small children.
- (g) Policy DP/2 states that development should enhance the character of the local area and provide a sense of place responding to the local context and respecting local distinctiveness. The Merton site is detached from the village and will always be separated from it by the flood plain. It will be a small residential development set against an industrial complex and will not enhance the character of the village. The 2004 Local Plan Inspector commented 'it has the appearance of a classic edge of village green field site. I have no necessity to allocate much additional land for residential development ...and in any case this site is on the outermost edge of the village in relation to the cross roads at the centre. It is also somewhat isolated in a semi-rural position with farmland to the north and south, extensive school grounds to the west and an industrial estate including B2 use to the eastern boundary'. The site for houses is clearly piecemeal when compared to the compact nature of the rest of the village and development would be contrary to Policy DP/5.
- (h) The placing of houses on the site is very likely to prejudice the development of the adjacent KMG site because of the proposed restrictions on the operating methods on that site. The application is accompanied by a noise assessment but close reading shows that there is a potentially serious bias as the microphone for the road noise measurement was not even on the residential site and readings were taken from a Friday to Monday in the holiday period when the road is at its least busy.
- (i) To achieve a satisfactory reduction in the noise levels at KMG three requirements need to be met – the construction of a soundproofing fence; the building of the light industrial units; and a reduction of noise levels at source. There is however no legal obligation on the part of KMG to restrict their workings by sound reductions. Even if there were restrictive covenants placed upon KMG any future sale would make such covenants very difficult to enforce.

- (j) The noise levels indicated are too high to fulfil the consultants conclusion that 'a satisfactory residential environment for occupiers of the site'.
  - (k) If planning consent is given all three requirements must be fully met before any residential units are constructed and that the gap in the light industrial units is closed.
  - (l) Policy NE/f gives the objective 'to minimise light pollution'. The Merton site stands above the flood plain and the application makes it clear that this commanding position is regarded as a positive benefit. There is however a serious problem in that part of Gamlingay on the other side of the valley will suffer from both street and domestic lighting from the new settlement. If the site remains in employment use this problem could be prevented by simple engineering or by tree planting.
  - (m) The letter is also accompanied by two appendices – one commenting on various statements made by the applicant and the other setting out various conditions that should be imposed if consent were to be granted.
35. A letter on behalf of **KMG Systems**, commenting on points raised by a Gamlingay resident, states that it is not aware of any proposed restrictions on the operating methods of the Company nor can it be seen how the proposed development could prejudice future development of KMG. The applicant consulted KMG prior to submitting the application and full agreement has been reached to ensure that the rights of both parties are preserved. There is a current planning application for the expansion of KMG on land that is to be purchased from Merton College. Regarding noise restriction KMG has recently undertaken independent noise surveys of both occupational exposure and environmental impact and continue to implement noise abatement measures for the benefit of employees and the environment, regardless of this application.
36. **Pinewood Structures Ltd** comments that overall it supports the application but has two primary areas of concern which will need to be addressed. Firstly it is concerned about any restrictive requirements for noise from its operations, which might affect its ability to trade. It states that although it currently operates a single shift it does see the need to be able to operate a double shift working for up to 7 days a week, which will enable it to deal with the expected increase in demand once the housing market recovers. A housing development so close may restrict the ability to trade. Secondly it is concerned with the security of its premises which will need to be improved to prevent theft but also to ensure safety.
- (a) The letter states that Pinewood occupies all three industrial units for the design and manufacture of timber framed structures. Although it operates from another site in the village it is currently in the process of consolidating operations at Station Road. There is concern that when noise tests were carried out by the noise consultant as part of this application, operations were being relocated to the unit closest to the application site from its other premises and that as a consequence there will have been little or no manufacturing activity being carried out at the time. The results would therefore not be representative of the noise generated during normal operations.
  - (b) It is also concerned that the noise report fails to reflect the full impact of the Companys operations outside of the normal daily shift. It is anticipated that in

the future there will be a full second shift, and not a reduced shift as indicated in the report.

- (c) It is therefore requested that in assessing the application the two shift system, which it is anticipated would run from 6.00am through to 2.00am daily, including work over weekends, is taken into account. Measures such as a noise barrier, to be funded by the applicant, should be considered to reduce the noise transmitted from the manufacturing facilities.
  - (d) The letter points out that the southern boundary of Pinewoods site is currently insecure as it backs onto fields. With the planned housing so close there is concern that children may enter the factory and facilities and put themselves in danger. The security of the industrial estate should be considered as part of the planning process and it would expect the cost of fencing the southern boundary to be met by the applicant.
37. The occupier of **29 Green Acres** is concerned as the proposed development would cause severe disruption to the village in terms of increased traffic density, already a problem in the village centre, with delays of several minutes. There is concern that as this application is a Departure, policies concerning a limited growth centre will not be considered. In view of the fact that an Inspector decided the planning policy for Gamlingay with due consideration to the facilities and nature of the village, it seems strange that such policies can be overridden. There is no point in having planning policies if they can be overridden at District level if it suits its objective of meeting a housing shortfall.
38. The occupier of **9 Church Lane** supports the Parish Council's current objection to the application. He states that the arguments that support the application appear to come down to the need to make up a housing shortfall; offering a parcel of land to KMG in order for them to expand ensuring jobs are maintained in the Parish; and providing 40% of the dwellings as affordable homes. It is believed that any other points are inducements which should not be taken into account as part of the planning process.
- (a) It is believed that there is a planning obligation that must be fairly and reasonably related in scale and kind to the proposed development. To convert the use of the Station Road industrial site to part industrial, mainly residential is unreasonable since it will imbalance the local employment/resident ratio to an unacceptable level particularly when the Green End site closes. It is far better that places of work are found first and then homes will follow.
  - (b) What is being proposed is a parcel of industrial land for KMG in exchange for a whole site of industrial land for Gamlingay, which seems a very poor trade of jobs for local people are being considered. There is no formal agreement between KMG and Merton College on the table and if this arrangement is to be used as an argument in favour of the application it is suggested that a formal legal agreement between the two parties is reached before any approval is given.
  - (c) The term affordable housing is a misnomer. There seems little point in availing affordable housing if the cost, in terms of time and money is exorbitant, travelling to and from a place of employment such as Cambridge, Bedford and Stevenage, or even more locally to Biggleswade.

- (d) There is also concern about the traffic that will be entering Stocks Lane, Church Lane and Church Street. The site is sufficiently distant from both the first school and shops to encourage an increase in traffic on these roads.
39. A letter received from **RPS Planning and Development Ltd** on behalf of clients, objects to the application and considers that there are factual errors and inconsistency in the application.
- (a) It comments that the use of the non-residential part of the proposed development is not clear – the application form appears to propose 3 different uses in 3 different places.
  - (b) The application form and application drawings appear to propose up to 2,400 – 2,900sqm of banks, building societies, estate agents, professional and financial services and betting offices. In addition to the proposed residential use the application form appears to propose either employment (i.e. B1, B2 and B8); employment and financial and professional services (i.e. B1 or B2) or; employment and restaurants and cafes (i.e. B1 and A3). The application drawings appear to propose employment, financial and professional services and general industry (i.e. B1, A2 and B2). The Design and Access Statement appears to describe the proposal as either employment (i.e. B1, B2 and B8) or; employment and general industry (i.e. B1 and B2). Finally the Traffic Assessment appears to describe the proposal as employment in the form of starter units (i.e. B1)
  - (c) It would appear that the proposed extension to the existing KMG factory cannot be delivered as it is partly located off-site (the extension straddles the site boundary) and the remainder is owned by a third party, on whom notice of the application appears not to have been served. The illustrative site layout appears to show an 'extended factory – proposed'. No such extension has been granted planning permission and with it being shown on the drawing it would appear to be part of this application, although no reference is made to a proposed B2 use. The Design and Access Statement confirms the factory extension to be part of the development. Only part of the proposed factory extension appears to be within the application site, with the remainder being located on land owned by another party. The Traffic Assessment makes no reference to the proposed extension and therefore no assessment of the potential impact of the proposed increase in floorspace on the existing Station Road Industrial Estate. No information has been provided on the vertical height of the proposed extension, as is required in an outline application.
  - (d) Whilst being shown on the application drawings it would appear that the proposed factory extension is not contained within the uses applied for on the application form.
  - (e) It appears that the Transport Assessment (TA) does not assess the proposed use(s) that is/are shown on the application form and drawings. It also appears that the traffic calculations in the TA are wrong and should show a potential increase of approximately 14 vehicles in the peak hours rather than a decrease of 311 vehicles, compared to the existing employment allocation.
  - (f) For an outline application to be valid, it should contain certain information on the scale parameters for each building proposed. It would appear that no height information is provided for the proposed factory extension, light

industrial development or the majority of the residential development, and is only implied in relation to three-quarters of the commercial development.

40. The occupier of **61 Mill Street** objects and does not believe that the benefit it delivers to a relatively small group outweigh the significant damage it will do to large numbers of people and to the community as a whole. Traffic is likely to increase in the village to unsustainable and dangerous levels. At the very least a traffic study should be completed before making a judgement which quantifies the frequency, type and pattern of vehicle movement that would result from the development. Any consent should only be granted if a short access road is constructed linking Station Road directly to Mill Hill, to the South of Gamlingay, to avoid even more traffic passing through the village itself.
- (a) The only justification heard for the proposed change of use is that a mixed industrial and residential use is not as bad as purely industrial. The lesser of two evils is the weakest possible argument for development and neither form should be accepted if they damage the public interest. The various compensatory measures proposed are nowhere near adequate to compensate for the damage that would be done.
  - (b) There are already serious public planning issues to do with the type, location and size of industrial facilities in Gamlingay, most of which manifest themselves as unsustainable levels of HGV traffic. The industrial element of this proposal would make this worse. Much of the industrial development in the village is based on manufacturing, warehousing, storage and distribution – all requiring the movement of large vehicles that are unsuitable for a small village. If further industrial use is permitted can it be restricted to services that will not increase HGV traffic?
  - (c) Gamlingay is far from a main trunk road. Surely heavy industry and warehousing should be located in areas with better trunk road access. Gamlingay has four industrial sites and lorries and tractors are constantly moving between them, and HGV drivers are constantly getting lost and driving around looking for the right site. Can consideration be given to consolidating the sites before expanding them?
  - (d) Between them the four sites have capacity that already exceeds demand. Why build more?
  - (e) The main concern about significant increases in housing in the village relate to support infrastructure – schools, shops, libraries, medical, roads etc and the recent trend has been to close such services. The compensatory measures proposed come nowhere near to making up for what has been lost and for what additional facilities will be needed.
  - (f) New houses are not needed at the moment as it is not economic to construct them and Government targets are out of date. For the same reason new industrial facilities are likely to be even more uneconomic.
41. The occupier of **17 Station Road** objects. Although there is residential development in the vicinity of the site, the houses all relate, in one way and another, to the former railway station. The proposal to build up to 87 houses would be an almost fourteen fold increase in the number of houses. The existing industrial area would not be there had it not been for the railway station and the existing industrial site is poorly located as regards road connections and already causes congestion in the village.

- (a) The junction between Church Lane and Stocks Lane is completely incompatible with the HGV's which are forced to use it, and the bollards on the junction, placed to provide the children a safe path to school are frequently knocked over.
- (b) The site, although poorly located, has permission for industrial use so that the industry could move from the centre of the village, freeing up the then brownfield site for more appropriate residential development. In order to sell the scheme it contained a proposal to build a new road to take traffic from the centre of the village but this was subsequently dropped due to cost.
- (c) If permission was granted for industrial use of this site more than 5 years ago it should have expired by now and the designation should have returned to agricultural land to ensure that any future applications for development in the area will not be prejudiced by permissions which have not been acted upon. It is understood that leases on the Wale's site are coming up for renewal and may not be renewed, in which case employment in the village will be lost unless alternative industrial sites are found.
- (d) A mixed commercial/industrial development is completely inappropriate. There will be noise disturbance and the residential community will always have to remain a satellite community as land to the west of the site cannot be built upon as it is in a flood plain. That area does flood.
- (e) The new development would have no shops or other facilities and residents would either have to walk to the centre of the village (although this would be too far in most circumstances and the existing footpath is inadequate and dangerous); drive to the centre of the village (which would increase traffic congestion in Church Street due to even more parked cars); or drive further afield (which would lead to wider congestion on the village).
- (f) In order to make Station Road more serviceable for this community both the carriageway and footpath would need to be widened and this would degrade the character of the environment.
- (g) The village schools do not have sufficient capacity to cater for the proposed development and will need to be enlarged or children transported to schools outside the village, either way an additional cost to the village.
- (h) The doctors' surgery will need to be expanded.
- (i) The existing water, electricity, sewerage and gas utilities will need to be extended and increased in capacity. The existing gas main stops between 19 Station Road and The Manor House and would need to be extended and increased in capacity. It is assumed that this would apply to the other services.
- (j) Converting the use of this site from employment to mostly residential will ultimately reduce employment opportunities in the village, ensuring that these additional people will have to work outside the village, increasing the traffic through the village.
- (k) The compensation package offered by Merton College consists of the three additional footpaths which, whilst welcomed, is of little commercial value and



costs the applicants nothing; Merton has already granted a 99 year lease to the Parish Council on the flood plain between the site and Millbridge Brook, this will be converted to freehold and again will cost Merton virtually nothing and is of no immediate value to the village; the freehold of St Mary's field which is being considered for use as a cemetery and again is of little value to Merton and had fallen fallow and clearly has little value even as agricultural land; unspecified road amelioration schemes to attempt to resolve the traffic problems caused; a payment of £1,250,000.

- (l) This compensation package is insufficient to correct the damage the proposed residential development would cause and £3,000,000 would be required to construct the link road which would be required to properly solve traffic problems.
- (m) A petition containing 456 signatures has been received objecting to the application on the following grounds. The residential units are separated from the village and will inevitably increase traffic flow past the Village College; the new residential units will be closely associated with the Industrial Site and will suffer from noise pollution. Existing housing will be subjected to substantial light pollution; the village infrastructure today, schools and medical facilities are entirely inadequate to support the application e.g. it can take up to 2 weeks to get a doctor's appointment and children may need to be bused to other schools; Gamlingay village roads, except the B1040 are entirely inappropriate for carrying traffic associated with this residential development particularly through the rush hours. More traffic flowing out of and into the village is a contradiction with the Government's stated aim to reduce pollution and road traffic congestion. Traffic noise and parking problems in the village would become worse if this application is approved.

#### **Applicant's Representations**

- 42. The applicants agent has commented on several of the matters raised during the consultation process.

The comments have been attached as an electronic appendix.

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

- 43. This application is a departure from the Development Plan as the development of the site for a mixed residential and employment would be contrary to its existing allocation for employment use and the scale of the proposed residential development (85 dwellings) exceeds the maximum number of 30 permitted in a Minor Rural Centre.
- 44. The scale of the scheme will mean that it will be necessary to refer the application to the Government Regional Office if Members are minded to grant consent.

#### **Loss of Employment Allocation**

- 45. The site has been allocated for employment purposes since the 1993 Local Plan. Although the outline consents which existed for the site for the site have now expired, the 2002 consent for the construction of an access road to serve industrial development, use of land in connection with industrial development, associated landscaping and engineering works involving and construction of a balancing pond, and the use of land for recreational purposes has been implemented as the

recreational use of the land to the east of Millbridge Brook has commenced. This land has been transferred to Gamlingay Parish Council on leasehold.

46. The allocation for employment use is retained in the Local Development Framework and therefore the Council would have to accept a further application for employment use on the site. The land cannot be considered to have lost its employment potential as suggested by one of the letters of representation.
47. Although the owners of the land have previously requested that Development Plan Inspectors consider allocating the land for residential purposes these have been prior to the publication of PPS3 Housing and the statement it contains which suggests that Local Planning Authorities should consider reviewing its employment allocations to see whether they could be more appropriately re-allocated for housing development.
48. The Planning Policy Team has pointed out that the Employment Land review concluded that South Cambridgeshire had a substantial oversupply of employment land and of particular relevance that there was a lack of demand for the Station Road site.
49. Although there have been representations regarding how the land has been marketed I do not have any conclusive evidence in this respect. As a mixed use development the proposal includes 3.270 sq.m of employment floorspace. The Planning Policy Team has suggested that a phasing scheme for the development is put on place to ensure that the small business units are provided as part of the development, rather than just the residential element. Such an agreement can be secured through the planning process.
50. The applicant has confirmed that the application seeks a B1 use for the commercial units.

### ***Scale of Development***

51. As a Minor Rural Centre residential development in Gamlingay is restricted to schemes of an indicative maximum size of 30 dwellings. Gamlingay was given this status as it performed less well against the criteria set out in the Structure Plan than those villages identified as Rural Centres but nevertheless performs a role in terms of providing services and facilities for a rural hinterland.
52. Although the applicants agent has suggested that larger schemes, which might place a burden on existing village services and facilities could be provided if suitable financial contributions can be secured at an appropriate level towards their development or improvement, this appears to relate to developments between 9 and 30 dwellings and not higher.
53. Policy ST/4 states that Rural Centres are the larger, more sustainable villages, which generally have a population of more than 3000 (Gamlingay exceeds this number), has good access to a secondary school (Gamlingay has a Village College), employment opportunities with at least a ratio of one job for every village resident economically active, contain a primary school, food shops (including a small supermarket), post office and surgery (Gamlingay contains all of these), and has good public transport services to Cambridge or a market town.
54. Whilst Gamlingay meets the majority of the above criteria it fails the required employment ratio and has limitations in the public transport systems.

55. Members will note the comment received from the County Council that it is concerned about the lack of an adequate bus service in particular and that it does not feel that a contribution from the developer to secure an improvement to the services is sustainable by the level of development proposed, and certainly not so in the longer term. It has suggested that if Members are minded to approve the development a contribution should be sought towards the improvement of existing bus stops in the village which might be used by occupiers of the development.
56. In order to help address the issue of sustainability I have asked the applicants agent to consider including a percentage of the proposed dwellings as live-work units.
57. Although the applicant has indicated that measures will be incorporated in the detailed scheme with regard to water conservation, energy efficiency and renewable energy (LDF target of at least 10% for the latter two) I am of the view that to address sustainability concerns this application should seek to go well beyond the minimum requirements and I will seek an undertaking from the applicant on this point.
58. If approved the additional housing would count as a windfall site for housing land supply purposes.

***Impact on services***

59. Cambridgeshire County Council, as Education Authority, has requested appropriate contributions towards educational facilities within the village. The applicant is prepared to comply with this request.
60. I will report the comment of the Bedfordshire PCT at the meeting but I anticipate that there will be a request for a contribution towards the improvement of health services in the village.

***Impact on Conservation Area and setting of Listed Building***

61. The site is opposite the Gamlingay Conservation Area. Whilst I note the comments of the Conservation Manager I am of the view that the proposed development of this site for a mixed residential and employment use need not have any greater impact than the development of the site in line with its existing allocation for employment use.
62. The application has been submitted in outline, with all matters reserved. In my view the potential impact on the Conservation Area can be addressed by appropriate revisions to the indicative layout plan and the sensitive use of landscaping.
63. The engineering operations required for the formation of the access are identical to those already approved in respect of the employment allocation of the site.
64. Development at the north west corner of the site will need to be carefully considered to ensure the preservation of the setting of the listed cottage at 55 Station Road, and also to ensure that the amenities of its occupiers are not unduly compromised.
65. Comments have been made that the site is physically separate from the village and that a housing scheme will look out of place in this location. This point was referred to by the Inspector in considering the request to allocate the site for housing purposes, when he stated that the site was in a semi-rural position.

Although the site is not necessarily one where one would expect to see a large residential development I am of the view that with an appropriate approach to the

layout, scale of housing and landscaping that a mixed development can be adequately assimilated into the area.

66. The input of the Conservation Manager, Trees and Landscapes Officer and Urban Design Team will be important prior to the submission of any reserved matters application and there may be competing issues which will need to be addressed in terms of layout approach.

***Affordable Housing***

67. The applicant accepts the need to provide 40% affordable housing on the site. The Housing Development and Enabling Manager has commented that the housing could not be secured for local people as the site is within the village framework. However I am of the view that, as this application is a departure, it would be reasonable to consider it as an exception site for the purposes of affordable housing and therefore priority of allocation could be given to qualifying local persons.

***Drainage***

68. Anglian Water has no objection to the proposal and has confirmed that foul sewage provision is adequate and there has been no objection from the Environment Agency or Bedfordshire and River Ivel IDB.

***Highway Matters***

69. The Local Highway Authority has not objected to the proposal on ground of highway safety or capacity. It has considered the comments of the Parish Council in coming to this view. The applicant has accepted the need to provide a footpath from the development along the south side of Station Road, to link into the existing footpath network. A meeting has been held on site with the Parish Council, Local Members, the Highway Authority and Planning Officers (on a without prejudice basis) to look at the way this can be best achieved. Discussions are still taking place between the applicant and Highway Authority but I am confident that a satisfactory scheme can be produced. Members will be able to see this issue on site.
70. Adequate visibility splays can be achieved at the junction of the new roadway with Station Road. A right-turn facility will be provided at the new junction as detailed in the 2002 consent.
71. The Traffic Assessment has been revised following initial comments received about it. The County Council is now content with its conclusions.
72. The outstanding issues regarding the Workplace and Residential Travel Plans can be addressed through any planning consent.
73. Although the idea of a new link road around the south side of the village has been suggested by objectors such a provision could not be supported by this development and is not required by the Highway Authority.

***Noise Issues***

74. The Corporate Manager (Health and Environmental Services) has quite rightly been concerned about the relationship of residential development on this site to existing and proposed industrial uses. A copy of the letter from Pinewood was forwarded to him for consideration.

75. He is content that a satisfactory relationship between the proposed residential and proposed employment development on the site can be achieved through conditions attached to any consent.
76. Initially he was concerned about the approach adopted by the applicants' consultants regarding noise issues from the adjacent existing employment sites, operated by KMG and Pinewood, and that this was not the appropriate approach as advocated under PPG24. The working hours of the Companies are not controlled under the existing planning consents and therefore there is a danger of disturbance being caused to any new residents from the existing operations.
77. Following detailed discussions between the Corporate Manager (Health and Environmental Services) and the applicants acoustic consultants, including site visits to take further noise readings the earlier concerns have now been substantially addressed, although further clarification is being sought as identified in the comments received.
78. My understanding that some of the works required at KMG have already taken place and the applicant will enter into an agreement with the applicant which will ensure that all necessary noise attenuation works are provided and maintained. This can also be secured through the planning consent and a scheme which can be both monitored and enforced should be submitted as part of any agreement.
79. It would appear that any issues relating to the operations of Pinewood can be addressed by works within the application site in the form of acoustic fencing. Precise details of this will need to be submitted to ensure that it does not have a visually adverse impact on the area.
80. The works should be carried out prior to occupation of any of the residential dwellings.

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

81. The application makes provision for adequate public open space within the scheme and on the adjacent land between the proposed residential development and Millbridge Brook. The recreation land adjacent to Millbridge Brook has already been transferred to the Parish Council by leasehold and is in use for those purposes. This application will result in the freehold for the land transferring to the Parish Council. The applicant is prepared to provide the required contribution to the Parish Council for maintenance of this land, a scheme for which can be secured through the planning consent.

### ***Ecology***

82. It would be appropriate to include a condition on any consent regarding the ecological enhancement of the area and Millbridge Brook in particular. I am aware that the Parish Council may have its own thoughts on the treatment of this area but I will suggest that the Ecology Officer contacts the Parish Council to discuss this matter further.
83. The Wildlife Trust has been consulted on the application as it proposes a new footpath link to Gamlingay Wood. Its comments will be reported at the meeting. Any works required to secure the new footpath link should be at the expense of the applicant.

***Draft Heads of Terms for Section 106 Agreement***

84. As part of the application the applicant has submitted draft heads of terms for a Section 106 Agreement which would accompany any consent. Meetings have been held with the Section 106 Officer, the Parish Council and applicants, and are ongoing.
85. Policy DP/4 states that planning permission will only be granted for proposals that have made suitable arrangements for the improvement or provision of infrastructure necessary to make the scheme acceptable in planning terms. Contributions may also be required towards the future maintenance and upkeep of facilities.
86. I am content that the majority of the measures being offered by the applicant can and should be secured through any planning permission. This includes the provision of affordable housing, public open space, education, public art, and highway improvements where supported by the Local Highway Authority (in this case the footpath link and improvements to the bus stops).
87. The applicant also proposes the transfer of an area of land in Dutter End to the Parish for allotment use. Given that there is already a shortfall in allotment provision in the village and the proposed development will lead to increased demand that cannot currently be met I am of the view that this provision can be supported through the application.
88. The establishment of the new permissible routes on land owned by the applicant is being offered and again I have no objection to this provision. The applicant is also proposing the transfer of the freehold ownership of St Mary's Field, part of which is opposite the application site in Station Road, and a sum of money for its establishment as a cemetery/recreation area. I am aware that there is a need to provide a new cemetery in Gamlingay and this development will generate additional demand.
89. The applicant is also offering a payment to the Parish Council towards the Phase 3 community centre improvements, youth pavilion, street lighting improvements, and towards assisting parking improvements on Church Street. The Parish Council has been requested to supply details in respect of these costings. However any street lighting improvements required as a direct result of the development will be secured by the Local Highway Authority. The Local Highway Authority is not suggesting improvements of parking in the village as part of this application and these works are not therefore required to make the scheme acceptable in planning terms.
90. The same considerations apply to the contributions towards the youth pavilion and community centre improvements.
91. A further meeting with the Parish Council and applicants agent concerning the draft heads of terms is likely to take place before the date of Committee and I will update members further on this point.

***KMG application***

92. There is a separate planning application for an extension to the KMG factory, which will be considered on its merits, and therefore detailed heights of the proposed building are included in that application. As amended the site area for the application being considered by Members does not include the land to be transferred to KMG.

### **Conclusion**

93. This is a difficult application to consider as it raises a number of different and often competing issues. I accept that the site is not one where a housing allocation would perhaps normally be made but, given the support to review employment allocation, the oversupply of employment land in the District and the need to provide additional housing I am of the view that this application merits consideration as a departure.
94. Given that other issues such as noise nuisance and traffic issues appear to be being addressed satisfactorily through negotiation, in my view the main concern is that of the sustainability of the site in terms of public transport accessibility. The County Council has pointed out its concerns in this respect and although improvements to bus service itself cannot be secured through this application an upgrading of existing bus stop provision can be provided. The village does benefit from bus services to Cambridge, Biggleswade and St Neots.
95. I am of the view that if the applicant confirms that a percentage of the houses will be developed as live-work units and that the development will achieve standard of energy efficiency, water conservation and use of renewable energy technologies at a level above the minimum required by LDF policies then, given the level of services provided within the village, that the application could be supported as a departure.

### **Recommendation**

96. I will report the responses to any outstanding consultations along with the response from the applicants' agent regarding the inclusion of live-work units in the scheme and the commitment to achieve a higher standard of water conservation, energy efficiency and use of renewable energy.

I will also update Members on any further comments from the Corporate Manager (Health and Environmental Services) and the further negotiations on the Heads of Terms for the proposed Section 106 Agreement.

Subject to a satisfactory outcome in respect of the above I will recommend referral of the application to the Secretary of State under the departures procedure and, subject to the application not being called in for her decision, that the application be approved subject to safeguarding conditions and the completion of a Section 106 Agreement.

**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.
- South Cambridgeshire Local Plans 1993 and 2004.
- Planning Files Ref: S/1771/08/O, S/1830/08/F, S/1302/04/F, S/1737/01/O, S/1467/97/F and S/1479/95/F.
- Documents referred to in the report including appendices on the website only and reports to previous meetings.

**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 Committee4<sup>th</sup> February 2009**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

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**S/2088/08/RM - GAMLINGAY****Approval of Appearance, Access, Landscaping, Layout and Scale of Outline Planning Permission S/0034/06/O for the Erection of 8 Dwellings at 22a West Road for Wyboston Lakes Ltd****Recommendation: Delegated Approval****Date for Determination: 4<sup>th</sup> February 2009****Notes:****Members will visit the site on 4<sup>th</sup> February 2009****The application has been reported to the Planning Committee for determination on the basis that the Parish Council recommendation of refusal does not accord with the officer recommendation.****Site and Proposal**

1. As members will note from the site visit, the site is a irregular shaped plot of land, measuring 0.497 hectares, that formerly comprised part of the garden land to 24 West Road, a large detached house to the south of the site. The site features a significant change of levels, dropping by approximately 4m from east to west.
2. The site is partially screened by trees and conifers on the north and west boundaries with the rear gardens of detached houses in Fairfield. To the east is an existing bungalow, also built on part of the original garden of 24 West Road, now known as 22a. Access to the site is achieved from West Road using the private driveway serving this bungalow.
3. This reserved matters application, submitted on 10<sup>th</sup> December 2008, seeks consent for eight detached market dwellings, with specific details required by the outline consent extant on the site, of their method of access, site layout, appearance, scale and landscaping. The scheme comprises four 2 bedroom dwellings, two 3 bedroom dwellings and two 4 bedroom dwellings.
4. The scheme equates to a density of approximately 16 dwellings per hectare (dph).

**Planning History**

5. Outline planning consent was originally granted for residential development of the site in December 1995 (**Ref S/1780/95/O**). In December 1998 an application to allow a further period for submission of reserved matters was approved (**Ref S/1839/98/O**). An additional condition attached to that consent restricted development of the site to a maximum of 2 dwellings to comply with Local Plan policy.



6. In February 2001 consent was granted for variation of conditions to allow a further period for the submission of reserved matters and to allow the erection of four dwelling on the site, reflecting a change in Development Plan policies (**Ref S/2229/00/F**).
7. At the January 2005 Committee meeting a reserved matters application (**Ref S/0266/04/RM**) for the erection of four dwellings was refused following a site visit by Members on the grounds that the design of the proposed dwellings were out of character with the area. That decision was upheld at appeal.
8. Subsequent to that decision in March 2006 a further outline planning consent was granted for residential development (**Ref S/0034/06/O**). Conditions of consent required the submission of reserved matters for siting, design and external appearance, access and landscaping of the dwellings; and further required the submission of additional details including finished floor levels and foundations for the proposed dwellings, details of site boundaries, and the commissioning of a landfill gas investigation. A further condition of consent required that should any reserved matters scheme proposed more than 10 dwellings on the site a scheme of affordable housing must be agreed.

### **Planning Policy**

9. *South Cambridgeshire Local Development Framework (LDF) Core Strategy*, **Policy ST/5** of the LDF identifies Gamlingay as a Minor Rural Centre.
10. *Local Development Framework, 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 HG/1** – Housing Density  
**Policy HG/2** – Housing Mix  
**Policy HG/3** – Affordable Housing  
**Policy NE/6** – Biodiversity  
**Policy NE/9** – Water and Drainage Infrastructure  
**Policy TR/1** – Planning for More Sustainable Travel  
**Policy TR/2** – Car and Cycle Parking Standards

### **Consultation**

10. **Gamlingay Parish Council** – recommends refusal and comments that the previous comments to the earlier outline and reserved matters applications are reiterated. No affordable housing is being provided and the design of the new dwellings does not comply with the Village Design Statement (VDS). Greater consideration to local design needs to be incorporated.
11. **Corporate Manager (Health and Environmental Services)** – raises concerns regarding potential effects of noise, recommends conditions regarding use of power operated machinery and pile driven foundations and recommends informatives regarding no burning of waste materials.
12. **Contaminated Land Officer** – notes the findings of the Environment Agency with regard to the details that have previously been submitted with regard to landfill gas and agrees with the proposal given in the Design and Access statement of the reserved matters application to incorporate gas infiltration protection measures within the floor slab in plots 5-8 in accordance with BRE guidelines.

13. **Environment Agency** – states that its comments on the outline application remain pertinent.
14. **Trees and Landscape Officer** – has raised initial concerns regarding the effect of pruning back the cypress hedges that surround the site and has asked for a larger copy of the landscape plan to be sent through for detailed analysis. She has also made comments in respect of the width of the access and its ability to be adopted. However, comments from the Local Highway Authority have yet to be received in this regard. Any further comments that are received will be reported verbally to members at Committee.
15. **Local Highway Authority** – comments currently awaited. Members will be updated verbally at Committee.
16. **Ecology Officer** - comments currently awaited. Members will be updated verbally at Committee.
17. **Environment Operations Manager** - comments currently awaited. Members will be updated verbally at Committee.

### **Representations**

18. The owner/occupiers of 8 Fairfield have raised concerns/comments regarding the sewage system, which has had problems in the past, resulting in sewage flooding garden.
19. The applicant's agent has responded to the Parish Council's comments with regard to affordable housing and design. The comments in respect of affordable housing are addressed in the planning comments below. In respect of design they note they have reviewed the Village Design Statement and comments within PPS1 and consider that there is no strong local distinctiveness close to the development site and that the proposals achieve a balance between the single and 2 storey dwellings along West Road and recognise the change of levels on the site.

### **Planning Comments**

20. By virtue of the above and the conditions of the outline consent for the site I consider that the main issues for members to consider with regard to the current proposals are as follows:
  - (a) Density and Mix of Dwellings
  - (b) Layout, Design and External Appearance of the Dwellings
  - (c) Provision of Affordable Housing
  - (d) Residential Amenity

#### ***Density and Mix of Dwellings***

21. The scheme proposes the erection of eight market dwellings, at a density of approximately 16 dwellings per hectare. Although this is significantly below the 30 dph typically sought by Policy HG/1 of the LDF, it must be noted that the site does not possess a uniform character, with an irregular shape, a significant change of levels and numerous dwellings surrounding its boundaries, particularly to the north, east and south. Furthermore, by virtue of its backland nature, regard must be had to the ability to access the site and allow any visiting vehicles to enter and leave the site in a forward gear.
22. In light of the physical characteristics of the site it would be unrealistic to expect the scheme to provide the number of dwellings required on site without drastically altering the mix of dwellings by increasing the number of smaller units proposed. This, in turn,

would have implications for the design and appearance of the dwellings on the site, as well as the potential for additional considerations for parking, refuse storage and the overall scale of the buildings proposed.

23. The scheme proposes a mix of dwellings to provide four 2 bedroom dwellings, two 3 bedroom dwellings and two 4 bedroom dwellings, giving 50% of the dwellings as 1 or 2 bedroom, 25% as 3 bedroom and 25% as 4 bedroom, which accords with the mix sought by Policy HG/2 of the LDF.
24. Given the suitability of the mix of dwellings across the site and the physical characteristics that it is constrained by, I am satisfied that the scheme proposed is satisfactory in terms of density and mix.

## ***Layout, Design and External Appearance of the Dwellings***

25. The scheme proposes a single access road, measuring 5m in width for the first 15m, narrowing to 4.5m beyond that point. The road terminates in a turning head in front of plots 4 through 8. A single 1.8m wide footpath runs along the northern edge of the proposed roadway. The comments of the Local Highway Authority in respect of the suitability of the roadway design are awaited at the time of preparing this report and will be reported verbally to members at Committee.
26. The dwellings are laid out around the proposed access in road in a 'fan', with plot 1 located to the south of the proposed access road, adjacent to 24 West Road, with the remaining 7 plots located to the north and west of the proposed road way. All of the proposed dwellings are detached 1½ storey structures, featuring a mix of facing brickwork and weatherboarding. The dwellings are designed with ridge heights of 7m-7.2m, before accounting for changes in site levels. The applicants have provided a plan illustrating ridge heights and finished floor levels relative to the changes in site level, as required by condition 3 of the outline consent.
27. Noting the Parish Council's concerns regarding the design of the proposed dwellings I am mindful of the inspector's comments when upholding the refusal of the earlier reserved matters application, S/0266/04/RM. In his determination, paragraph 10 of his report states that "whilst there is no distinctive style of house that typifies the area, the VDS states that new dwellings should reflect the style of adjacent buildings. The architectural guidelines of the VDS include high pitched roofs with long overhangs on the eaves." Considering these comments and comparing the current proposals I am of the view that the scheme has broadly overcome these comments. The design of the proposed dwellings features low eaves levels, overhanging the facing elevations far more than those dwellings proposed under the earlier scheme which featured a parapet at odds with the local architectural style. The dwellings, although featuring a relatively wide span of approximately 11m and 12m on plots 1 through 4, are designed to reduce their bulk and massing at first floor, featuring hipped roofs to the rear. The front elevations serve to reduce the overall visual impact of the dwellings by featuring projecting elements, with the elevation featuring the garage being set back. The detached layout of the dwellings affords visual gaps through the development, emphasised by the 1½ storey nature of the proposed structures.
28. Each plot benefits from a minimum of one internal parking space, with further parking facilities available in front of the garage. Although the proposal appears to benefit from a slight over provision of parking facilities, given the confined nature of the site and lack of space available for occasional on-street parking within the estate, the scheme would appear adequately catered for in this regard.
29. The full comments of the Trees and Landscape Officer will be reported verbally to Committee in respect of the proposed landscaping details and boundary treatments.

***Provision of Affordable Housing***

30. Whilst noting the concerns of the Parish Council in respect of the lack of provision of any affordable housing in the current scheme I am mindful that the current application is a reserved matters submission, which is serving to effectively discharge the outstanding issues from the outline application, reference S/0034/06/O.
31. In considering the issue of affordable housing at the time of the outline application, the Authority determined that only where any reserved matters scheme were to include more than ten dwellings could provision of affordable housing be secured as a proportion of any subsequent scheme of residential development. This was secured by virtue of the terms of condition 16 of the outline consent. Whilst current LDF Policy would seek a provision of affordable housing on the site, the conditions of the outline consent are material in this instance. In accordance with those conditions, therefore, should the Authority be satisfied that eight dwellings is an acceptable number of individual plots on this site it cannot require the provision of affordable housing within the scheme.

***Residential Amenity***

32. The proposed site layout dictates that the plots at 2 through 8 back on to the existing dwellings within the Fairfield estate. Plots 2, 3 and 4 have rear gardens of approximately 12 metres, with back-to-back distances between the existing and proposed dwellings of approximately 26 metres. The dwellings at plots 5 through 7 have shorter rear gardens, varying between 7m for plot 5, to 9/10m for plots 6 and 7. The rear garden serving plot 8 would be approximately 15m long on average.
33. By virtue of the distance separating the existing and proposed dwellings at plots 2 through 4, coupled with the design and scale of the proposed dwellings, featuring a ridge height of approximately 7m and a single roof light window at first floor level in the rear elevation, which serves a study/store room, there should be no significant loss of light, overlooking or overbearing impact upon the amenities of the adjoining residents. Although the visual outlook of the existing dwellings will undoubtedly change, this can be mitigated through appropriate boundary treatment. The applicants have proposed a 1.8m high close-boarded fence. Although the dwellings at plots 5 through 7 are much closer to the neighbouring dwellings, plot 5 particularly so, by virtue of each dwelling's orientation on its plot, coupled with the design and scale of each dwelling, which have a solitary low-level rooflight serving a bedroom in the rear elevation and a ridge height of approximately 7m, I am satisfied that again there should be no significant loss of light, overlooking or overbearing impact upon the amenities of the adjoining residents. Any views afforded from the rear facing bedroom windows would be oblique by virtue of its height and the dwelling's orientation. Conditions of consent can remove permitted development rights on all plots for additional openings and extensions to ensure that the relationship between the existing and proposed dwellings is preserved.

***Other Matters***

34. The comments of the Chief Environmental Health Officer, in respect of noise and pile driven foundations were considered and addressed in conditions attached to the outline consent and therefore do not need to be repeated on any reserved matters application. Similarly the comments of the Environment Agency were incorporated into conditions on the outline consent that would need to be addressed prior to the commencement of any work on site. I am satisfied that the development proposed does not prejudice either matter. Furthermore, the conditions on the outline consent in respect of drainage should serve to satisfy the concerns of the neighbouring resident, as they require the prior submission of full details in this regard prior to the commencement of development.

35. The comments of the Contaminated Land Officer are also noted in respect of the development proposals to overcome issues arising from landfill gas. A condition of consent can require that the proposed measures are incorporated into any approved scheme.
36. The comments of the Ecology Officer, in respect of the ecological impact of the development, which the applicant has addressed in the submitted details, are awaited at the time of preparing this report. Any comments received will be reported verbally to members at the Committee meeting.

### **Recommendation**

37. Subject to the nature of the comments of the Local Highway Authority, Ecology Officer, Environment Operations Manager and Trees and Landscape Officer, it is recommended that the application be approved.
38. Additional conditions to be attached to the reserved matters consent to require:
- Removal of permitted development rights for all plots for further extensions, curtilage structures and insertion of openings into all elevations
  - Scheme of landfill gas mitigation to be carried out in accordance with the details outlined in the Design and Access statement accompanying the application
- + any further conditions relevant to reserved matters as recommended by the awaited consultees.

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

- South Cambridgeshire Local Development Framework Core Strategy and Development Control Policies Development Plan Document 2007
- Planning files Ref. S/2088/08/RM, S/0034/06/O, S/0266/04/RM, S/2229/00/F, S/1839/98/O, and S/1780/95/O

**Contact Officer:** Michael Osbourn – Senior Planning Officer  
**Telephone** 01954 713379

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee4<sup>th</sup> February 2009**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

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**S/1873/08/F – BASSINGBOURN-CUM-KNEESWORTH****Variation/Removal of Condition 6 of Planning Consent S/0544/07/F and Condition 18 of Planning Consent S/1472/04/F, Brook Orchard Farm, Brook Road for Mr N Howard****Recommendation: Delegated Approval****Date for Determination: 13<sup>th</sup> February 2009****Notes:**

**This Application has been reported to the Planning Committee for determination following a referral from the Chairman's Delegation meeting on Monday 12<sup>th</sup> January 2009**

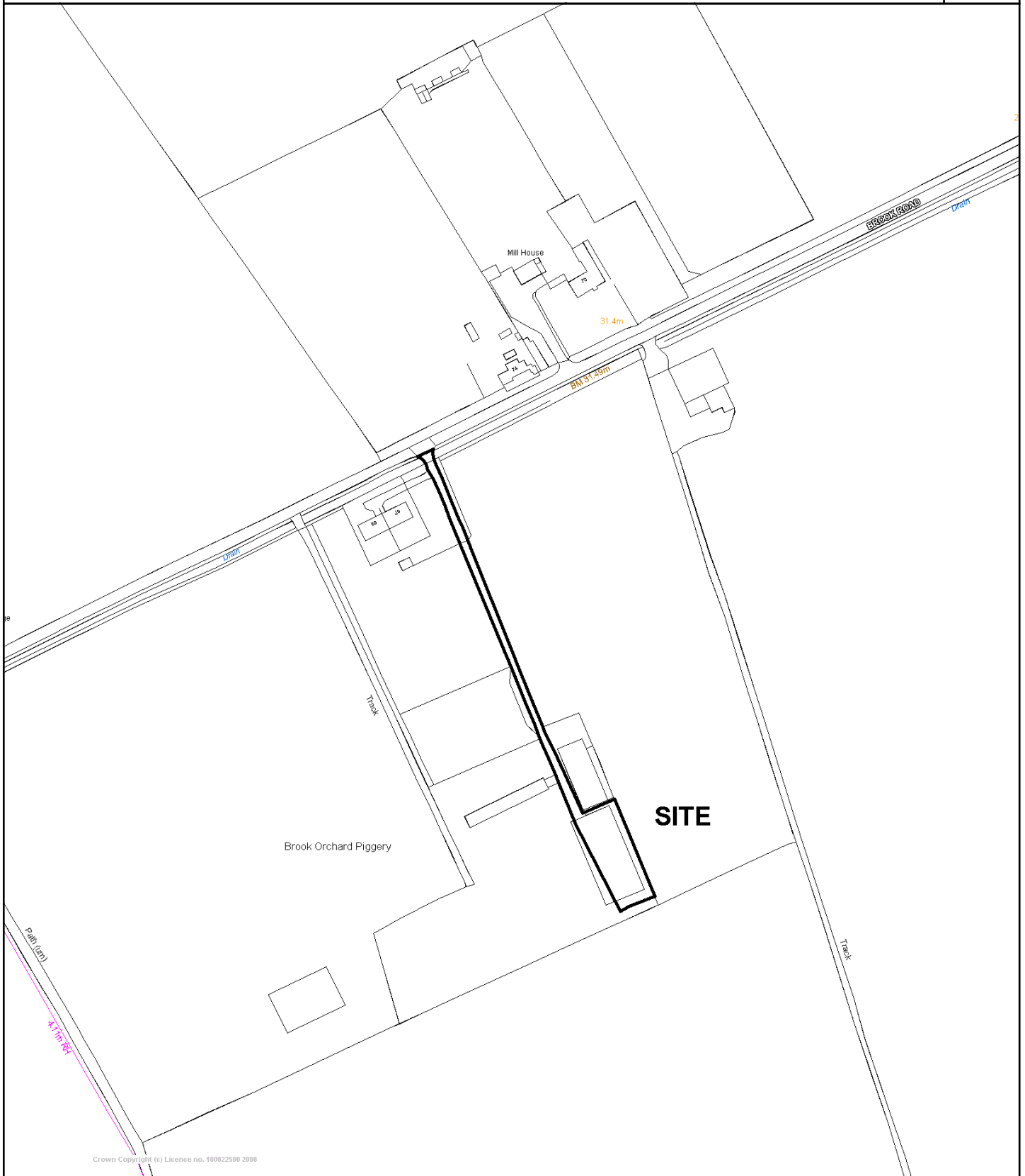
**Site and Proposal**

1. Brook Orchard Farm is located to the south of Litlington Road, Bassingbourn between the villages of Bassingbourn and Litlington. The site is served by a long access road from Litlington Road and comprises two buildings and a storage area.
2. The site is currently occupied by On-Set Location Services Ltd which provides custom-built location vehicles for use by the television and film industry.
3. To the west of the access road, at its junction with Litlington Road, is a pair of dwellings. The site is surrounded by agricultural land.
4. This full application, as amended by letter received 19 December 2008, seeks the removal/variation of Condition 6 of planning permission S/0544/07/F and Condition 18 of planning permission S/1472/04/F (See History below for details).

**Planning History**

5. In 2002 planning permission was granted for the conversion of a group of former agricultural buildings on the site to employment uses in Classes B1 and B8 (**Ref: S/1174/01/F**). That consent was not implemented.
6. In 2006 Members granted consent for the erection of a workshop building, change of use of existing agricultural building to ancillary offices with associated parking of vehicles and trailers (**Ref: S/1472/04/F**). Condition 18 stated "The premises, hereby permitted, shall be first occupied by On-Set Location Services Ltd and shall be used in conjunction with vehicles and trailers operated by that Company and shall not be used by any extraneous operator." The reason given for the condition was "The Local Planning Authority would not permit the use of this site/the erection of a new building in the countryside for the purposes described other than as a relocation of On-Set Location Services from its existing site in the centre of the village."

S-1873-08-F



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February 2009 Planning Committee

7. During the course of the development permitted by the 2006 consent it was noted that the workshop building was being constructed other than in accordance with the approved drawings. A retrospective application for the revised building was approved in 2007 (**Ref: S/0544/07/F**). Condition 6 stated that “The building, hereby permitted, shall be first occupied by On-Set Location Services Ltd and shall be occupied in conjunction with the operation of the remainder of the site by that Company.” The reason given for the condition was that “The Local Planning Authority would not permit the erection of a new building in the countryside other than for use by ON-Set Location Services Ltd and as an alternative to the building previously permitted on the site for that Company under planning permission S/1472/04/F.”

### **Planning Policy**

8. *South Cambridgeshire Local Development Framework 2007*

**Policy DP/1** - Sustainable Development

**Policy DP/3** - Development Criteria

**Policy TR/1** - Planning for More Sustainable Travel

### **Consultation**

9. **Bassingbourn Parish Council** recommends that the application is refused. It states that ‘specific information regarding the type and sub letting planned is needed before the Parish Council can consider the application.’

A subsequent note from its Chairman points out that the traffic generated by the permitted activities of On Set Locations at Brook Orchard Farm already causes severe problems at times and there have also been a number of instances where planning requirements have not been observed. It is understood that there is a compressor engine which is allowed to run all night for no good reason. It is requested that any variation of condition is scrutinised carefully, as any additional traffic movements which could be the result of a change would impact very badly on the already inadequate road system through Bassingbourn and the neighbouring parish of Litlington.

10. **Litlington Parish Council** objects and is concerned that it was not notified of the application given that it is on the edge of its Parish and changes to the activity at the site could have a significant impact on the village.

It states that ‘when consent was given for On-Set Location Services to use this site, previously used for agriculture, the conditions were applied to prevent the proliferation of the site and escalation in the difficulties for surrounding residents in the use of this rural location. At present it is considered an exception, if other companies are allowed to occupy the site it will become a haulage depot/park.

The conservation village of Litlington has narrow roads with many abutting properties and difficult junctions; it is not suited to heavy traffic. When consent was given a condition that they should not use the roads in Litlington was made; this is regularly ignored by their vehicles.

The road from Litlington to Bassingbourn, with a very narrow path, has to be used by all traffic accessing their site. This route is taken by our primary and secondary school children, and already considered a ‘dangerous road’.

From the information available it would appear that the conditions already applying to the site are not being complied with and should be investigated. It also infers that any revised restrictions are also likely to be abused, it is therefore essential that the existing conditions remain in force.

11. The **Local Highway Authority** did not originally request to be consulted on this application. However in the light of the local concerns its views have been sought and will be reported to the meeting.

### **Representations**

12. There have been 12 letters from residents of Bassingbourn objecting to the application on the following grounds:
13. If the applicant is allowed to sublet part of the site, then it is highly probable that he will choose a haulage firm as the tenant. There is a shortage of places for lorries to park in this area. Whilst lorries parked at Brook Orchard Farm would not be parked in residential streets in Bassingbourn to get to the farm the lorries will cause tremendous damage by exacerbating the traffic congestion in The Causeway, the High Street, and North End. These roads are narrow and congested as are those in Litlington, which has a one-way system. In addition there are 2 schools on Brook Road in Bassingbourn.
14. The High Street is very congested, particularly during school start and finish times, and traffic is backed up along to Brook Road, in North End and South End at the cross roads and safe crossing of the High Street has already been raised as a major issue by the Parish Council
15. The purpose of the Condition was to prevent the increase of traffic congestion in Bassingbourn and on no account should it be removed.
16. The impression is that the applicants' current business results in traffic movements largely outside busy times and therefore any change to the conditions would result in an increase in traffic rather than a replacement.
17. The road outside Brook Orchard Farm is completely straight and there is already a problem with vehicles exceeding the speed limit. An increase in traffic turning onto this stretch of road will inevitably bring about a serious accident at some stage in the future.
18. No form of storage, wholesale or retail and most certainly no transport or haulage should be allowed for traffic reasons.
19. The conditions were imposed for good reasons, which still apply.
20. The application will lead to further industrialisation of the rural environment, and there will be requests for further expansion and the erection of new buildings at a later date.
21. From a leaflet distributed locally there already appears to be an additional company operating from the site so it appears that the applicant has assumed that the application will be successful. What steps would normally be taken in these circumstances? If they have already stepped outside their original planning consent they cannot be trusted and it indicates that they have no concerns in the needs of the village but only their own development.

22. The proposal does not feature in the village plan and would be detrimental to the community.
23. The site is near the Conservation Area and forms part of the historic nature of the totality of the village.
24. One letter states that whilst being strongly committed to promoting business and light industry in the village it should have low environmental and aesthetic impact. This proposal would not comply with those criteria for the highway reasons outlined above. What will happen when the applicants business returns to normal? If this does happen the restriction should be reinstated. Alternatively the applicant could seek a change of use to small office or light industry which would have the benefit of contributing to local jobs but with minimum environmental or aesthetic impact.

### **Applicants Representations**

25. In a letter accompanying the application it is stated that On-Set Location Services Limited provides custom-built location vehicles for use by the television and film industry. Due to the strike by the Writers Guild of America this has had a detrimental effect on the film industry and fewer films have been released for production than usual. As such there has not been the requirement for location vehicles as there has been for the past few years. In order to diversify On-Set has branched out into the television industry, however this does not have the same requirements as the film industry, and not as many vehicles are required. The inevitable outcome will be that the applicant will need to reduce his fleet of vehicles.
26. The situation that the applicant finds himself in is that the premises at Brook Orchard Farm are now larger than required, and in order to survive financially he needs to look to utilise the facilities that he has on site.
27. The letter states that the conditions were included on the consents to ensure that On-Set developed the site and used it for their own purposes and it was not sold off to another developer. The applicant has complied with these conditions and the Company has been in the premises since early 2005, and has complied with the condition since that period.
28. In a subsequent email the applicants' agent has stated that the applicant would be willing to limit the use of the site to B1 and B8 (Storage only). This accords with both the previous consents granted for the change of use and limits the B1/B8 use now implemented. Such a restriction would give the Parish Council some comfort that a coach depot/haulage yard could not be operated from the site without a planning application being submitted, and the distribution element that the applicant can operate will not be extended to those sub-letting.
29. In addition the now implemented consent also has a routing scheme in place to prevent a right turn into the village and this will remain enforceable as the application is only for a variation of another condition on the existing permission. This should provide further comfort to the Parish Council.
30. It is suggested that the following condition is imposed. " The premises shall first be occupied by On-Set Location Services Limited and shall be used in conjunction with vehicles and trailers operated by that Company only and any additional operator shall be restricted to a B1 and B8 (Storage) use and no other purpose."

**Planning Comments – Key Issues**

31. The key issues for Committee to consider in the determination of this application are whether the proposed removal/variation of the specified conditions will have a materially adverse impact on neighbour amenity, highway safety and the character of the area.
32. The original planning permission for the change of use of the former agriculture buildings on this site, prior to the current applicant having an interest in the site, related to their use for Class B1 (Light Industrial) and Class B2 (General Industrial). Whilst by definition a B1 use should be appropriate to a residential area a B2 General Use could be expected to generate noise and larger vehicles. That consent was not restricted in terms of vehicle numbers, type or routeing.
33. The conditions on the existing planning consents, which the applicant is seeking to remove/vary, control first occupancy of the site and have been complied with. If the applicant chose to dispose of the whole site in my view the Local Planning Authority would not have control over a number of alternative potential uses of the site. The use of the workshop building is not restricted to Class B1.
34. The reasons specified for the conditions do not make any specific reference to highway safety or traffic movements as being a material consideration in the decision to attach them to the consent.
35. Given the nature of the current application it is not possible to quantify with any certainty the impact of any variation/removal of traffic movements to and from the site. However in my view if the conditions are varied along the lines suggested by the applicants agent, restricting any additional use of the site to B1 or B8 (storage), the overall impact on traffic conditions in the adjoining villages is likely to be negligible. In coming to this view I am aware that the nature of the applicants business has previously resulted in many of the vehicles tending to be away from the site for the duration of film contracts, and that although there may be concentrated periods of activity when vehicles come on and off the site, there will have been others when activity is lower, and that the introduction of a B1 or B8 (Storage) use may change this pattern of activity. I have also taken into consideration the original planning consent for the unrestricted use of the original buildings on the site to B1 and B2 uses.
36. I will report the comments of the Local Highway Authority on this point.
37. I have discussed with the applicants' agent the possibility of making any removal/variation for a temporary period of say 2 years, in order to allow the impact of any additional user to be assessed. However for business reasons the applicant does not wish to seek a temporary permission.
38. I have not received any comments from the two dwellings immediately to the west of the existing access road. It is the occupiers of these properties that are likely to be most affected by any increase in vehicle activity to and from the site.
39. I am not aware of any complaints in respect of the breach of conditions of the existing planning consents but will ask the Enforcement Team to investigate. There is a condition, which would prohibit the use of a compressor engine on the site throughout the night. I am aware that a company called Cheyenne Imports is operating from the site. This deals in motor homes (similar to those used by On-Set) and I believe that the two companies are related.

40. I am of the view that, if any additional use of the site is limited to a B1 or B8 (storage use), any likely increase in traffic activity to and from the site is not likely to be so significant to warrant a refusal of the application for the reasons outlined above. The other planning conditions attached to the two consents would remain in force

**Recommendation**

41. That, subject to any comments of the Local Highways Authority, consent is granted with a condition restricting any additional uses to Class B1 and B8 (Storage) only.

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

- South Cambridgeshire Local Development Framework 2007
- Planning File Refs: S/1873/08/F; S/0544/07/F; S/1472/04/F and S/1174/01/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 Committee4<sup>th</sup> February 2009**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

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**S/2059/08/F - HISTON**  
**Erection of Dwelling at Land North of 26 Cottenham Road**  
**for Mr & Mrs Brooklyn & Miss Young**

**Recommendation: Approve**

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

**Notes:**

**This Application has been reported to the Planning Committee for determination on the written request of the local member Cllr Mason.**

**Members will visit the site on 4<sup>th</sup> February 2009.**

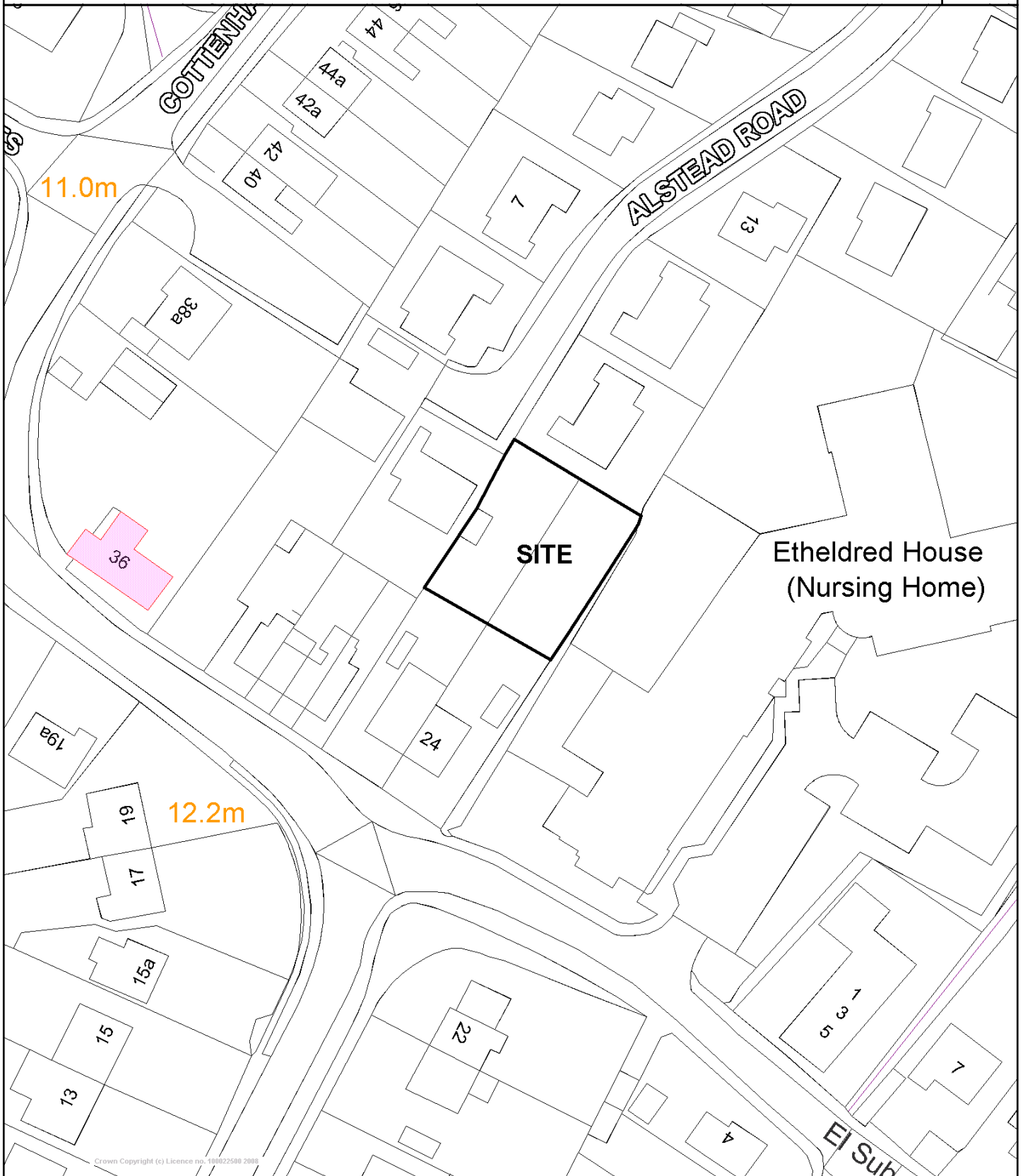
**Site and Proposal**

1. The 0.05 hectare application site consists of the rear most part of the back gardens of nos.26 and 24 Cottenham Road. The site is within the Histon development framework with Histon being defined as a rural centre by the core strategy "2007". The site is currently laid to lawn with minimal planting along its flanks other than an established narrow band of landscaping along the northern boundary, which abuts the residential curtilage of no.11 Alstead Road. The site is not within the Histon Conservation Area and no trees within or on the periphery of the site are afforded statutory protection.
2. The application site as existing is accessed by foot via nos.24 & 26 Cottenham Road; however, there is no current through access for vehicles to the site. To the north of the site is the residential cul-de-sac Alstead Road. This road consists of a narrow no through road with the immediate houses abutting the application site being detached bungalows (Nos.10 & 11 inclusive). This road is a quiet cul-de-sac of relatively low density detached housing in a linear layout.
3. The application, received 4<sup>th</sup> December 2008, proposes the erection of a single detached 3-bedroom bungalow, which would be situated adjacent to no.10 and at a right angle to no.11 Alstead Road. The dwelling would be similar in scale and design to that of the adjacent properties and would be accessed via an opening onto Alstead Road, which at present consists of a close boarded fence boundary with a telegraph pole and street lamp onto the public footpath. The density equates to 20 dwellings per hectare.

**Planning History**

4. None

S/2059/08/F Histon



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February Planning Committee

## Planning Policy

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

*Core Strategy 2007*

**ST/4** Rural Centres

*Local Development Framework Development Control Policies 2007*

**DP/1** Sustainable Development

**DP/2** Design of New development

**DP/3** Development Criteria

**DP/7** Development Frameworks

**HG/1** Housing Density

**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 Standards

## Consultation

6. **Histon Parish Council** – No recommendation, but provides the minutes from the Council meeting and notes the following points:
- (a) Narrow and inconvenient access, with the possibility of vehicles in and out colliding, even at low speeds;
  - (b) If minded to approve, conditions are requested that the site has no access outside of 9am-5pm, Monday to Friday during the build;
  - (c) Local Highways Authority comments should be revisited in light of the suitability of the access as raised by residents;
  - (d) If minded to approve, consideration should be given to the access to the site being off Cottenham Road;
  - (e) Multi stemmed tree not to be felled and to remain undamaged.
7. **Local Highway Authority** - “The applicant must show the dimensions for the proposed car parking spaces, which should be 2.5m x 5m with a 6m reversing, space.

The manoeuvring area should be provided as shown on the drawings and retained free of obstruction.

The proposed access way should be hard paved for a distance of not less than 6m from the boundary of the adopted public highway and the site, to prevent debris spreading onto the adopted public highway, which may represent a danger to other highway users.

As part of the above works the Highway Authority will require that the existing lamp column outside number 10 Alstead Road to be repositioned to reduce the potential for future damage which may occur as a result of vehicles entering and leaving the site.”

8. **Trees & Landscaping Officer** – The vegetation on site is “scrub”. While it affords a visual barrier between the two properties there is nothing of significance on site. There is no objection to the clearing of the site; however, a robust landscaping scheme to provide screening and softening of the boundaries would be welcomed.

## **Representations**

9. Cllr Mason has written in with his objections to this proposal, the content of which has been summarised below:
- (a) Under previous policies this would have been classed as back land development and refused as such;
  - (b) The dwelling would be served by a narrow and inconvenient access, which is substandard in width, visibility and safety;
  - (c) The new policies of housing density in my opinion do not override what is an issue of neighbour amenity;
  - (d) I support the view that the Local Highway Authority comments in relation to the access should be challenged and that access for the site should be from Cottenham Road;
  - (e) If granted the applicant would have to negotiate the relocation of street lighting, the telegraph pole and a dropped kerb, which would add further detriment to residents;
  - (f) Access from Alstead Road would lead to congestion, parking problems and highway safety issues.
10. In addition to the comments from Cllr Mason, 19 neighbour representations have been received from residents of Alstead Road (Nos. 1,3,4,6,7,8,9,10, 11, 13, 14, 15, 16,17,19and three unknown). The objections are summarised below:
- (a) The proposed access is limited to nine feet six inches” and has always been fenced across;
  - (b) Builder’s merchants would be unable to deliver materials onto the site due to the limited access and the likely size of their vehicles. Therefore the manoeuvring of these vehicles would result in very congested turning conditions at the turning head of Alstead Road, which could lead to vehicles having to use neighbouring driveways;
  - (c) The turning head has never given access to the site and would increase the volume of traffic in what is a quiet cul-de-sac;
  - (d) The removal of street lighting from its corner position as proposed by the applicant would cause light pollution to 9-10 and 11 Alstead Road;
  - (e) The occupier of No.11 Alstead Road would strongly object to the removal of the Multi-stem Copper Beech tree, which is subject to a Preservation Order as proposed by the developer. Its removal would result in the loss of privacy for the occupiers;
  - (f) The owners of Nos.8 and 10 Alstead Road have suffered in the past from damage to their garden walls by large vehicles turning in this section of road. Construction vehicles that are large in nature would cause a danger to some of the elderly residents as well noise and disturbance.

## **Planning Comments – Key Issues**

### ***Housing & Design***

11. The site would provide a residential density of approximately 20dph, which is considered acceptable for a modest 3-bed detached bungalow within this location, having regard to the character of development in Alstead Road and access considerations. Histon is a Rural Centre as defined by the Core Strategy; which allows development without restriction of the size of a scheme within village frameworks. Rural Centres are by definition the larger sustainable villages with good links to public transport and local services. The application site is considered to be well located to the

village centre, with good access to its services. Due to the site only being capable of accommodating 1 dwelling, the development would not require to provide any affordable housing.

12. The proposed dwelling would be built in line with the subtle stagger of the existing properties nos.9 and 10 Alstead Road. The building envelope would sit at a right angle to no.11 Alstead Road such as no.9 does at present to no.8. The building would be of a similar size and design to those within the street scene and I am of the opinion that the proposal would be sympathetic to the planned layout of the area. The development would provide adequate private amenity space for the proposed dwelling as well as the existing properties at nos.24 and 26 Cottenham Road.
13. The applicant has acknowledged the need to provide for off site informal open space infrastructure and has agreed to provide a scheme to the level of a 3-bedroom dwelling. This would equate to an approximate sum of £2,958.33 to be secured by condition.

### ***Access & Parking***

14. The proposed bungalow would be served via a vehicle access off Alstead Road upon the northwest corner of the site. This access would involve creating an opening, which currently consists of a close-boarded fence fronting the turning head to Alstead Road. The access would be approximately 2.9m wide leading to two off-road car parking spaces at the required dimensions of 2.4m x 5m. Given the sustainable nature of the site in terms of public transport and services; 2 car parking spaces are considered the maximum level of parking for a single 3-bedroom dwelling. The amended plan no. 3023-01 Rev A illustrates that these spaces can be achieved on site and that they provide adequate turning provision to allow vehicles to enter and egress within a forward gear.
15. The Local Highway Authority is of the opinion that given the likely low impact of traffic generation that, would result from a single dwelling in this location, the proposed access is of sufficient width and location, to ensure that it would not be detrimental upon highway safety. It is acknowledged that the access does not provide the normal required standards of pedestrian visibility splays. However, in this instance Alstead Road is a quiet narrow winding residential cul-de-sac, with moderately low traffic intensity. I am of the opinion that; the traffic speeds of users of this road would be reasonably low.
16. The two nearest properties to the application site; nos.10 and 11 Alstead Road do not have access points within close proximity to the proposed access (no.10 has its access upon its western boundary, whilst no.11 has its access upon its northern boundary. Therefore it is considered that on the grounds that vehicles can enter and egress the site within a forward gear that very little traffic conflict would occur through its use. Pedestrians would be unlikely to use this corner of the turning head in large numbers. Nevertheless, given the layout of the turning head the access would be highly visible to both vehicles and pedestrians upon approach.

17. Despite this proposal, the opening of an access onto Alstead Road would at present not require planning permission as Alstead Road is not a classified road. Therefore this action could be taken by the applicant at any time with the approval of the Local Highway Authority. Representations have made reference to the potential alternative access to the site from Cottenham Road. Such a proposal would involve the demolition of an existing garage and would leave nos.26 or 24 without sufficient off road parking. Furthermore, an access off Cottenham Road would involve vehicles passing gardens of dwellings to the detriment of residents' amenity.

### ***Amenity & Street Scene***

18. The proposed dwelling is a single storey detached bungalow. It would share the same relationship to other properties of the surrounding detached dwellings within the street scene and would be of a similar scale and height. Given the low density and detached nature of Alstead Road I am of the opinion that the building would not result in any overlooking, overshadowing or overbearing impact upon any of the surrounding properties. The dwelling would result in an increase of traffic movements within Alstead Road, nevertheless, this increase would be minimal and I am of the opinion that vehicles entering and exiting the site within low gears would not be too dissimilar to vehicles manoeuvring within the turning circle and therefore the likely impact in relation to noise and disturbance to existing residents would be minimal.
19. The dwelling would be only partially visible from Alstead Road due to its corner position within the street scene. No.10 Alstead Road provides a high level close board fence along its northern elevation adjacent to the application site and the opening that would provide the vehicle access to the site would in my opinion provide an acceptable appearance to the turning head. Whilst it is acknowledged that the design of the dwelling is of no particular architectural merit, the dwelling would not be incongruous within the street scene due to it being sympathetic and in keeping with the properties that surround it, hence assisting its assimilation as part of Alstead Road.
20. Given the narrow access to the site concerns have been raised over the potential conflicts of noise and disturbance and traffic conflicts during the construction of the development. I am of the opinion that these matters can be overcome by suitable conditions restricting hours of operation of power driven machinery as well as the requirement of a method statement in relation to construction management.
21. The matter of relocating the existing street lamp and telegraph pole are not material planning considerations and are matters between the applicant and the relevant statutory undertakers, including the County Council, as Local Highway Authority. However, given the new location shown on the proposed plans of the street lamp, I am of the opinion that its re-location would make little difference to residential amenity.

### **Recommendation**

22. Approve subject to amended plan no. 3023-01 Rev A.

### **Conditions**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission. (Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development which have not been acted upon.)

2. No development shall take place until 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.)
3. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of the dwelling or in accordance with a programme agreed in writing by the Local Planning Authority. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation. (Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
4. The proposed access and turning area shall be provided before the dwelling hereby permitted is occupied and thereafter retained as such. (Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
5. The proposed access way shall be hard paved for a distance of not less than 6m from the boundary of the adopted public highway and the site. (Reason - To prevent debris spreading onto the adopted public highway, which may represent a danger to other highway users in the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
6. During the period of 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 by 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.)
7. No development shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority:
  - i) Contractors' access arrangements for vehicles, plant and personnel;
  - ii) Contractors' site storage area(s) and compounds(s);
  - iii) Parking for contractors' vehicles and contractors' personnel vehicles;Development shall not be carried out other than in accordance with the approved details. (Reason - In the interests of residential amenity in accordance with Policies DP/3 and DP/6 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 Core Strategy (adopted January 2007) and Development Control Policies (adopted July 2007)
- Planning Application File ref: S/2059/08/F

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



**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee4<sup>th</sup> February 2009**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

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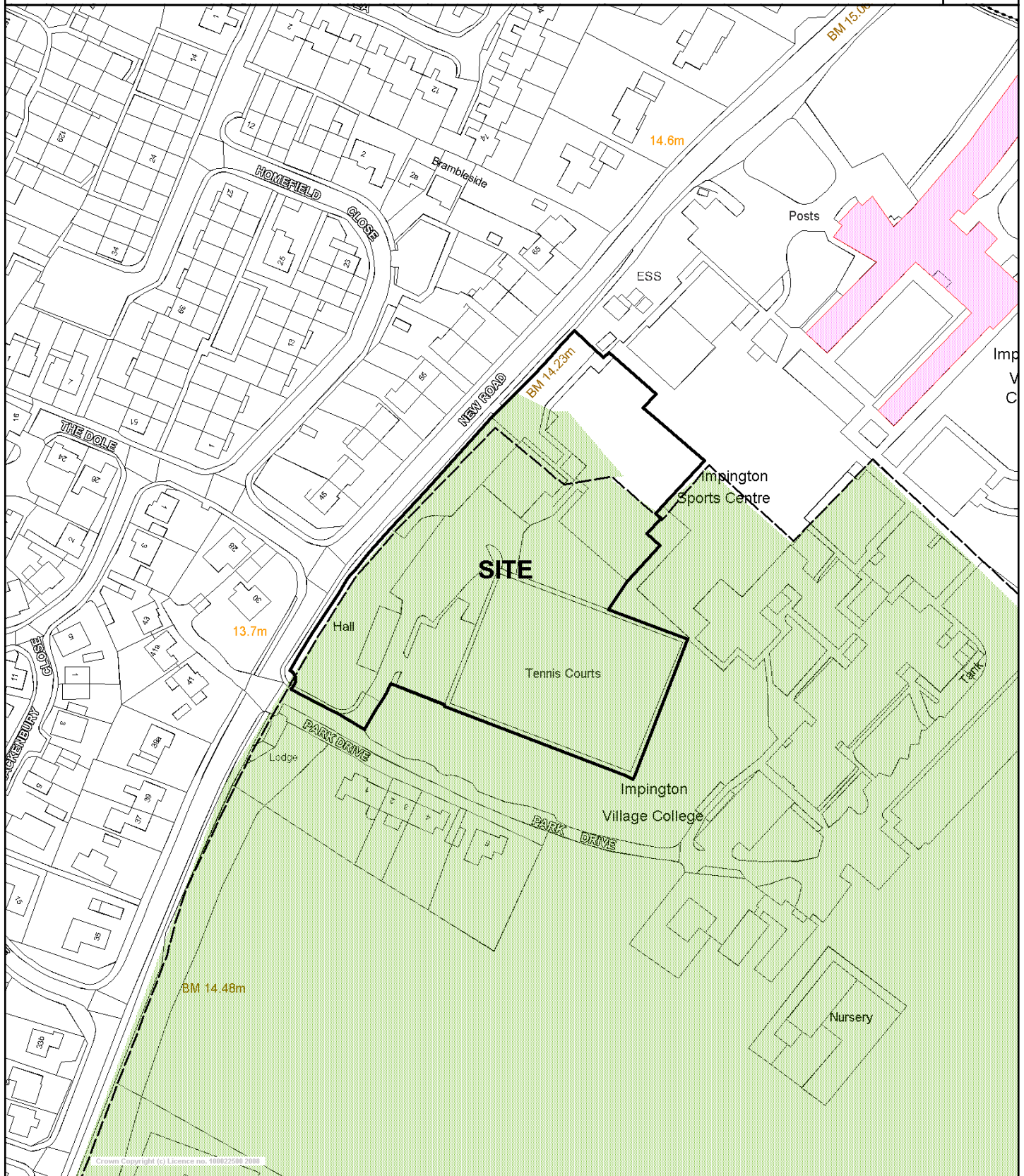
**S/1945/08/F - IMPINGTON****Extension to Sports Centre at Impington Village College, New Road  
for Impington Village College****Recommendation: Delegated Approval****Date for Determination: 6<sup>th</sup> February 2009 (Major Application)****Notes:**

**This Application has been reported to the Planning Committee for determination because it is a departure to the development plan.**

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

1. Impington Village College is a Grade I Listed building. The Listing description notes:  
  
‘Comprehensive school, originally designed as a village college in 1938 by Walter Gropius and Maxwell Fry. Gault brick with red brick and blue tile details; flat roofs. One storey. Wide central block with single depth classroom wing to south with open corridor, and parallel to it but to north side an adult wing planned on gentle curve with enclosed corridor and tall metal framed windows to main facade. Projecting assembly hall to east of main block has splayed walls and rising roof with wide canopy over main entrances. Recent additions by County Architects Department. N Pevsner, Buildings of Cambs and Isle of Ely p413, p558; Architectural Review 1938.’
2. The development site itself is to the south, away from the listed building, adjacent to a complex of modern school buildings. It lies on land between the existing pool building and Park Drive to the south. The site incorporates a scout hut, tennis courts and car park, which are to the south of the main complex of built development.
3. The western site boundary is marked by a strong line of mature trees, protected by Tree Preservation Order (TPO) and a high brick wall to the New Road frontage. The northern site boundary abuts the existing sports hall and swimming pool, onto which the proposals are to extend. To the east are further school buildings. Beyond which are school playing fields.
4. The site is within the Green Belt and outside of the village framework, which it abuts.
5. The site is accessed off New Road via Park Drive; a minor residential road that leads to the further car parks, buildings and playing fields to the east via New Road.

S/1945/08/F Impington



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Scale 1/1711 Date 22/1/2009

Centre = 544477 E 263063 N

February Planning Committee

6. The full planning application, received on 7<sup>th</sup> November 2008, proposes extensions totalling 880m<sup>2</sup> to the existing sports hall and pool buildings at Impington Village College to provide new health and fitness facilities to be used in association with the existing sports hall, gym and pool. The extensions comprise:
  - (a) A first floor extension providing a gym over what is an existing single storey activity room and bar to the south of the sports hall,
  - (b) A two-storey extension linking the existing sports hall to the new facilities providing: a new entrance area, café and staff rest room at ground floor and seating area, assessment room and gym office in association with the new gym, and
  - (c) A single-storey extension to the existing pool to provide wet changing rooms and a thermal relaxation area.
7. The extensions are designed with flat, zinc and sedum (green) roofs over stone gabion walls or walls finished of brick, white render or zinc.
8. The proposals include reconfiguring the existing car park to provide 9 additional spaces and 100 cycle parking spaces.
9. The application is accompanied by a Design and Access Statement and a Supporting Planning Statement.

### **Planning History**

10. The site has an extensive planning history relating to its use as a school. Previous applications relevant to this application are those for the existing sports facilities, mainly developed during the 1990s:
  - (a) **S/0215/94/F** Swimming Pool Building Together With Changing/Plant Facilities (No Objections) (Approved by CCC).
  - (b) **S/1934/93/LB** Demolition of Gate Pier And Part of Wall For Widening of Access, Rebuilding in Revised Position (Approved).
  - (c) **S/1670/93/F** Sports Hall and Changing Facilities (No Objections).
  - (d) **S/0993/80/F** Sectional Building for Scout and Guide Activities (Approved).

### **Planning Policy**

11. *East of England Plan 2008:*  
**CSR3:** Green Belt  
  
“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 to:
  - (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.”
12. *South Cambridgeshire Core Strategy 2007*  
**ST/1** Green Belt

13. *South Cambridgeshire Development Control Policies 2007*  
**DP/1** Sustainable Development  
**DP/2** Design of New Development  
**DP/3** Development Criteria  
**DP/7** Development Frameworks  
**GB/1** Development in the Green Belt  
**GB/2** Mitigating the Impact of Development in the Green Belt  
**GB/5** Recreation in the Green Belt  
**NE/1** Energy Efficiency  
**NE/3** Renewable Technologies in New Development  
**NE/6** Biodiversity  
**NE/9** Water and Drainage Infrastructure  
**CH/4** Development Within the Curtilage or Setting of a Listed Building  
**TR/1** Planning for More Sustainable Travel  
**TR/2** Car and Cycle Parking Standards  
**TR/3** Mitigating Travel Impact

**Consultation**

14. **Impington Parish Council** – Makes no recommendation but comments:
- (a) 'Provision of cycle parking applauded;
  - (b) Interesting design, a visual improvement;
  - (c) Concern over safety of parking area near scout/guide hut with impact on pedestrian access for children and parents;
  - (d) Parking layout felt to be unrealistic with concern over capacity due to cramped layout. Narrow and tight areas between rows could result in loss of one space to each row. Noted parking occasionally inadequate now at peak times'.
15. **The Local Highway Authority** – Comments:
- (a) 'Prior to commencement of the development visibility splays with dimensions of 2.4 metres by 70 metres as measured from and along the nearside edge of the carriageway shall be provided on both sides of the access in full. The area within each splay shall be kept clear of any obstruction exceeding 600mm in height at all times.
  - (b) The Highway Authority would request that a pedestrian and cycle (no dig) access is implemented through to the bicycle parking from the existing footway along New Road and not through the combined vehicular access.
  - (c) Please request that the applicant provide a method statement relating to the process of demolition and any effects this may have on the adopted public highway. In particular reference should be made to control of debris, mud & dust, pedestrian & vehicle movements and the control of contractors parking.
16. **Landscape Design Officer** – 'The wall and mature tree belt form the visual boundary along New Road rather than the buildings behind them, so I do not feel that the proposed new buildings will have an unacceptable visual impact on the street. There is adequate space between the proposed buildings and the wall for the existing tree belt to remain a long term feature.
17. Although the design and access statement states that the new buildings do not affect any trees, the car parking certainly does. I would expect to see a tree condition survey and details of any trees that would be removed so that the impact on New Road can be assessed and mitigation planned. [The Tree Officer] would need to advise on whether a no dig solution is unacceptable. In her absence I am confident

that a method statement prepared by a competent Arboricultural consultant for her assessment will be required’.

18. **Design and Access Forum** – Comments to be reported verbally.

19. **Sport England** – It supports the scheme and its comments include:

1. Notes the need for this facility and that it results in benefits to the local community.
2. It suggests several factors that should be taken into account in justifying a departure from the development plan:
  - (a) The identified local and strategic need for this facility
  - (b) The strong partnership support for this project from the public sector
  - (c) The relatively minor impact on the openness of the green belt in this location given the existing footprint of buildings on the site, the relatively small increase in overall footprint of these buildings and the fact that the height of the extension is still below the existing roof height of the adjoining sports hall
  - (d) The precedent of other recent planning permissions on this site and nearby, particularly the new 2 storey teaching block to the rear of the school
  - (e) The fact that there are no possible alternative sitings for this extension within this complex
  - (f) The fact that the overall scale of the proposal has been kept as small as possible
  - (g) The arbitrary nature of the Green Belt boundary in this location, passing as it does through the centre of the Impington College site, which in turn confirms that an extension of this nature will not materially affect the openness of the Green Belt, or conflict with the reasons for including land within a Green Belt (as set out within Para. 1.5 of PPG2).
3. It believes there is a strong case for normal Green Belt policy to be set aside in this instance.
4. With regard to playing fields policy, this proposal only affects a limited area of land within the buildings envelope of the college and only affects land that could not readily be used for sports pitches due to the restricted dimensions. The proposal also has no detrimental impact on any other sports facilities within the site.
5. The proposals themselves relate to indoor sports facilities for which there is an identified local and strategic need, which will greatly enhance sports facility provision on this site and thus sustain the long term viability of the community facilities on this site.
6. It is satisfied that the proposal meets exception E5 of the above policy, in that the proposal is for an indoor or outdoor sports facility, where the benefit to the development of sport would outweigh the detriment caused by the potential loss of playing field.
7. It supports this application, notwithstanding the fact that there may be subsequent alterations to the design details of the scheme following a recent meeting between the applicants, their agents and the funding partners.



20. **Urban Design Officer** – Supports the scheme, commenting:

1. “The existing sports centre has been developed in an adhoc fashion over the past 20-30 years. The building consists of a large sports hall, small sports hall, 25m swimming pool. The overall massing is single storey and varies in height from 4.5m to 8m. The current proposal proposes to build a new entrance foyer with a viewing area/café, fitness area and changing rooms to the west and south-west of the existing pool.
2. This new building is advantageous in creating a –
  - (a) New frontage to the existing structure giving it a new and contemporary image with its well thought out architecture and materials.
  - (b) It also resolves the existing roofing problems of the youth centre.
  - (c) And mainly retains the building line towards the green belt.
  - (d) The incorporation of green roof and other sustainable features are to be applauded and help in creating a respectable and sustainable community building.
  - (e) Although the architecture and materials create a more interesting format to the structure, the placement of certain activities within the new structure could be refined further. The viewing area/ café would have an added function if placed between the pool and tennis court. Similarly the grassed area between the tennis courts and the building line could be used for informal seating/viewing area created through well designed landscaping. These two viewing areas if laid next to each other will allow a better interchange and spillage of activities.
3. Overall in terms of scale, massing and design the Urban Design Team feels that the current proposal does not effect adjoining properties in a negative way. It rather enhances the existing structure”.

21. **English Heritage** – comments to be reported verbally.

22. **Historic Buildings Officer** – Comments:

‘The existing sport centre is sited to the southwest of the grade I listed building and comprises a swimming pool, activity area, sports hall, changing area and plant rooms. All the buildings are in effect single storey but vary in height. The proposal is to extend the pool area to the south-west to provide changing facilities and build a first floor over the activity room and entrance to provide a gym and seating area.

The extensions will be on the south-west side of the existing complex i.e. away from the grade I listed building. However the impact on the setting of the listed building cannot be fully assessed as there is no proposed north-east elevation, only a section, drawing no. SP A201. Additional information is required including a proposed elevation that includes the existing buildings and a computer visual of the view from the front of the listed building.

In terms of design there are some concerns particularly the use of gabions, as stone is not a material associated with this area and the introduction of the balcony’.

23. **Sports Development Officer – Queries:**

- (a) Whether the 'Thermal Room' could be put to better community use by allowing access from the corridor, rather than just from the pool? This is a decent space that could potentially accommodate keep fit/pilates/yoga etc. classes.
- (b) Whether the employee WC is necessary and what WC will cafe users use during the school day?
- (c) Is 3.18m ceiling height in the fitness suite sufficient to make it a pleasant space? This is linked to some concerns about the capacity of the air circulation system and the south facing sun coming into the room i.e. will the fitness suite be cool enough in summer?
- (d) In relation to management:
  - It needs to be made clear that the fitness suite will also have 'pay and play' usage. This is a SCDC requirement and should be reflected in the application.
  - The open hours need further discussion – it is certainly expected that the fitness suite be open later than 8pm mid week.
- (e) Whether the cycle parking can be covered?

**Representations**

24. No representations have been received.

**Planning Comments – Key Issues**

25. The key issues in determining this application are whether the development is appropriate in the Green Belt, design, impact on the setting of the Listed Building, car and cycle parking, vehicular and pedestrian access, trees, public access and whether there are any very special circumstances to outweigh any harm by reason of inappropriateness in the Green Belt and other harm caused by the development.

***Green Belt – inappropriate development***

26. The site is within the Green Belt. The proposals seek development that is not appropriate, as defined in Planning Policy Guidance (PPG) 2: 'Green Belts', i.e. it does not provide essential facilities to support outdoor recreation, as the sports facilities to be provided relate largely to indoor sports. It is by definition therefore, harmful to the Green Belt.

***Other harm – Green Belt***

27. The development must be considered in terms of the purposes of the Green Belt. The proposals include built development that will reduce the openness of the Green Belt. The extensions, although reasonably large, will however be seen in the context of the college campus, against the backdrop of existing, substantial buildings. The design has sought to minimise the visual impact by keeping the height of extensions to that of the existing sports hall or lower and through the use of materials such as zinc cladding and sedum.
28. They do not significantly harm the purposes of the Green Belt as the buildings are on previously developed land that is well related to the village of Impington and will not detract from the green edge to the village, in part provided by the college's own sports fields.

***Other harm***

29. Several elements in the design of the building are of concern. The gabion wall is not considered to be appropriate to the setting of the Grade I Listed school building. The application documents simply state that these will be filled with recycled materials (stone or brick). The architect has also indicated that this is preferred on grounds that it is cost effective, energy efficient and sustainable. An update will be provided at the meeting, as discussions are on-going about this element.
30. Although the balcony has been flagged as of concern, this is understood to be of less concern, being fairly light weight in appearance. The effectiveness of this to provide solar shading for the first floor gym on this south facing elevation is also a matter of some discussion.
31. Overall the building will, subject to the use of appropriate materials, not unduly impact on the setting of the Listed Building.
32. Concerns relating to the internal layout of the facility have been raised. The application proposals are the result of discussions with the college. The architect acknowledges that the layout is not ideal. However it is dictated by the need to separate public and school entrance, provide wet changing facilities off the pool and to provide a spectator area (café/viewing area) for the pool. The layout is acceptable in planning terms.
33. It is difficult to ascertain the required car parking to serve this development as car and cycle parking exist already on the site to serve the school and existing sports centre. Based on the additional total floorspace of the sports facility that will result (2030m<sup>2</sup> total, 880m<sup>2</sup> additional floorarea) no extra spaces would be required. However taking the overall floorspace a total of 92 car parking spaces would be required by current standards. The Design and Access Statement (para. 8.9) states that a travel plan has been updated and notes that the site is readily accessible by public transport, foot and cycle. Due to the patterns of usage it is likely that car parking will not be a problem throughout the course of a day.
34. Insufficient provision has been made for disabled users' car parking, with only 2 spaces allocated.
35. The layout submitted does not include adequate turning areas.
36. It is noted that cycle parking proposed exceeds the standard required (82 spaces required, 100 proposed). Details of how these spaces are to be covered are awaited and can be conditioned.
37. The Local Highway Authority's comments are noted and a plan detailing visibility splays of 2.4m by 70m requested, however the access was improved in the 1990s and this is unlikely to be an issue.
38. The Parish Council's concerns regarding pedestrian access through the car park and Local Highway's request to create a pedestrian/cycle route through from New Road are also noted. To create a pedestrian path from Park Drive is likely to be impractical, and having a route from New Road would result in the need to provide a path through an area of protected trees or to break through the curtilage wall. This is not supported by Conservation Officers. A route already exists to the north west of the sports hall from the main entrance road to the school. Pedestrians do and will continue to move through a car park; this is not unusual.



39. A revised layout plan has been requested addressing the layout issues in relation to turning and a travel plan can be secured through planning condition.
40. The architect has confirmed that foundations to accommodate the first floor extension will involve piling. These should not affect trees; however suitable safe guarding conditions will be added to ensure that the detailed design is agreed by the Tree officer to ensure no damage is caused to the protected frontage trees. All trees are to remain and as such tree protection measures may also be required

***Very special circumstances***

41. The applicant has put forward a case of very special circumstances including:
  - (a) The buildings will create a defined frontage that rationalises the group of buildings and their appearance from the Green Belt, enhancing the edge of the Green Belt.
  - (b) The new facilities will provide affordable fitness opportunities for the residents of Impington and Histon as 'Pay and play' is proposed – noting that other facilities at the Barn (Girton) and The Holiday Inn (Histon) are only available on a membership basis.
  - (c) The new facilities will enable the South Cambridgeshire Physical Activity Strategy 2004 – 2007 recommendations to be met as it will improve health, increase physical activity for all children, provides out of school hours participation in physical activity, and increase opportunities for people with disabilities.
  - (d) Accords with Sport England's policy to unlock the potential of school sports facilities by providing dual use, curricular opportunities, widening access to the local community, and helping to place schools at the centre of community life.
  - (e) Meets the requirements of South Cambridgeshire District Council's 'Interim Dual Use Sports facility Strategy' (July 1999) by providing dual use facilities that serve as a local leisure centre. It identified an appropriate level of facilities that for Impington Village College required including, amongst others, fitness suites, staff office, spectator / social area and community changing areas.
  - (f) Strong local support is demonstrated through feedback from a community survey revealing:
    - Of existing users of the centre: 98% were in favour of the fitness studio being built, 84.7 % were interested in joining the fitness studio and 70% would like an option to use the swimming pool.
    - Of the wider community who are not current users: 97% were in favour of the fitness studio being built, 89% were interested in joining the fitness studio, 78% were not currently members of a fitness club and 78% would like an option to use the swimming pool.
  - (g) Impington sports Centre is an established business with over 100,000 visitors per year, and is well known locally and regionally.
  - (h) It provides activities for older adults and those people returning to a more active lifestyle in the local community.
  - (i) It will provide facilities to enable them to participate in Fitness 4 health exercise referral scheme and the Heart Watch Cardiac Rehabilitation sessions which local residents have to travel out of the area to take part in at present.
42. Collectively I consider that the above considerations do amount to very special circumstances sufficient to clearly outweigh the harm to the Green Belt, by way of inappropriateness and loss of openness.

**Departure**

43. I do not consider that the application needs to be referred to the Secretary of State, as under The Town and Country Planning (Green Belt) Direction 2005 only development over 1000m<sup>2</sup> or that which by reason of its scale, nature or location would have a significant impact on the openness of the Green Belt. This application proposal is considered not to fall within either category.

**Recommendation**

44. Subject to resolving the design matters and receipt of a revised block plan, north east elevation drawing and drawing of visibility splays Approve, subject to safeguarding conditions below:

**Conditions**

1. SC1 Full planning permission, time limit (3 years)
2. SC5 Landscape scheme
3. SC6 Landscape implementation
4. SC8 Tree protection
5. SC14 Foundation details for the first floor gym extension (Reason: To ensure against damage to roots of protected trees)
6. SC54 Bird nest boxes (wording to include 'Bat and bird nest boxes')
7. SC13 Materials
8. SC58 Lighting
9. SC15 Vehicle parking (worded: '...the buildings....parking and turning...')
10. SC16 Cycle parking (worded: '...the building..')
11. SC18 Travel Plan
12. SC20 Vehicle visibility splays (worded: '...2.4m...70.0m...')
13. SC38 Noise during construction

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

- Regional Spatial Strategy – East of England Plan (adopted May 2008)
- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Planning File Refs: S/1945/08/F, S/0215/94/F S/1934/93/LB and S/1670/93/F and S/0993/80/F
- South Cambridgeshire Physical Activity Strategy 2004 – 2007
- South Cambridgeshire District Council's 'Interim Dual Use Sports facility Strategy' (July 1999)

**Contact Officer:** Mrs Melissa Reynolds – Team Leader (East Area)  
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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee4<sup>th</sup> February 2009**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

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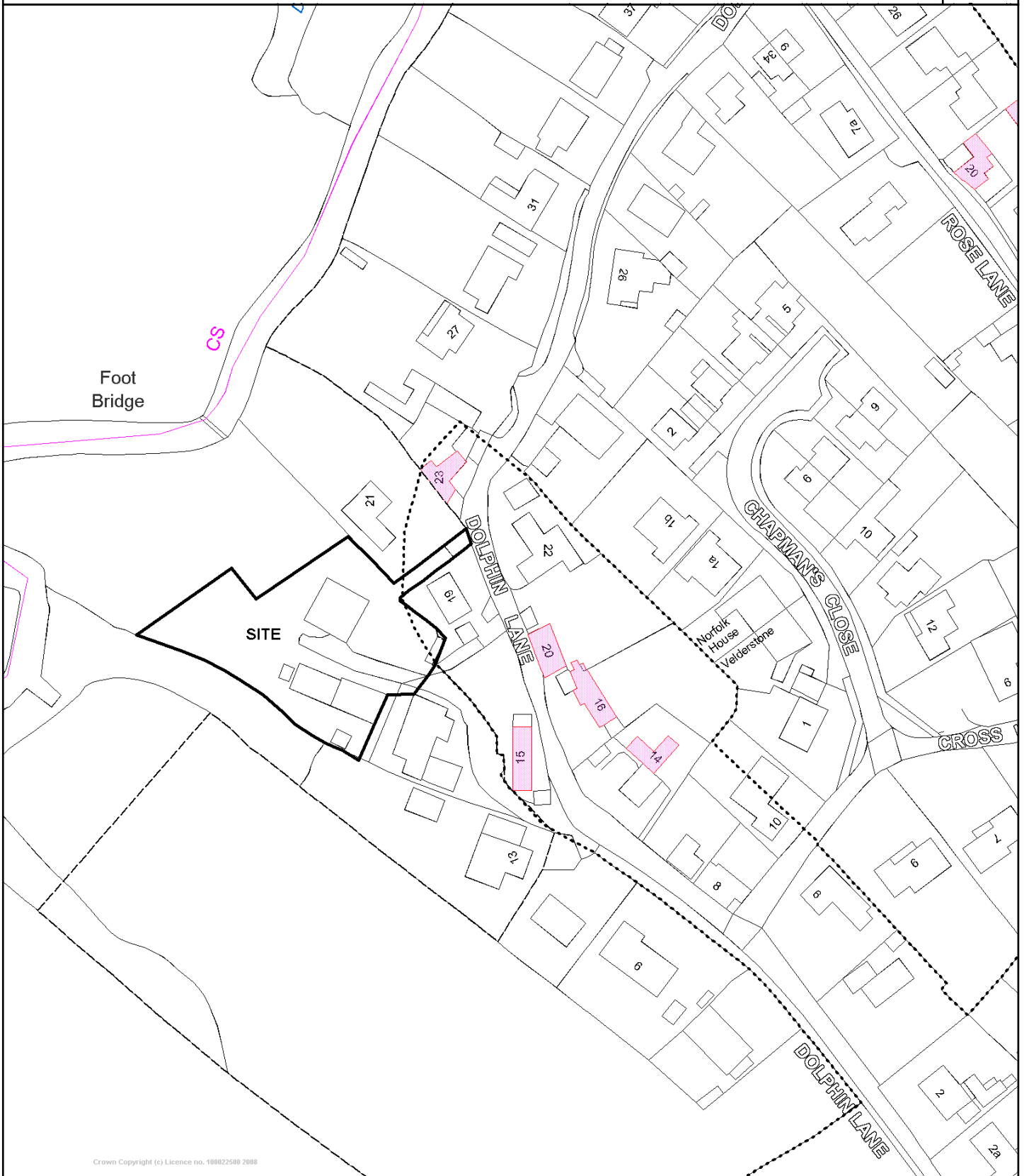
**S/2060/08/F – MELBOURN****Erection of Dwelling, Carport, Workshop and Tractor Store  
at Land to the North East of 19/21 Dolphin Lane, Melbourn for Mr R Wedd****Recommendation: Refusal****Date for Determination: 29<sup>th</sup> January 2009****Notes:**

**The planning application has been referred to Planning Committee by a written request of Cllr Guest.**

**Members will visit this site on 4<sup>th</sup> February 2009.**

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

1. The site measures approximately 0.16 hectares. The site is currently used for the storage of farm equipment in corrugated metal barns; it is outside the village framework, is partially within the Conservation Area and is adjacent to the curtilage of a Grade II Listed Building (Number 15). To the north of the site there is the two storey detached 1980s dwelling of number 21, which is outside the village framework. The dwelling to the northeast of the site is a 1960s bungalow. Two dwellings form the eastern boundary of the site, the first being a three storey thatched Grade II Listed Building and the second being a 1950s bungalow. The 1950s bungalow is outside the village framework. To the south of the site there is a large one and a half storey dwelling of Stockbridge Meadows, which gained planning approval in 2006 and is within the village framework. The western boundary of the site is formed by open land, sloping down towards the stream, currently used for poultry by the applicant.
2. The highest point on the site is approximately where the proposed workshop is positioned. The current storage buildings on the site are of no architectural importance being predominantly made of corrugated metal; there are also signs of them being in a poor condition.
3. The application, registered on the 4<sup>th</sup> December 2008, proposes the erection of a one and a half storey, four bedroom dwelling, carport, workshop and tractor store. The proposed dwelling is designed in the form of a barn,



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while the carport/workshop/tractor store building is in keeping with a farm building and is L shaped. The proposed dwelling measures approximately 16 metres x 10.5 metres, with an approximate height of 8 metres. Amended plans have been sought with the agent that should reduce the width of the building from 10.5 metres to approximately 8.5 metres. The proposed carport/workshop and tractor store measures 16 metres x 20.6 metres, with a maximum height of 6 metres. The amended plans sought should reduce the carport from three parking bays to two. The proposed development will be constructed out of black timber cladding and redbrick for the walls, the roof will be constructed out of pantiles and windows and doors will be made out of timber.

## Planning History

4. The site has had two previous refusals for the erection of a dwelling (Application reference **S/1352/07/F** and **S/0224/08/F**). In both previous applications the proposed dwelling was refused primarily because it is outside the village framework. The applications were also refused due to the proposed dwelling being out of scale and having an unacceptable massing, which would lead to detrimental impact upon the character of the surrounding dwellings, the Conservation Area and the nearby Listed Buildings. Both proposals were therefore contrary to Policies DP/2 (Design of New Development), DP/7 (Development Frameworks), CH/4 (Development within the Curtilage or Setting of a Listed Building) and CH/5 (Conservation Areas) of the South Cambridgeshire Local Development Framework, Development Control Policies, adopted in July 2007.

## Planning Policy

5. Relevant policies are listed below.

*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 DP/7** (Development Frameworks) **Policy CH/2** (Archaeological Sites), **Policy CH/4** (Development Within the Curtilage or Setting of a Listed Building), and **Policy CH/5** (Conservation Areas).

## Consultation

6. **Melbourn Parish Council** recommends approval and no further comments.
7. **Environmental Health Officer (Contaminated Land)** comments:

“The above site comprises former storage land and barns and therefore it is recommended that no development, if approved, shall be commenced until:

- a) The applications site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority.

- b) Detailed proposals for the removal, containment or otherwise rendering harmless and contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority.
  - c) 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.
  - 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.”
8. **Environmental Health Officer (Noise)** is concerned that problems could arise from noise during construction and asks for the following conditions:
- “a) 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 no after 18:00 hours on weekdays and 13:00 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.
  - b) 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.”
- An informative is requested stating that 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.
9. **Cambridgeshire Archaeological Planning and Countryside Advice (County Council)** states that records indicate that the site lies in an area of high archaeological potential. It is considered likely that important archaeological remains survive on the site and that these would be severely damaged or destroyed by the proposed development. The area of application lies on a chalk/gravel spur overlooking the River Mel, with significant archaeological remains located on the Mel's eastern and western banks. The geographic location alone suggests the presence of prehistoric remains within the proposed development area. Two manorial sites are located adjacent to the river, an 11<sup>th</sup> to 16<sup>th</sup> Century moated manor and chapel rest 300m to the South of the application (Historic Environment Record No.MCB1608), and a moated manor with dovecot are located 200m north of the proposed development (MCB1611) which may suggest associated Medieval remains within the development area. 210m to the north-west of 19/21 Dolphin Lane several archaeological finds were revealed; Iron Age pottery and spindle whorl, Roman pottery and a bell, and Saxon pot shards were also discovered (HER No.s MCB10513, MCB10514 and MCB10515).

The site should be subject to a programme of archaeological evaluation that could be secured through the inclusion of a negative condition (PPG16, para. 30) in any planning consent. It is standard practice for the Archaeological department to produce a design brief for the evaluation phase.

10. **Planning Policy** has informally commented that there is no current plan to review the village framework in the next three years.
11. **Highways Authority** requested that the applicant clarifies whether this is to be a commercial or private site due to the inclusion of a tractor store and shed.

Following receipt of additional information the Highway Authority would request that a condition be placed on the site not allowing any commercial activity for the tractors or threshing machine from the proposed site.

12. **Conservation Officer** comments that a part of this site adjacent the entrance is within and the rest is adjacent the Melbourn Conservation Area and is within the vicinity of a number of Listed Buildings.

The Conservation Officer is of the opinion that the site plan seems inaccurate, as the plotted positions of buildings do not accord with the positions on an aerial photograph. In particular the relationship of buildings to positions of the trees at the rear of the site need clarification, as well as any works affecting these trees. In principle they are contributing to the setting and helping to screen this development.

States that the proposed buildings are too bulky. They point out that the barn conversion derived house has too large a span, which gives an awkward proportion to doors and windows especially within the gable. This bulk is emphasised because part of the site is on higher ground than the neighbours, including the Listed Buildings. The span should be reduced to that typical of traditional buildings including the barn from which this design is derived, which would normally be up to 5.5m. The chimney is not compatible with the barn type design and the standard height of the front door has a conflict of scale with the glazed midstorey element. The rows of rooflights and scattered window opening should be minimised and combined to give more balance to the elevations. Further states that the length of the carport/workshop element is larger than any adjoining building, and therefore should be reduced by at least 1 vehicle bay. The 8 metre span is also excessive. The proposed carport/workshop could be broken down into a main span and rear lean to.

On the basis of the plans submitted, I would recommend refusal on the basis of design and the bulk of the proposed development, which by means of the ground levels would be harmful to the character of the Conservation Area and Listed Buildings. However, subject to clarification of the site, trees and principle, the spans of both proposed buildings and length of the carport maybe reduced to a more acceptable and appropriate dimension.

## Representations

13. 32 Dolphin Lane – State they have lived in the area for 22 years. They further comment that they did not object to the development of Stockbridge Gardens (Stockbridge Meadows) since it seemed an appropriate site for the development, though a little opulent for the area. The only objection for the Stockbridge Gardens development would have been the expected increase in traffic, which has proved to be the case. They do not expect that this application would add significantly to current usage.

They further comment that the planning boundary issue is inconsistent and irrational. Their understanding was that the planning guidelines were designed to provide a coherent structure and consistency to the process.

Their reasoning for supporting the application is that the existing structures do not enhance the area and for them to be replaced by a dwelling and outbuildings would provide a visual improvement. Secondly the application does not encroach or affect the local environment. Thirdly the planning boundary needs to stand the test of logic and cohesion, that substantial neighbouring land has been developed and finally there are precedents for the redrawing of the village boundary to enable development to take place.

They finally comment that they fully understand the need for council officials to ensure that legislation is complied with but the matter needs to be brought to a speedy conclusion in order to avoid any further waste of expensive Council resources.

14. 13 Dolphin Lane – After looking at the plans she wishes to make the following points:
- a) Firstly, she points out that she has not been consulted on the application, by either the applicant or their agent, and so states that the statement on the application is false.
  - b) Secondly a building of this size is still too large for the site and surrounding properties. She also points that the development is not in keeping with Dolphin Lane, due to its grandeur and so should not be allowed.
  - c) Thirdly she points out that another development would lead to an increase in traffic flow through the narrow, twisting lane of Dolphin Lane. This being especially the case where the proposed access is, where already 5 driveways join onto the tricky corner.
  - d) Before any groundwork/building is commenced the applicant should be made to provide maximum allowed height stock-proof fence along the boundary between no 13 Dolphin and the applicants land. She states this will not only provide a safe and secure environment for both parties, but to hide the unsightly scattered old farm machinery and unused materials. She adds that this piece of ground has been a dumping site for old machinery etc for many years and the applicant should be made to tidy this up, as it is unsightly. Her final point is that it would also be beneficial to the environment, as she is sure vermin are present.



15. 13 The Moor - points out that the applicant has made the site an eyesore. The applicant has already done a lot of development in the area and believes the workshop will lead to more tractors being stored on the site. He also enquires into the legality of a window being inserted into a Listed Building and the caravan on the site.
16. 15 Dolphin Lane – States that, having looked at the plans for this dwelling, they are very pleased to support this application, as the view from the rear of their property will be improved.
17. 22 Dolphin Lane – States that, they fully support the application and do not understand why the proposal has been refused to date. They have viewed the plans and walked around the site and find nothing intrusive or detrimental in the proposal to the Dolphin Lane area.
18. 5 Stockbridge Meadows – States they are not against the development, as it will visually improve the area. Though they do not object they do have some concerns regarding the development. The first concern is that the bedroom windows facing south will look directly onto their garden/patio area. The second is that the development will be very close to their property, as it is built near the boundary. They are finally concerned that the applicant is proposing to keep livestock on the site.
19. 24 Dolphin Lane – State they fully support this scheme. They comment that it will improve the views from their top floor windows with the removal of the barn and improve the view from the owners at the new house at the end of Dolphin Lane. They further comment that the replacement of the dilapidated farm buildings with a house would significantly improve the presentation of the lane and the specification of the house is of little importance, as it will largely be concealed. They also comment that materials and style are acceptable, due to the large variety of existing styles in the area.

They finally comment that the application will allow the applicant to live in this lane as he has previously done for many years.

### **Planning Comments**

20. The main planning considerations for this proposal are the principle of dwellings outside the village framework, does it preserve or enhance the character of the Conservation Area, is the scale and mass of the development in keeping with the surrounding buildings and that the development will not harm neighbours' amenity.
21. ***Development Outside the Village Framework*** – The proposed dwelling lies outside the village framework and therefore is deemed unacceptable, as it will lead to the encroachment of urban development into the countryside. The proposed development, though it includes a tractor store is not directly linked to agriculture. The applicant has stated that the tractors and farming equipment that will continue to be kept on site are not used in full time farming, though he does use the equipment in the growing and collecting of thatching straw. The dwelling is not proposed as a farmhouse subject to agricultural occupancy, which are usually found outside the village framework.

22. The proposed development has a housing density of approximately 6 dwellings per hectare. In this case it is not an issue since it lies outside the village framework.
23. ***Impact upon the Conservation Area and the scale and mass of the development*** – Notwithstanding improvements that have been made to the height, scale and design of the dwelling since the first of the two refusals, the proposed development will cause harm to the Conservation Area and the setting of the adjacent Grade II Building due to the width and proportion of the proposed dwelling and the layout and design of the fenestration. The proposed fenestration is not in keeping with the barn design, there is a lack of consistency, the windows on the west elevation are too bulky and the door on this elevation is too small and complicated.
24. Amended plans have been sought to reduce the width of the building and to improve the fenestration appearance of the dwelling.
25. The proposed materials are felt to be appropriate to the character of the area. Although the roof pantiles are not specified, the applicant is willing to agree this material with the Local Planning Authority.
26. ***Impact upon Neighbours' Amenity*** - The proposed development will not have a detrimental impact upon neighbour amenity. The dwelling is 20 metres or more from any surrounding dwelling. Due to this there is no concern over loss of light or overbearing to these neighbouring properties. In regards to overlooking, 5 Stockbridge Meadows garden space is approximately 15 metres and the dwelling is approximately 20 metres away from the proposed development. The agent has been asked to obscure glaze the windows facing towards 5 Stockbridge Meadows or to provide a sill height of 1.8 metres above finished floor level, or to remove windows from this elevation and possibly provide suitable roof lights. These windows on the south elevation in their current form will cause significant overlooking into 5 Stockbridge Meadows garden and patio area. No other property is within 30 metres of the proposed development and therefore no further concerns arise in regard to possible overlooking.

### **Recommendation**

27. Subject to the receipt of satisfactory amended plans it is recommended that this application should be refused for the following reason.
  1. The proposed erection of a dwelling on this site outside the village framework is unacceptable as it would be contrary to the aims of Policy DP/7 of the South Cambridgeshire Local Development Framework, Development Control Policies, adopted July 2007 which state that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. Insufficient justification has been put forward with this application to warrant a departure from this policy.

**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/2060/08/F, S/0224/08/F and S/1352/07/F

**Contact Officer:** Andrew Phillips  
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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee4<sup>th</sup> February 2009**AUTHOR/S:** Executive Director / Corporate Manager – Planning and Sustainable Communities

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**S/1669/05/F - TEVERSHAM****Erection of Eighteen Flats Following Demolition of Two Houses Including Part Demolition and Extension at 750-754, Newmarket Road for Gibson Developments****Recommendation: Approval****Notes:**

**This Application has been reported to the Planning Committee for determination because of a material change to the Section 106 agreement from the Heads of Terms previously reported to Members.**

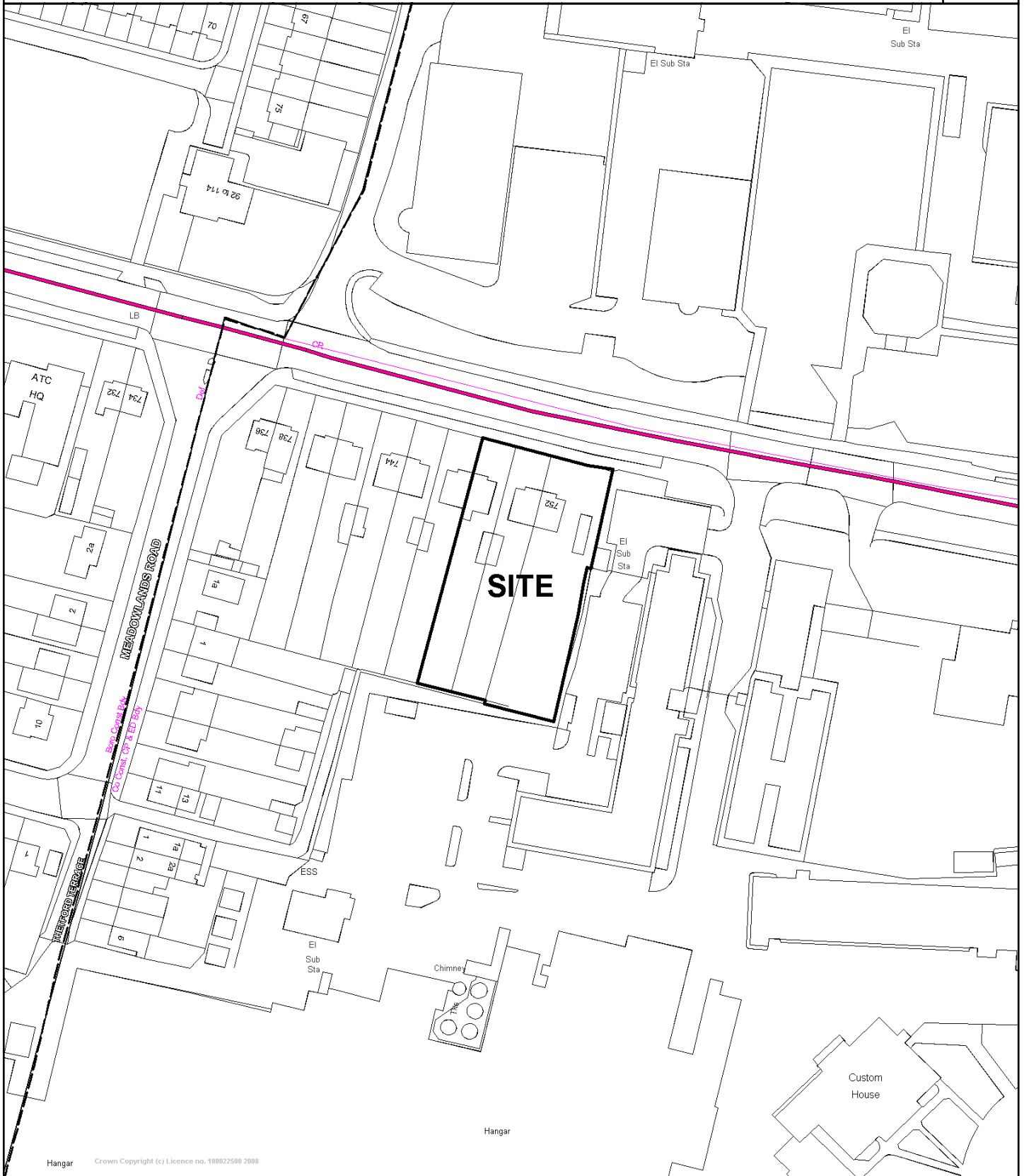
**Site and Proposal**

1. The application site is a recently completed residential development comprising eighteen flats on 0.195 hectares.
2. The developer of the site is seeking a Deed of Variation to the Section 106 legal agreement attached to this planning permission, to permit the renting on an assured short hold basis of the 11 private units in this development, without the occupation of the 7 affordable housing units.

**Background**

3. The current Section 106, which was secured by way of a Unilateral Undertaking, requires the developer to have entered into an agreement with a Registered Social Landlord (RSL) to deliver the affordable provision, prior to the occupation of the private units. All of the affordable units are for the purposes of shared ownership.
4. The developer had an agreement in place with an RSL, but unfortunately this was not completed. A new contract with an alternative RSL is yet to be completed, although the Housing Development and Enabling Manager is assisting in this process.
5. The current difficult market conditions are having an impact on all sectors of the housing market, including affordable housing and particularly shared ownership units.
6. The developer is therefore requesting a variation to the legal agreement, in order for the private units to be rented on an assured short hold basis, to generate some income, whilst an alternative RSL is found. They have requested a period of 12 months and are only seeking to rent the private units and not to sell them during this time.

**S/1669/05/F Teversham**



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### Planning History

7. The planning application for this development (ref. **S/1669/05/F**) was reported to Members on 2<sup>nd</sup> November 2005. Permission was subsequently granted on 30<sup>th</sup> November 2005, following submission of a Unilateral Undertaking by the previous owners, which included the provision of affordable housing and contributions in respect to Public Art to the Council and a Transport contribution to the County Council. For information, the Council has received the Public Art contribution.
8. Prior to this approval, permission was refused in 2004 (ref. **S/0281/04/F**) for eleven flats due to issues concerning the impact on a neighbouring property.
9. A resubmission (ref. **S/1419/04/F**) for eleven flats was subsequently granted permission in November 2005. This included a Unilateral Undertaking in respect to the provision of affordable housing.
10. A further application (ref. **S/0722/05/F**) for a similar scheme was withdrawn prior to determination

### Planning Policy

11. **Policy HG/3 Affordable Housing** of the South Cambridgeshire Local Development Framework (LDF) Development Control Policies DPD, adopted July 2007 is of relevance.

### Consultation

12. **Legal Services** have advised that there is no reason why a variation cannot be entered into by agreement, although it should be emphasised that this is in response to an approach outside the statutory 'application' process.
13. A formal Deed of Variation is required should the proposed 12 month period be considered acceptable.
14. The Council's Solicitor has been in discussion with the developer's solicitors and an initial wording has been drafted.
15. The **Housing Officer** raises no objections to the proposed Deed of Variation and is working with the developer and RSLs in order to find an appropriate alternative partner.

### Representations

16. None

### Planning Comments – Key Issues

17. The sole determining issue in respect to this matter is whether it is reasonable to allow the developer a 12 month period of letting the private units, in the absence of an agreement with an RSL in respect to the affordable units.
18. The proposed agreement with the original RSL partner fell through at a late stage. The developer has however kept the Council informed of this and progress in securing an RSL alternative partner on this site.

19. All of the private and affordable units are completed, but remain unoccupied, with the potential for this situation to continue, whilst the developer seeks an alternative RSL.
20. It is felt that an appropriate compromise position is now proposed, which prevents the private units from being sold, but allows them to be occupied on an assured short hold basis for the 12 month period, which is a reasonable time period for discussions with RSLs to take place, whilst giving some cash flow to the developer.
21. If during the 12 months a new RSL partner is found and a formal agreement made with the developer, the private units can then be sold or they can continue to be rented.
22. This protects the Council's position in ensuring that the affordable housing is delivered, ensuring a reasonable approach to the developer in a difficult market, whilst minimising the number of empty properties.

### **Recommendation**

23. That the proposed variation to the Section 106 agreement be agreed.

**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/1669/05/F

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee4<sup>th</sup> February 2009**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

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**S/1822/08/F - PAMPISFORD****Offices and Showroom (Retrospective Development) and Revised Parking Layout (Part Retrospective), Station Road for Solopark PLC****Recommendation: Approval****Date for Determination: 3<sup>rd</sup> February 2009 (Major Application)**

**This Application has been reported to the Planning Committee for determination because the application is a departure from the development plan and has attracted an objection on material planning grounds.**

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

1. The application site, area 2.57 ha, is located on the site of the former Pampisford railway station, approximately 12 km south-east of Cambridgeshire adjacent to the A11 Trunk Road, south of its junction with the A505. The site is adjacent to, but outside, the Green Belt. The site is set back from Station Road by a distance of between 17m and 80m, and is screened by a tall wall on the frontage. The site is occupied by two companies, Solopark Plc and Ridgeons Ltd, whose principal market is the building trade. Solopark specialise in salvaged architectural goods and building materials.
2. The full application, dated 13 October 2008, as completed by ownership certificate received 16 January 2009, seeks retrospective planning permission for the erection of a retail showroom and office on the north western part of the site fronting Station Road. The proposal also includes a rearrangement of car parking within the site, which has been implemented during the lifetime of the application.
3. The building has been erected on the site of a formerly-consented development, which has been partially implemented and is still extant. The new building has a floor area of 1426 m<sup>2</sup>, compared with the floor area of the previously consented building of 958 m<sup>2</sup>. The building has a ridge height of 7.2 m, and eaves height to the offices of 5.8 m, and eaves height of 4.6 m to the showroom. The building is clad in profiled metal sheeting coloured green, and has two roller shutter doors in the front elevation together with first floor windows to the offices.
4. Provision for the parking of up to 162 vehicles has been made on the site to service both users.



### Planning History

5. There is a long and complex history of planning applications on the site. The determinations most relevant to this application are:
6. **S/2618/89/F** Office and Workshop Building Approved April 1990.
7. **S/1684/92/LDC** Lawful Development Certificate issued for the substantive use of the property for the storage, display and sale of building materials and other specified materials type Issued February 1993.
8. **S/1023/93/F** Change of Use of Agricultural Land to Commercial Yard for Reclaim Building Materials Approved September 1993.
9. **S/0447/96/F** Retention of Office Building and Access Approved late 1996.
10. **S/0694/00/F** Storage/sales building Withdrawn June 2000.
11. **S/1751/04/F** Change of use to general builders merchants together with storage and restoration of reclaimed building materials for sale or use for storage and distribution (application in the alternative) - Approved 18 November 2005. This application was the subject of a Section 106 agreement dated 14 November 2005 to (a) limit the sale by retail to 33% of the total turnover of the business and (b) limit to 75% the aggregate floor area of buildings used for the display of goods for sale.
12. **S/0969/08/F** Offices showroom and amended access (part retrospective) - withdrawn August 2008.

### Planning Policy

13. *East of England Regional Spatial Strategy 2008*  
**ENV7** (Quality in the Built Environment)  
**CSR2** (Employment Generating Development)
14. *South Cambridgeshire Development Control Policies Development Plan Document (2007)*  
**DP/1** (Sustainable Development)  
**DP/2** (Design of New Development)  
**DP/3** (Development Criteria)  
**DP/7** (Development Frameworks)  
**ET/1** (Limitations on the Occupancy of New Premises in South Cambridgeshire)  
**ET/5** (Development for the Expansion of Firms)  
**NE/1** (Energy Efficiency)  
**NE/3** (Renewable Energy Technologies in New Development)  
**NE/14** (Lighting Proposals)  
**TR/1** (Planning for More Sustainable Travel)  
**TR/2** (Car and Cycle Parking Standards)  
**TR/3** (Mitigating Travel Impact)

### Consultations

15. **Pampisford Parish Council** - No recommendation. Comments that as the building has already been completed Parish Council cannot refuse it. However Parish Council continues to be disgusted that large companies employing professionals who are fully

aware of all planning requirements, regulations and obligations are getting away with retrospective and inaccurate applications. The Parish Council expressed frustration at the difficulty of understanding all the documentation.

16. **Great Abington Parish Council** recommends approval.
17. **Disability Forum** - Six disabled parking spaces are needed at the front of the building.
18. **Local Highway Authority** - No objection in principle. Comment that the parking spaces should be dimensioned.
19. **Highways Agency** - The Highways Agency is satisfied that this retrospective development will not have a material impact upon the operational capacity of the A11. The Agency would encourage the developer to reduce the need to travel by car and to promote more sustainable means of transport to and from the site.

### **Representations**

20. One letter of objection has been received on behalf of the owner of surrounding land.

The issues raised are:

- a) Intensification of the use of the site. A showroom use was permitted in 2006 in part of the previously consented workshop area; the new building is larger than the consented building; Ridgeons occupied part of the site so that it now has two separate major uses.
- b) Increase in traffic.
- c) Creeping urbanisation of rural setting which is made worse by the signage and lighting associated with the new building.
- d) The white frames to the windows are especially out of character with the green cladding of the building.
- e) The amenity of the area is affected by the night-time lighting.

The objector recommends that:

- a) A similar condition to condition 3 of S/2618/89/F should be imposed to ensure that the use of the building remains ancillary to the Solopark use and that there is not a further occupation of the site.
- b) There should be no overall increase in floor area of the whole site above that permitted by permission S/2618/89/F.
- c) There should be no increase in the floor area to showroom compared to the S/2618/89/F permission.

### **Planning Comments**

#### ***Principle of development***

21. The site has planning permission for use as a general builders merchants together with storage and restoration of reclaimed building materials for sale or for storage and distribution by virtue of planning consent granted in 2005. The erection of a building within this use complies with policy ET/1, but does not comply with Policy ET/5 as the proposal represents an expansion of existing business in the open countryside, which does not fall into any of the categories within the policy where such expansion is permissible. The application has been advertised as a departure from the development plan for this reason.

22. The applicant has put mitigating considerations forward. The main consideration is the building consented under planning permission S/2618/81/F for an office and workshop, which was granted in 1990 but not built. An amendment to the consented development was agreed by officers in 2006 to allow the storage for sale of building material and architectural goods within the area of the building formerly shown to be a workshop. The following table illustrates the difference in floorspace between the buildings (as built and as consented, SCDC figures):

| New building | Office | Retail/storage | Total (sq m) |
|--------------|--------|----------------|--------------|
| Ground floor | 242    | 748            | 990          |
| First floor  | 242    | 252            | 494          |
|              | 484    | 1000           | 1484         |
|              |        |                |              |
| 1990 consent |        |                |              |
| Ground floor | 281    | 608            | 889          |
| First floor  | 281    | nil            | 281          |
|              | 562    | 608            | 1170         |

23. This table shows that the development as built has 314 m<sup>2</sup> more floorspace than the consented development, and that this is accounted for by an increase in the retail/store area both on the ground floor, and first floor by the insertion of a mezzanine level. The footprint of the building has been increased by 101 m<sup>2</sup>.
24. A second consideration put forward by the applicant is the demolition of buildings within the site to compensate for the additional floorspace created. The first of these buildings is a single-storey storage building, floorspace 140 m<sup>2</sup>, located centrally within the overall site, which has been removed during the lifetime of this application. A second building is the former station house, floor area of 321 m<sup>2</sup>, which was removed from the site several years ago to facilitate the realignment of the A11 trunk road to the east of the site. The latter building has not formed part of the fabric of the site for several years, and I do not consider that its removal amounts to a significant consideration in the assessment of the current application. The removal of 140 m<sup>2</sup> floorspace from the site leaves a net increase of floorspace over the previously consented building of 174 m<sup>2</sup>.

#### ***Retail use***

25. Compared with the previously consented building, which had 608 m<sup>2</sup> of retail area, the current proposal represents an increase of 392 m<sup>2</sup>, or 64%. By virtue of planning permission S/1751/04/F, ancillary retail sales and sales to the trade are permitted on this site. A significant proportion of the open area site is given over to the display of these materials and architectural goods, and I do not consider that the enclosure of these displays within the new building to have any significant effect upon the intensity of the use of the site. The Section 106 agreement dated 14 November 2005 limits the sale by retail of such goods to 33% of total turnover. The applicant has submitted a statement indicating that the turnover for the twelve months to October 2008 for Ridgeons was 15% and for Solopark was 23% of total business. The S106 agreement also limits the retail floorspace to 75% of total floorspace: the applicant has stated that the present proportion is 24%. The retail element complies with the requirements of the Section 106 agreement.

#### ***Scale and design***

26. When viewed from the adjoining highway, the front elevation is shorter than the previously approved scheme, and the ridge height is marginally higher at 7.2 m,

compared with 7.0 m previously. Olive Green profiled metal cladding is in keeping with the other buildings on site, and the screen fence along the frontage. The upper storey of the building, including the white frames to first floor windows, are visible above the screen fencing, but not significantly harmful to the appearance of the building. I conclude that the building is appropriate in scale and design when viewed from prominent positions outside the site.

***Other matters***

27. The objector has raised concerns about an increase in traffic; this has not been supported by the Local Highway Authority or the Highways Agency. Issues of signage on the building have been raised with the agent and will be pursued separately from this application. If approved, I recommend that a condition be attached for the approval of external lighting to the building, but it is not within the scope of this application to control external lighting generally within the site.

***Conclusions***

28. The development represents a departure from the development plan, as it is an extension to an existing business in the open countryside, contrary to Policy ET/5. I do not consider that harm arises to the visual amenity of the area, highway safety, or residential amenity, or that the development raises significant new issues compared with the previously consented building on the same site. Compensatory floorspace has been removed from the site to partially offset the net increase in floorspace compared to the previously consented building. This represents a 15% increase on a long established commercial site, which provides local employment. The development has been completed without planning permission, but this has not influenced my consideration of the proposal nor my recommendation to Members. If approved, I do not consider that this development is required to be referred to the Secretary of State as a departure from the Development Plan, having regard to the size of the proposal compared with the previous consent, the longevity of the business on this site and the absence of significant harm to the environment.

**Recommendation**

29. Approval of the application dated 13<sup>th</sup> October 2008 subject to the following conditions:
1. Use to be carried out in association with the main use of the site as general builders merchants together with storage and restoration of reclaimed building materials for sale.
  2. Occupation to comply with Policies ET/1 and ET/5.
  3. Details of external lighting of the building to be submitted.
  4. Retention of car parking.
  5. SC90 – Energy Audit
  6. SC91 – Energy Statement

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

- East of England Regional Spatial Strategy 2008
- South Cambridgeshire Development Control Policies Development Plan Document (2007)
- Planning File refs: S/2618/89/F, S/1684/92/LDC, S/1023/93/F, S/0447/96/F, S/0694/00/F, S/1751/04/F S/0969/08/F & S/1822/08/F.

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

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee4<sup>th</sup> February 2009**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

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**S/2029/08/F – GUILDEN MORDEN**  
**Extension and Alterations at Burns Barn**  
**5 Cold Harbour Farm, Guilden Morden for Mr and Mrs R Hills**

**Recommendation: Refusal**

**Date for Determination: 20<sup>th</sup> January 2009**

**Notes:**

The planning application has been referred to Planning Committee by Chairman's Delegation Meeting on the 12<sup>th</sup> January 2009.

**Site and Proposal**

1. The site measures approximately 0.04 hectares and the detached two storey dwelling resides outside the village framework. The dwelling is in the style of a small barn and is the central building within a complex of converted barns, all used for residential purposes. Burns Barn is constructed out of dark stained timber walls and windows and has a boundary treatment of 1.8 metre high close boarded fence surrounding the rear garden. The front and side of the dwelling has no boundary treatment.
2. The application registered on the 25<sup>th</sup> November 2008, proposes a rear two storey extension facing southeast in the form of a gable end. The proposed development extension is slightly indented and extends beyond the existing rear wall by 3.3 metres and is 5.5 metres in width. The proposed extension has a maximum height of 7.2 metres, with an eaves height of 4.5 metres. The southeast elevation will have a large amount of glazing, positioned centrally in the elevation. The proposed development will be able to be seen from north, east and south of the site. The proposed extension's materials will match the existing dark stained timber frame walls and slate roof. The application was amended by letter dated 24<sup>th</sup> December 2008 and accompanying drawings showing a revised south east elevation and a perspective.

**Planning History**

3. Permission for the conversion and extension of farm buildings to form 5 dwellings and garages/stores originally gained planning permission in 2001 (Planning Application **S/0763/01/F**) and then again in 2002 (Planning Application **S/1055/02/F**). Further to the approval for the conversion into a dwelling, Burns Barn gained planning approval for the conversion of part of the storage building to be used for ancillary residential accommodation in 2002 (Planning Application **S/1774/02/F**). The dwelling has had a previous extension refused in planning application **S/0807/05/F**. The refusal was due to the design of the extension and in

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particular the pyramid shaped roof, not being in keeping with the converted barn and therefore having an unacceptable visual impact upon its setting.

4. Sancerre Barn, to the southeast of the Burns Barn, had a single storey extension refused solely on the grounds of Policy HG/8 in planning application **S/1539/07/F**.
5. The occupiers of Vitruvia Barn to the south of Burns Barn appealed a refusal for a rear dormer/gable extension (Planning Application **S/0619/06/F**). The application was refused, due to the perceived harm to the character and appearance of the existing barn conversion and its surroundings. The Planning Inspector overturned this decision (Appeal Reference **APP/WO530/A/06/2023246**), stating that the proposed development would not detrimentally harm the appearance of the existing dwelling and its surroundings. When this appeal was allowed Policy HG/8 had not been adopted, due to this the Inspector only considered the design and appearance of the development.

### **Planning Policy**

6. Relevant policies are listed below.

*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 HG/6** (Extensions to Dwellings in the Countryside)

**Policy HG/8** (Conversion of Buildings in the Countryside for Residential Use)

### **Consultation**

7. **Guilden Morden Parish Council** – Recommends approval. The Parish Council accepts that this area has ceased to be an agricultural site, and the application will only enhance the area.

### **Representations**

8. The occupiers of the Old Farmhouse, Cold Harbour support this application as it would not affect the surrounding dwellings and would improve the property.

### **Planning Comments**

9. The main planning considerations are firstly, and mainly, the acceptability of further extensions to converted buildings in the countryside, the design of the development and its impact upon the existing character of the area and neighbouring properties.
10. **Future extensions to converted rural buildings** – Part 3 of Policy HG/8 (Development Control Policies) states that future extensions to converted buildings in the countryside will not be permitted. During the conversion of the rural buildings for residential use appropriate changes that benefited the design or improved the integration of the development took place. Further extensions are therefore not necessary in order to improve the design or to integrate the development. It should also be noted that the conversion of rural buildings to dwellings is considered a last resort, with the conversion to employment or mixed use being the preferred options. These sites are therefore, on the whole, not considered to be sustainable

and this is the reason why further development after conversion is considered to be unacceptable.

Notwithstanding Policy HG/8, the extension will lead to an approximate increase of 40% in floor space and volume. Subject to other criteria, the proposed development would therefore have been acceptable if it had not been previously a rural building and so came under Policy HG/6 in the Local Development Framework.

11. ***The design of the proposed building*** – The proposed extension's design is not considered to detrimentally harm the existing dwelling or surrounding area, as it is in keeping with the current built form. However, it would not represent a significant improvement on the existing building.
12. ***Neighbour Residential Amenity*** – The proposed development will not have a detrimental impact upon neighbouring amenity of the surrounding properties. The proposed development, which is 0.5 metres lower than the existing maximum height, is over 15 metres from any surrounding dwelling; therefore there is no concern in regards to overbearing. The proposed extension will not cause any significant loss of light to the surrounding properties. The four dwellings that are to the south and west of the application site will not lose any sunlight, due to the extension being lower than the existing roof height and the path of the sun. The two properties to the east are a significant distance away from the proposed development; due to this the sunlight to these properties will not be significantly affected. The proposed extension will not adversely affect the privacy of the surrounding neighbours, as there are no side windows to look towards Vitruvian Barn and the southeast elevation windows face towards the Old Farmhouse that is approximately 30 metres away. There will be a slight loss of privacy to the garden space used by the annex of Sancerre Barn, as this garden space is only 12 metres from the proposed two storey extension. However, as the loss of privacy is small and that Sancerre Barn has a large garden, with areas of privacy, this loss of privacy is not considered to be detrimental to the amenity of this property.
13. ***Other Issues*** – I have questioned the accuracy of the site area, outlined in red, in the application. The agent has confirmed verbally on the 16th January 2009 that the site area is correct but will look into it to make sure.

#### **Recommendation**

14. Refuse

#### **Reason for Refusal**

Burns Barn, 5 Cold Harbour Farm is a former farm building, which has now been converted to residential use. The proposed two storey extension to the converted barn is contrary to Policy HG/8 of the South Cambridgeshire Local Development Framework adopted in 2007, as future extensions of such buildings will not be permitted. The extension, therefore, is deemed inappropriate by definition, and would harm the integrity and character of the original barn conversion.

**Contact Officer:** Andrew Phillips  
Telephone: 01954 713169

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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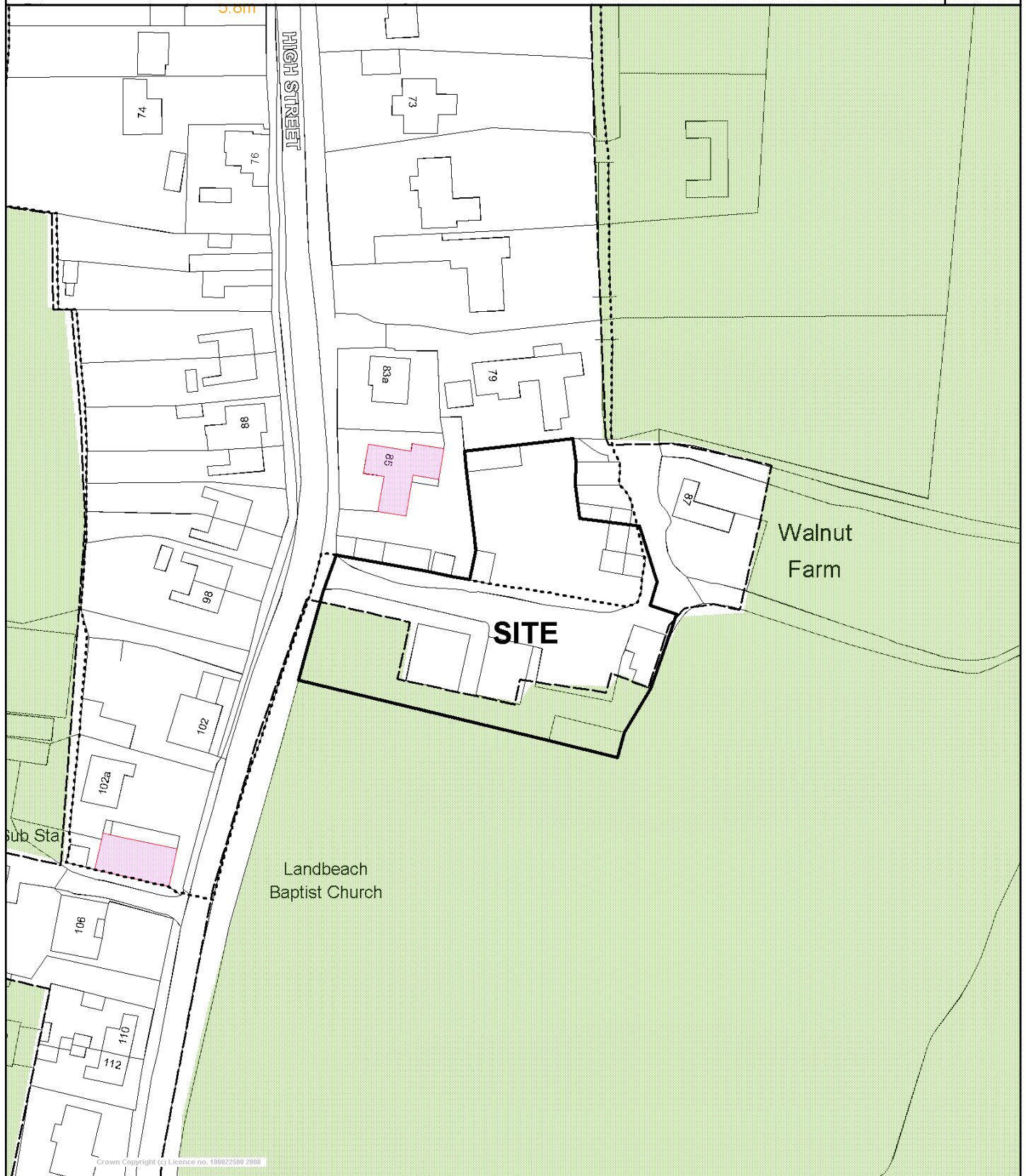
**REPORT TO:** Planning Committee4<sup>th</sup> February 2009**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

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**S/1811/08/F - LANDBEACH****Erection of 8 Affordable Dwellings and 4 Market Homes,  
Walnut Farm Yard, High Street, for Cambridgeshire County Council  
and One Hundred Homes****Recommendation: Refusal****Date for Determination: 10<sup>th</sup> February 2009 (Major Application)****Members will visit this site on 4<sup>th</sup> February 2009.****Notes:****This Application has been reported to the Planning Committee, as it proposes affordable housing but is a departure to the Development Plan.****Departure Application****Conservation Area****Site and Proposal**

1. The site, a redundant County Council farmyard, comprises of an area of approximately 0.39 of a hectare. The site is located upon the southern edge of the village; its northern edge located within the village's development framework and Conservation Area, whilst its southern edge within the open countryside and Green Belt. The application site is also adjacent to a grade II listed building (no.85 The High St). Landbeach is a small village with a low range of services and facilities; it is therefore identified as an infill village by the adopted Core Strategy with residential development restricted in scale due to the village's unsustainable nature.
2. The site consists of a series of barn and outbuilding structures varying in size and condition and is accessed via the High Street by an un-surfaced track, which leads to the farmhouse to the east, which is not included within application site. The listed building to the north (no.85 High Street) has a curtilage-listed outbuilding, which runs adjacent to the sites access and appears to be used for storage. There is a prominent and mature hedgerow in situ along the southern boundary, which defines the physical boundary of the farmyard. Nevertheless, this boundary does not demarcate the village framework or Green Belt boundary. This part of the High Street mainly consists of a linear low density housing, with a mixture of semi and detached dwellings constructed in brick.
3. The application received 11<sup>th</sup> November 2008 proposes a residential scheme of 12 dwellings, 8 of which are affordable with the remaining 4, market dwellings. The affordable housing aspect of the proposal does therefore have the backing of a recognised registered social landlord (RSL).

S/1811/08/F Landbeach



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4. The proposed dwelling types are summarised below:

\*Market Dwellings:

- a) 3-bedroom detached x 3;
- b) 4-bedroom detached x1;

\*Affordable Dwellings:

- a) 3-bedroom semi-detached x 2;
- b) 2-bedroom semi-detached x 2
- c) 2-bedroom flats x2;
- d) 1-bedroom flats x 2;

### **Planning History**

5. None

### **Planning Policy**

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

**ST/7** Infill Villages limited to a development of two dwellings.

7. *Development Control Policies, adopted July 2007:*

**DP/1** Sustainable Development

**DP/2** Design of New development

**DP/3** Development Criteria

**DP/4** Infrastructure and New Developments

**DP/7** Development Frameworks

**HG/1** Housing Density

**HG/2** Housing Mix

**HG/3** Affordable Housing

**HG/5** Exceptions Sites for Affordable Housing

**GB/1** Development in the Green Belt

**GB/2** Mitigating the Impact of Development in the Green Belt

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

**SF/6** Public Art and New Development

**SF/10** Outdoor Playspace, Informal Open Space, and New Developments

**SF/11** Open Space Standards

**NE/1** Energy Efficiency

**NE/2** Renewable Energy

**NE/3** Renewable Energy Technologies in New Development

**NE/6** Biodiversity

**NE/9** Water and Drainage Infrastructure

**NE/12** Water Conservation

**CH/4** Development Within the Curtilage or Setting of a Listed Building

**CH/5** Conservation Areas

**TR/1** Planning for More Sustainable Travel

**TR/2** Car and Cycle Parking Standards

**TR/3** Mitigating Travel Impact



## Consultation

8. **Landbeach Parish Council** – Makes no recommendation on these proposals but does highlight the following issues:
  - a) There is a need to provide trees and landscaping to the sites boundaries to soften the views from the south when entering the village;
  - b) The colour of brick must blend with that of the village, such as a soft colour and not harsh yellow;
  - c) There is a concern that the proposed car parking is inadequate and we would not wish to see overspill parking onto the High Street.
9. **Corporate Manager (Health and Environmental Services)** – The site contains numerous agricultural buildings and therefore it is recommended that no development approved shall commence until the appropriate ground contamination studies have taken place and have been agreed by condition.
10. **Cambridgeshire Fire & Rescue Service** – Wished to view the application in order to ascertain if sufficient water supplies are required for this development. No further comments have been received.
11. **Trees Officer** – Tree protection as indicated in the arboricultural report to be installed prior to any demolition or construction work on site. No objection to the proposals. However, replacement trees of potentially large specimens should be sought to provide height and structure within the landscape.
12. **Environment Agency** – Any planning approval shall include conditions requiring details of ground contamination studies and surface water drainage before development can commence.
13. **Anglian Water** has no objections. The foul drainage from this development will be treated at Waterbeach STW that at present has available capacity.
14. **Housing Development and Enabling Manager** – The housing team fully support this application and have been working with Hundreds Housing Association and the County Council for some considerable time. The scheme is for 8 affordable units. The proposed tenure split of 6 rented and 2 shared ownership is acceptable. The only issue of concern is the proposed 2-bedroom flats. The housing needs survey (2003) did not identify a need for 2-bed flats. Whilst we are confident that the units could be let or sold, it does not correlate with our findings. There is a greater need for 2-bed houses and if this could be accommodated on site, this would be of preference.
15. **Negotiating S106 Officer** – Should the developer wish to abstain from Public Open Space provision they should at least contribute towards public open space maintenance whilst also providing funds for bus stops as outlined in the Design and Access Statement. The Parish Council is keen to seek enhancement of the existing public transport infrastructure within the village, but does feel that they have adequate public open space provision. The approximate required sum for public open space provision for the proposal would be £60,061.20.
16. **County Council Education** – There is sufficient education capacity to support this proposal. Therefore the County will not be seeking an education contribution;
17. **Local Highway Authority** - Prior to commencement of the development visibility splays with dimensions of 2.4 metres by 70 metres as measured from and along the

nearside edge of the carriageway shall be provided on both sides of the access in full. The area within each splay shall be kept clear of any obstruction exceeding 600mm in height at all times.

18. Two 2.0 x 2.0 metres pedestrian visibility splays should be provided and shown on the drawings. The splays are to be included within the curtilage of the new dwelling. One visibility splay is required on each side of the access, measured to either side of the access, with a setback of two metres from the highway boundary along each side of the access. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.
19. The Highway Authority will require the landowner to deposit a letter stating that the applicant will not be seeking adoption and thus prevent any future attempts by other parties to seek adoption of this site.
20. An access width of 5 metres should be provided for a minimum distance of ten metres from the highway boundary and retained free of obstruction with 2 metre footway either side.
21. The applicant should remove the proposed rumble strip at the entrance to the site as this will result in additional disturbance to neighbouring residents.
22. The vehicular access should be constructed using 6 m radii kerbs.
23. The applicant must show the dimensions for the proposed car parking spaces, which should be 2.5m x 5m with a 6m reversing, space.
24. The applicant should provide a method statement relating to the process of demolition and any effects this may have on the adopted public highway. In particular reference should be made to control of debris, mud & dust, pedestrian & vehicle movements and the control of contractors parking.
25. **Ecology Officer** requests a scheme of nest and bat box erection (including a barn owl box).
26. **Conservation Officer** – “Walnut Tree Farm is within the Landbeach Conservation Area and adjacent 85 High Street, which is a grade II listed building and originally a farmhouse.

The site is on the edge of the village and currently occupied by twentieth century farm buildings. As the farm buildings are of no special interest, their demolition may be acceptable but a Conservation Area Consent application will be required.

I would recommend refusal of the application on the basis of harm to the Listed building and Conservation Area by means of the position, bulk, scale, spans, design and materials of the proposed buildings.

Subject to Conservation Area consent for demolition of the existing buildings, some rural needs exception development may be possible subject to the provision of open space around the Listed building to a similar level as the existing, and a design that provides buildings of a scale and design more appropriate to this context.”

27. **Affordable Housing Panel** -The affordable housing panel met to discuss this application on 15<sup>th</sup> January 2009. The merits of its departure to the relevant planning policy were explained as were affordable housing Policies HG/3 and HG/5. The

conclusion of the panel was that it supported the scheme in principle, as it would deliver much needed social housing provision to the village.

The officers' views towards the application as a whole were noted. However, a concern was raised that, should more be asked of the developer, then the implementation of the proposals may be put in doubt.

### **Representations**

28. 4 letters of representation have been received from the residents at 79, 94, 96 and 102 High Street, the content of which is summarised below:
- (a) The erection of a 3-bed dwelling within close proximity to the boundary of no.79 High St would result in a loss of light and solar gain;
  - (b) The proposed market dwelling within close proximity to no.79 High St would result in an enclosed environment to the garden currently enjoyed by its occupants;
  - (c) Views out across the open countryside from the rear of no.79 would be interrupted by the proposed market dwellings, which would have a negative impact upon the value of the property;
  - (d) The southern edge of the site is within the Green Belt and the roots of a prominent poplar tree no doubt extend into the development area; damage could occur;
  - (e) There is Roman ditch within close proximity to the site; has an archaeological survey been carried out?
  - (f) The village already struggles to support its social club and there are no shops or amenities; it is therefore questionable to how the village could support further residential dwellings;
  - (g) The local bus service is dwindling with no service out of the village before 09.30hrs; how could this support additional residents needing to get to work;
  - (h) The village is currently undergoing means to restrict traffic speeds, additional dwellings will not aid this matter;
  - (i) The surrounding farmyard is actively managed from this site with the barns used for storage; there is no mention to how the farm will continue to be used and accessed;
  - (j) Walnut Farm House has remained unoccupied for a year and there is affordable housing within the Arbury Park development, therefore is there a need for low cost housing?
  - (k) There are owls and possibly bats that use the current barns;
  - (l) The site provides a rural charm that echoes that of the rest of the village, the proposed houses would not conform with this setting;
  - (m) The surrounding houses to the site are not pre-war and the proposed housing designs would not gel with there surroundings;
  - (n) The site is within a Conservation Area and therefore the development should sit well with its surroundings;
  - (o) The parking is insufficient and would lead to residents parking on the High Street, this will lead to highway conflict; the proposed access is also upon a blind bend;
  - (p) Within the current economic climate there will be no market for these houses and it will be a waste of time, money and wildlife habitat;
  - (q) The proposal does not conform with the Council's Green Belt policies;
  - (r) The proposal would jeopardise the rural character of the village due to the sensitive village edge location;
  - (s) The proposal would jeopardise the rural character of the village due to the sensitive village edge location;



- (t) Landbeach is an infill village and has no schools, shops, or employment opportunities; The proposal departs from the threshold of 8 dwellings as identified by Policy ST/7;
  - (u) There is no evidence to suggest that the proposal would instigate car sharing initiatives;
  - (v) The proposal would not adhere to Planning Policy Statement 1 in that it would not be appropriate in its context, as it would fail to take the opportunities for improving the character and quality of an area and the way it functions;
  - (w) The new housing would result in more car use, it would not help sustain existing public transport;
  - (x) Very few residents have requested the provision of affordable housing within the village, there is a concern over new builds;
  - (y) The existing site is not considered an eyesore;
  - (z) Other preferable alternatives could have been explored, such as alternative sites that would have less of an impact;
  - (aa) The application suggests moving the green belt boundary to suite the development, this cannot be defensible in planning terms;
  - (bb) The development sees buildings within close proximity to the footway in order to squeeze more dwellings onto the site;
  - (cc) The first floor window of the end affordable dwelling would be positioned to overlook dwellings opposite the High St;
  - (dd) If allowed this development would set a precedent for similar development, which would erode the character of the village;
29. **Disability Forum-** Has raised the following issues:
- a) Visitor parking should contain disabled spaces;
  - b) Level access from dwellings into gardens is required;
  - c) Down stair toilets are to have outward opening doors;
  - d) Level access into market dwellings from road;

## **Planning Comments – Key Issues**

### ***Housing***

30. The proposal for 12 dwellings in total would be a departure to policy ST/7 “Infill Villages” as this policy only allows minimum infill housing development of 2 dwellings. In exceptional circumstances this policy would allow slightly larger development of up to 8 dwellings where the development would lead to the sustainable recycling of a Brownfield site resulting in a positive benefit to the village. In this instance the application is a Greenfield site. The proposal for 4 market dwellings does not therefore comply with this Policy.
31. The development would result in an approximate residential density of 31dph, which is considered reasonable as it is at the lower scale of the requirements of policy HG/1. The site would provide 8 affordable units in total, of which only 6 would be definitively outside of the village framework and in the Green Belt. As a result only 6 of these units could be secured by S106 legal agreement to be allocated to Landbeach residents. The remaining two dwellings would have to be offered to residents on a district wide basis. The Parish Council and Housing Officer support the number and tenure of proposed affordable housing as it meets the housing needs for the village. Notwithstanding this the mix of affordable units does not accord with the housing need survey in that there is a requirement for 2-bedroom family dwellings and not 2-bedroom flats. In that regard the proposal does not comply with Policy HG/5.

32. The proposed market housing does not provide a suitable “housing mix” in accordance with Policy HG/2. These units should provide at least 40% (2) 1-2 bedroom dwellings, 25% 3-bedroom and 25% 4 or more bedroom dwellings. There is an identifiable need for small-scale housing within the District as a whole. No justification has been provided as to why smaller scale market housing cannot be provided on this site.
33. As the application site is identified as a Greenfield site, the provision of 4 market houses is not supported by local or national planning policy. As a departure to Policy ST/7 a 100% affordable housing exception development could be supported due to its benefit to the local community, but no justification has been provided to suggest that the viability of the scheme as a whole relies on the provision of 4 market dwellings.

### ***Infrastructure***

34. The Local Highway Authority has not raised any formal objections to the proposed development. This detail included revised plans showing both pedestrian (2m x 2m) and vehicular visibility splays (2.4m x 70m). Whilst it is considered that these splays are obtainable they have not been shown in full upon the site layout plan. Given the proposed splays the visibility of the access in both directions is deemed acceptable in terms of highway safety. The removal of the rumble strip within the access has also been requested due to its close proximity to proposed habitable rooms.
35. As proposed, the access would be 5m width, which would allow vehicles to pass one another. However, there is insufficient space to provide 2m footpaths either side of the access. This is due to the proposed landscaping and the positioning of the building lines of the affordable units. The Highway Authority has made it clear that it does not wish to adopt the access road and therefore its standards need not apply to what would be a private approach road. The development does provide footpaths further within the site but none, which would link to the external footpaths within the High Street.
36. The development would provide 25 formal car spaces in total. This would consist of 2/3 spaces per market dwelling (11 in total) and 14 spaces for the affordable units. At 1.5 spaces per dwelling the affordable units would have an acceptable provision of off road car parking in accordance with the maximum standards set out by Policy TR/2 and would provide 2 additional visitor spaces. All parking spaces meet the required dimensions and have sufficient turning areas. Given the unsustainable nature of Landbeach the higher end of the maximum parking standards is considered appropriate in this instance.
37. This application is classified as a major development and as such the scheme should provide suitable infrastructure in accordance with policies SF/6, SF/10, SF/11 and DP/3. The Design and Access Statement makes reference to the fact that in light of the existing provision of open space within the village, on site provision of space should be waived. They also request that public art contributions are waived on the basis that this would divert funds away from the delivery of additional affordable homes. Whilst it is acknowledged that Landbeach benefits from the provision of adequate sports recreation space it have a shortfall of play space. In light of this it is considered that the development should provide on site provision for play space in the form of a locally equipped area of play. This would be required to serve what would be a sizable development of 12 family homes, which would not be well related to the existing facilities within the village. The provision of play space would also

soften the impact upon the adjacent Green Belt and contribute to the enhancement of the Conservation Area and setting of a grade II listed building.

### ***Green Belt***

38. The southern tip of the site lies within the Green Belt with the majority of the site being situated directly adjacent to the Green Belt. The range of proposed affordable units along with unit 9 of the market dwellings would all in part be situated within the Green Belt. Planning Policy Guidance Note 2 states that the construction of new buildings inside a Green Belt is inappropriate unless, amongst others it provides limited affordable housing for local community needs. The proposed development does not meet with these criteria and is therefore by definition inappropriate development within the Green Belt, contrary of Policies GB1, GB2 and PPG2.
39. Despite the above, the provision of an exception site within Landbeach would provide significant community benefit to the village and as a consequence could comply with Green Belt policy in principle. Notwithstanding this, in its current form the application fails to justify this fact and simply refers to the existing landscaping in situ arguing that this demarks the village edge and is sufficient mitigation towards any potential impact on the Green Belt. This is not the case and the positioning of a market dwelling within the Green Belt cannot be justified.

### ***Historic Environment***

40. The grade II listed building (no.85) "The Limes" which fronts the High Street was once a farmhouse and was most likely the main house serving Walnut farm. It has been altered over the years with a notable Victorian addition to its front elevation. Nevertheless, the setting of this listed building arguably once extended beyond its current residential curtilage into the farmyard beyond. The site is characteristic of a semi-rural farm site with soft landscaping and a transition of a simple utilitarian built form that extends northwards from the village edge.
41. The introduction of high-density urban form within close proximity to this building and its setting would be detrimental to its setting as it would isolate it from its rural surroundings and context. The present proposals would result in bland house type designs that bare little to no relevance to the distinctive character and appearance of the Conservation Area and the context of the site as a whole. The spans of the proposed buildings significantly exceed the traditional narrow spans of the adjoining buildings and result in overlarge roofs, poor proportions, and increased bulk, which is at odds with the modest buildings and proportions of surrounding buildings. The housing types are common designs that could be upon any housing estate within the country. They would therefore fail to preserve or enhance the special character and appearance of the Conservation Area and the setting of the listed building. The proposed materials, specifically the concrete roof tiles and dark stained joinery would also not be sympathetic to the adjacent buildings.

### ***Natural Environment***

42. The supporting documentation submitted with this application is deemed sufficient in ensuring the retention and protection of the existing trees and hedgerows on site during demolition and construction. Nevertheless, it is considered that further landscaping works would be required to ensure the mitigation of the impact the development would have upon the Green Belt and surrounding countryside given this sensitive village edge location. In light of this a robust landscaping scheme would be

required with the inclusion of replacement tree planting of potentially large specimens, thus providing height and structure within the landscape.

### ***Neighbour Amenity***

43. The owner/occupier of No.79 High Street makes reference to the potential loss of light, outlook and claustrophobic environment that would result by the close proximity of unit 11. This property would be located to the south of this property at an approximate minimum back-to-back distance of 12m. The South Cambridgeshire Design Guide (DSPD 2005) states that a distance of 12m from a habitable bedroom window and a brick wall is acceptable in terms of daylight and sunlight, whereas a back-to-back distance of 18m is considered acceptable in terms of privacy. Another resident makes reference to the relationship of windows within the gable end of unit 1. The nearest property across the street from this unit would be at a distance greater than 20m. Unit 11 would be within close proximity to the dwelling to the north. In light of the above issues, it is acknowledged that, although with minor alterations these relationships could be improved, it is considered that the existing layout would not result in a detrimental impact upon the amenities that neighbouring residents currently enjoy.

### ***Other Matters***

44. Other letters of representation make reference to the right to a view and the detrimental impact that the proposed development would have upon the value of their homes. These are not material planning considerations and therefore cannot be taken into consideration in the determination of this application.

### **Recommendation**

Refuse for the following reasons:

1. The proposal to erect four market dwellings on the site would be contrary to Policy ST/7 of the Local Development Framework (LDF) Core Strategy, adopted January 2007, which limits development in Landbeach, which has a poor range of services and facilities, to not more than two dwellings. The proposal would not result in the sustainable recycling of a brownfield site and therefore there is no exceptional reason to allow a development greater than two dwellings.
2. The proposal would result in the introduction of built urban form within close proximity to the Grade II listed building No. 85 High Street, which would be isolated from its rural context to the detriment of its setting. Furthermore, the proposed housing types represent bland designs that bare little to no relevance to the distinctive character and appearance of the Conservation Area. Therefore the positioning, bulk, scale, span, design and materials of the proposed buildings would result in harm to the character and setting of the listed building and Conservation Area. The proposal would therefore be contrary to Policies CH/4 and CH/5 of the LDF Development Control Policies adopted 2007, which states that planning permission will not be granted for development which would adversely affect the curtilage or wider setting of a Listed Building and that would not achieve the preservation or enhancement of the special character and appearance of a Conservation Area.
3. Unit 09, a market dwelling, would be predominantly situated outside of the Landbeach development framework within the Green Belt. This would constitute inappropriate development as defined by PPG2 and would harm the character

and openness of the Green Belt. The proposal would therefore be contrary to Policy GB/1 of the LDF Development Control Policies DPD 2007, which seeks to maintain the purposes and openness of the Cambridge Green Belt.

4. The proposed market housing fails to provide an adequate mix of housing types and sizes with no provision of small-scale 1-2 bedroom units. The proposal would therefore be contrary to Policy HG/2 of the LDF Development Control Policies DPD 2007, which states that residential developments will contain a mix of units providing accommodation in a range of types, sizes and affordability, to meet local needs.
5. Units 5 and 6 of the proposed affordable housing would be situated within the development framework. As a consequence these units cannot be secured for Landbeach residents for occupation. Furthermore, units 1 and 2 do not meet local need as the Landbeach housing needs survey has identified a need for 2-bedroom houses and not 2-bedroom flats. The proposal would therefore fail to adhere to Policy HG/5 of the South Cambridgeshire Development Control Policies DPD 2007, which requires development proposals to include secure arrangements for ensuring that all the dwellings within the scheme provide affordable housing in perpetuity for those in housing need and that the size of the dwellings are appropriate to, the strict extent of the identified local need.
6. Landbeach is identified as having a shortfall in play space of -0.55 hectares and a development of 12 family homes should entail the onsite provision of children's play space. The proposal fails to suitably justify why the need for public open space should be waived in this instance. It therefore fails to accord with Policies SF/10, SF/11 and DP/3 of the LDF Development Control Policies 2007, which seeks that all residential developments will be required to contribute towards Outdoor Playing Space (including children's play space and formal outdoor sports facilities) and Informal Open Space to meet the additional need generated by the development.

**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 2007.
- Planning Policy Guidance Note 2 – Green Belt (2001) (PPG2)
- Audit of Outdoor Sport and Children's Play space in South Cambridgeshire;

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee4<sup>th</sup> February 2009**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

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**S/1919/08/F - WILLINGHAM****Change of Use of Land to Site Mobile Home and Amenity Portacabin  
at 3 Cadwin Field, Schole Road for Miss E Loveridge****Recommendation: Approval for 3 year Temporary Consent****Date for Determination: 12<sup>th</sup> January 2009****Notes:**

**The application has been reported to the Planning Committee for determination on the basis that the Parish Council recommendation of refusal does not accord with the officer recommendation.**

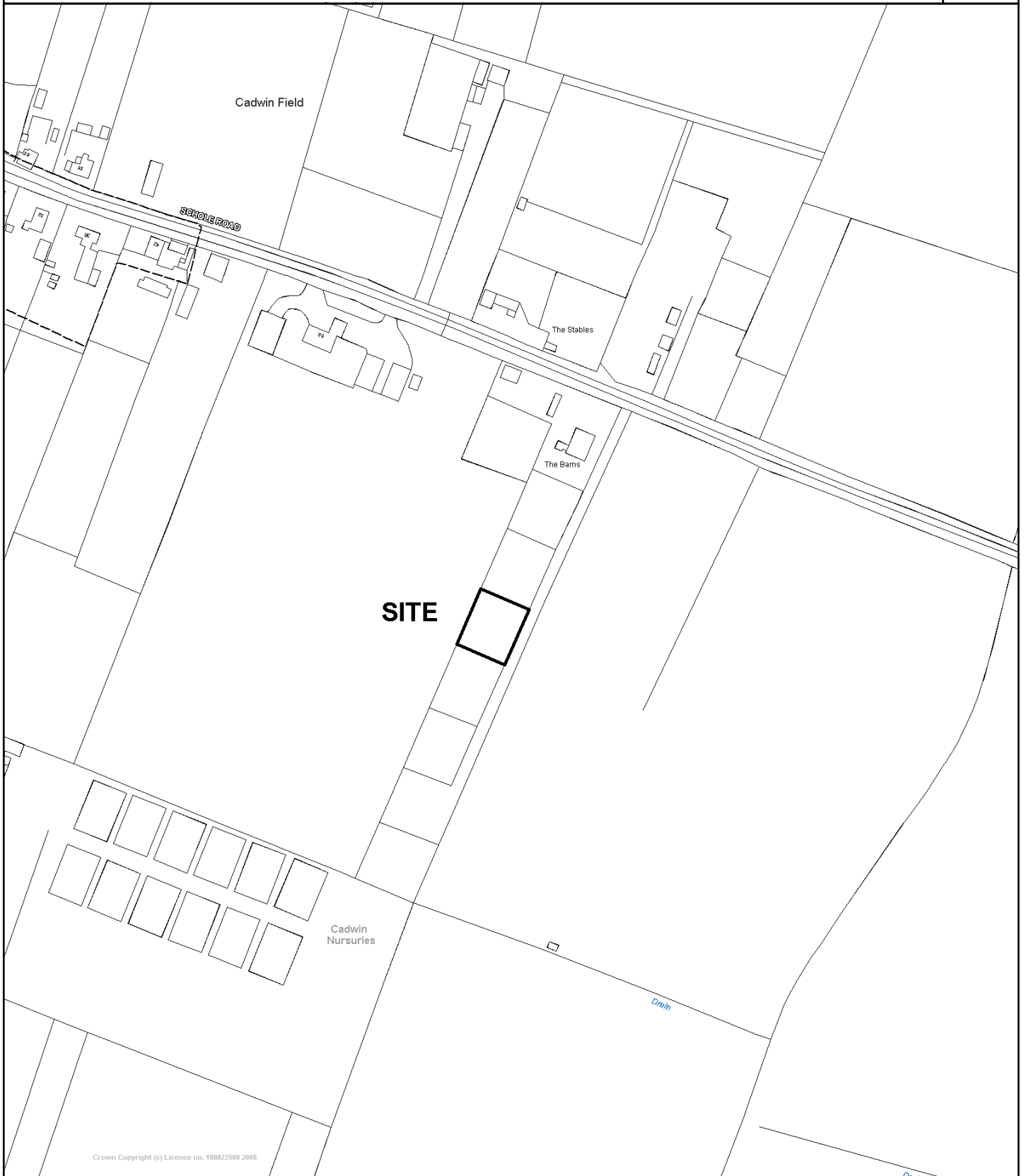
**Site and Proposal**

1. The site is a square parcel of land, measuring approximately 0.07 hectares, located on the south side of Schole Road, outside the development framework for Willingham, as identified within the South Cambridgeshire Local Development Framework 2007. Access is achieved via a single lane track from Schole Road.
2. To the north and south are four existing plots of land of a similar shape and size, currently with temporary permissions for the siting of mobile homes and associated infrastructure. To the east and west are landscape belts, measuring in excess of 2m in height, which serve to screen the site from Schole Road.
3. This full application, submitted on 17<sup>th</sup> November 2008, seeks consent to change the use of the site and allow for the siting of a single mobile home on the site, with an accompanying amenity block.

**Planning History**

4. **S/2330/06/F** – retrospective consent granted on a temporary basis to November 2011 for the siting of gypsy mobile home, touring caravan, kitchen / day room, utility / bathroom and haybarn / stable / tack room, at 5 Cadwin Field, Schole Road. Conditions included restricted use of site to gypsies only, specifically the applicants, and limited the number of items to be stationed on site.
5. **S/0788/06/F** – consent granted for the siting of 2 mobile homes and utility building on a temporary basis to 4<sup>th</sup> October 2009 at 6 Cadwin Field, Schole Road. Conditions included restricted use of site to gypsies only, and limited the number of items to be stationed on site.
6. **S/1654/05/F** – consent granted for the siting of 1 mobile home and 1 gypsy caravan on a temporary basis to 4<sup>th</sup> October 2009 at 2 Cadwin Field, Schole Road. Conditions

S-1919-08-F



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February 2009 Planning Committee



included restricted use of site to gypsies only, and limited the number of items to be stationed on site.

7. **S/1653/05/F** – consent granted for the siting of 1 mobile home and 1 gypsy caravan on a temporary basis to 4<sup>th</sup> October 2009 at 1 Cadwin Field, Schole Road. Conditions included restricted use of site to gypsies only, and limited the number of items to be stationed on site.
8. **S/2229/90/F** – consent refused for the siting of 2 caravans on land to the rear of The Barns, Schole Road on the basis that the development would be intrusive in the landscape and that adequate provision of traveller accommodation had been made at the time.

### Planning Policy

9. **ODPM Circular 01/2006 (Planning for Gypsy and Traveller Caravan Sites)** provides guidance on the planning aspects of finding sites for gypsies and travellers and how local authorities can ensure that members of that community are afforded the same rights and responsibilities as every other citizen. It advises that where there is an unmet need and no alternative gypsy provision, but there is a reasonable expectation that sites will become available within a given timescale to meet that need local planning authorities should consider granting a temporary permission for proposed sites. It does not say that temporary permission should only be considered where the site is already occupied.
10. Advice on the use of temporary permissions is contained in paragraphs 108-113 of the **Circular 11/95, *The Use of Conditions in Planning Permissions***. Paragraph 110 advises that a temporary permission may be justified where it is expected that the planning circumstances will change in a particular way at the end of the period of the temporary permission. Where there is unmet need but no available alternative Gypsy and Traveller site provision in an area, but there is a reasonable expectation that new sites are likely to become available at the end of that period in the area, which will meet that need, local planning authorities should give consideration to granting a temporary permission. Such circumstances may arise, for example, in a case where a local planning authority is preparing its site allocations DPD. In such circumstances local planning authorities are expected to give substantial weight to the unmet need in considering whether a temporary planning permission is justified.
11. The fact that temporary permission has been granted on this basis should not be regarded as setting a precedent for the determination of any future applications for full permission for use of the land as a caravan site. In some cases, it may be reasonable to impose certain conditions on a temporary permission such as those that require significant capital outlay.
12. The **South Cambridgeshire Local Development Framework (LDF)** comprises a suite of Development Plan Documents (DPD) one of which, Development Control Policies, was adopted in July 2007. **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.
13. **Policy DP/1 Sustainable Development** outlines the sustainable criteria with which development proposals must comply. In particular criteria b, l, m, and p are relevant.
14. **Policy DP/3 Development Criteria** outlines the requirements that development proposals must meet. In particular criteria k, l and m are relevant.

15. Other Development Plan Documents are **Core Strategy, (Adopted January 2007)**, and **The Gypsy and Travellers Development Plan Document (GTPD)**, which has been derived from the ODPs guidance within the above circular. This document is yet to be formally adopted but is currently at the stage of review following consultation.
16. Following the consultation carried out on issues and options in November 2006 of **The Gypsy and Traveller Development Plan Document (GTDPD)**, work is progressing on identifying potential site options. As an interim measure the Council applied for **Policy HG/23 Gypsies and Travelling Show People** to be saved under the Planning and Compulsory Purchase Act 2003, however this was not included in the schedule of policies saved by the Government Office for the East of England.
17. The GTPD comprises advice regarding the identification and selection of appropriate sites for gypsies and travellers, including a matrix for scoring the suitability of proposed sites.
18. In addition to the above policies a number of injunctions preventing the stationing of caravans and mobile homes, without planning permission, on land in Schole Road and other land to the east of Willingham were served in November 2006, and October and December 2007. The injunction covering the application site was granted on 20<sup>th</sup> December 2007.

#### **Consultation**

19. **Willingham Parish Council** – recommends refusal and comments that “Willingham already houses a disproportionate ratio of caravans to permanent houses. This ratio is not only the highest in South Cambridgeshire, but also, it is believed, in the country as a whole. Approval would impose further strains on the infrastructure. Local knowledge informs the judgement that traveller children comprise around 11% of the pupils at Willingham Primary School. The School is over subscribed and there are currently six local families whose children cannot be accommodated.”
20. **SCDC Traveller Site Team Leader** – comments that the applicant has moved to the area to be closer to her partner’s family to benefit from their support and has outlined personal circumstances affecting the applicants. Further she has outlined her understanding that the applicant’s children are currently in school in Willingham and Over, has outlined the lack of available plots that could be offered to the family in the instance of the refusal of the current application and the detrimental impact that this would have on the family unit.
21. **SCDC Landscape Design Officer** – comments are currently awaited. Any update in this regard will be reported to members verbally at Committee.

#### **Representations**

22. No comments received at time of preparing the report (members will be updated on any comments received at the Committee meeting.)

#### **Planning Comments**

23. By virtue of the guidance set out in Circular 01/2006, I consider that the main planning issues to consider in this case are the need to provide residential accommodation on the site relative to the applicants needs, including their status as Gypsies/Travellers and the need to afford them access to services and facilities, and the visual impact of the proposals on the countryside.

***Need to Provide Residential Accommodation***

24. The applicant, Miss Loveridge has family located on the plots adjoining the application site. They were interviewed and a needs audit was undertaken in October 2008.
25. At the interview Miss Loveridge provided information in respect of her personal circumstances and the need to be near to members of her partner's family, who live on the adjoining plots in Cadwin Field. I would advise members that the Council's Traveller Site Team Leader has supported the applicant's desire to be near her family for support purposes.
26. Miss Loveridge has stated that her children are already in school in Willingham and Over, a comment that is also supported by the Council's Traveller Site Team Leader. Their demands on services and infrastructure are therefore existing. As such, this aspect of the scheme would not place any increase in the demand for such facilities.
27. In light of the definition of a gypsy/traveller, as set out in Circular 01/2006 I consider that they are in need of appropriate gypsy accommodation. The tests set out in the Circular state that local planning authorities are expected to give substantial weight to the unmet need of travellers locally when considering whether a temporary planning permission is justified.

***Visual Impact***

28. The site is positioned down a country lane, with strong boundary landscaping that offers substantial screening to the surrounding countryside. Whilst the landscape appears to be deciduous in parts, which would increase the potential for views into the site during winter months, it is mostly coniferous and I am of the view that the proposal will not represent an unacceptable visual impact upon the character and setting of the countryside, within which it is set, especially so given the plot's location between a number of existing, established plots. Notwithstanding this point, however, the comments of the Council's Landscape Design Officer have been sought in this regard and will be reported to members verbally at Committee.
29. If the Landscape Design Officer agrees with the above, the site would score highly in relation to the proposed three tier scoring matrix within the Gypsy and Traveller DPD, which was approved in March 2007 at Full Council, to be used in the next stage of the preparation process of the GTDPD to identifying site options within the District. Circular 01/2006 advises that where there is an unmet need and no alternative gypsy site provision, but there is a reasonable expectation that sites will become available within a given timescale to meet that need local authorities should consider granting a temporary permission to allow such sites to come forward. Therefore the grant of a temporary permission on this site would allow for that process to be progressed.

***Other Matters***

30. Noting the imposition of the injunctions, these were used as a method of controlling the increasing number of sites in the area whereby travellers had moved onto a site and then applied for retrospective planning consent. It was felt that Willingham had reached saturation point and that further encroachment would distort attitudes of the community and prejudice the proper formulation of the Gypsy and Traveller Development Plan Document "GTDPD". The applicants were made aware of the terms of the injunction and vacated the site expediently

31. Subsequently, however, officers have become aware that the applicants have reoccupied the application site. The Authority is currently pursuing prosecution under the terms of the injunction, with action pending at the time of preparing this report. Members will be updated at the Committee meeting if any further developments have occurred.
32. Notwithstanding the pending prosecution action, however, the current planning application must be determined in accordance with relevant planning policies, on matters solely material to its determination. Determination of this application, would be consistent with the Local Planning Authority approach in granting temporary planning consent on a without prejudice basis for retrospective-planning applications of this type, as members will be aware has occurred on a number of similar sites.

### **Recommendation**

33. Approve the application for a temporary period to October 2009 on a personal basis to coincide with the length of consent outstanding for the adjoining parcels of land in Cadwin Field that are occupied by the applicant's extended family.

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

- South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007
- Planning files Ref. S/1919/08/F, S/2330/06/F, S/0788/06/F, S/1654/05/F, S/1653/05/F, & S/2229/90/F
- Other documents: ODPM Circular 01/2006 (Planning for Gypsy and Traveller Caravan Sites) & Issues; & Options Report 1: General Approach (Report on Consultation), Gypsies and Traveller Development Plan Document.

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**Telephone** 01954 713379

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL****REPORT TO:**

Planning Committee

4<sup>th</sup> February 2009**AUTHOR/S:**Corporate Manager – Planning &  
Sustainable Communities**APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION:  
SUMMARIES OF DECISIONS OF INTEREST – FOR INFORMATION****Purpose**

1. To highlight recent Appeal decisions of interest. 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****H R Builders Limited – Erection of 20 affordable dwellings – Land adjacent to St George's Court, Impington – Appeal dismissed.**

2. The Planning Committee refused the application because of the perceived harm to the living conditions of the occupiers of nos. 6 and 7 St George's Court and the effect on highway safety. Although the application was submitted in outline, the layout and means of access were to be determined at this stage. The appeal was considered by way of written representations.
3. Access would be between nos. 6 and 7 St Georges Court. Their front elevations would face the new road. The inspector accepted that the development would generate around 120 vehicle movements a day. Because the two properties are close to the road and vehicles would pass close to their windows, the inspector agreed that this would cause an unacceptable degree of noise and disturbance. This would be exacerbated by headlights shining into windows and the presence of calming measures, which would mean vehicles would take longer to pass by. This could not be mitigated by screening or altering the road surface.
4. A total of 24 parking spaces were proposed. The Council's average maximum parking standards required a total of 30 spaces and the inspector concluded that this level of provision was warranted in this location. The inspector accepted the Parish Council's evidence on local facilities and car ownership and the conclusion that this would result in a higher level of car ownership than was being provided for. Insufficient parking for residents would lead to the use of visitor's spaces and on-street parking. This is very limited in St George's Court and would lead to obstructions in the road and the proposed turning bay. Overspill parking would occur in St George's Way, which already suffers from parking problems. The net result would be to increase the risk of accidents with significant implications for road safety.
5. The inspector accepted there was a need for affordable housing, but that this did not outweigh the identified harm. The appeal was therefore dismissed.

**Landmark Real Estate – Erection of dwelling – Hillside, Orwell Road, Barrington – Appeal dismissed**

6. The main issues in this appeal were the effect on the character and appearance of the area and effect; the effect on neighbours' living conditions; and the implications or highway safety. The appeal was determined following a hearing, at which the Parish Council was represented. The Council was supported by the local highway authority.
7. The inspector agreed with the Council that the existing buildings on the site provide an impression of separation between the existing house and the nearby Orwell Terrace. This is important at this edge of village location. In contrast, the proposal would create a consolidated block of development, which would jar with the general pattern of development nearby. By and large, this consists of single dwellings with good separation from neighbours. The proposal would therefore be harmful to the character and appearance of the area.
8. The north elevation of the proposed house would be parallel to the rear of nos. 1-3 Orwell Terrace. Adjustments had been made to the scheme following discussions with officers so that a separation distance of between 14m and 16m would be achieved. The inspector visited one of the rear gardens in Orwell Terrace and found that the outlook is already compromised to some extent by the walls of the existing outbuildings on the appeal site. Nonetheless, he considered that as former agricultural buildings they had a certain rustic appeal. As a matter of fact and degree, the size, siting and design of the new dwelling would appear overbearing.
9. Because the new dwelling would be due south of nos. 2 and 3 Orwell Terrace, the inspector found there would be a substantial reduction in the amount of sunlight and daylight reaching back gardens. While the distance between properties would exceed the standards set out in the Council's draft Design Guide, this document should only be given limited weight while it remains in draft form. The occupants of no.1 would also suffer some adverse effect on outlook and a reduction in daylight and sunlight in their back garden.
10. Taken together, the harm to residential amenity was significant and therefore in conflict with the objectives of development plan policy.
11. The various highway experts were unable to agree the relevance of technical advice. Nonetheless, the appellant agreed that visibility could not be achieved in either case. There was no record of any accidents in the vicinity of the appeal site and other nearby properties also had accesses, which the appellant considered were substandard in terms of visibility. Nonetheless, the inspector accepted there would be implications for highway safety, which could not be overcome.

**Mrs P E Francis Trust – Erection of dwellings and car port – 64 Station Road, Stow-cum-Quy – Appeal dismissed**

12. Although this appeal was for a single dwelling in the side garden of the property, it was refused for four separate reasons.
13. Highway visibility in one direction was considered to be inadequate. There had been reported accidents at the junction of Station Road and Stow Road. The appellant felt that existing traffic calming measures and the limited trips associated with one extra dwelling would be insignificant. However, the inspector considered that even one dwelling would still contribute to a diminution of highway safety.

14. While the siting of the building was satisfactory, its design was found to be intrusive and out of character with its surroundings.
15. Despite the design objections, the Council argued that the site was capable of accommodating more than one dwelling. This was to make more efficient use of land, which in turn would allow an element of affordable housing to be provided. The inspector agreed.
16. The Council also requested a contribution towards open space in line with emerging policy requirements. The inspector found that as the policy document was only in draft form, it could only be given limited weight. However, there was a justified need for such provision. In the absence of a legal undertaking to secure the provision, the proposal was unacceptable.

**Mr M Page – Change of use from light industrial to licensed premises (private members club) – 16a Norman Way Industrial Estate, Over - Appeal dismissed**

17. The two main issues in this appeal were whether the use would be sustainable development and the effect of noise and disturbance on the living conditions of nearby residents. The application was subject to several objections, particularly on the nature of the use. The inspector confirmed that the morality of the use, which has already commenced, was not a matter for him to consider.
18. Planning policies seek to minimise the need to travel and reduce car dependency. On the evidence before him, the inspector concluded that a high proportion of club members would use their own private cars or taxis to transport them to and from the premises. He saw no need why the proposed use should be in a rural area and a town centre location would provide alternative options for travel. The use was not therefore sustainable.
19. Additional vehicle movements generated by the use after midnight would be likely to exceed 20 on Friday and Saturday nights. Although the nearest houses were some way away, it is likely that within this quiet rural area, residents would be aware of activity connected with the club. This would be particularly so in the summer months when windows were open and members would be more likely to spend time outside the building. It was unlikely that other uses on the industrial estate would be operating at this time. A trial run would not overcome the objections raised.

**Whitfield Group – Use of premises without complying with conditions imposed on a previous planning permission – Unit J, Broad Lane Industrial Estate, Cottenham – Appeal allowed. Appellant's application for costs against the Council dismissed**

20. This appeal effectively sought retrospective approval for all internal and external plant, equipment and machinery installed on the site. It also sought to vary a condition of the planning permission which states that machinery shall not be used between the hours of 6 p.m. and 8 a.m. on weekdays, and shall not be used on Sundays and Bank Holidays. The application proposed that two fume extract units and four air conditioning units are operated other than between the permitted hours on Mondays to Saturdays.
21. Ultimately, the appellant had submitted four applications. The first was withdrawn. The second was dismissed at appeal, mainly because of a lack of information. The third was refused under delegated powers and was the subject of this appeal. The

Planning Committee subsequently refused a fourth application following a Committee site visit. The appeal was considered by way of a public inquiry and the two local residents most affected both gave evidence. The inspector carried out site visits during the day and at night.

22. The main issue was agreed to be the effect of noise from the equipment and machinery on the living conditions of the occupiers of 2 Monet way and 15 Courtyard Way. The inspector was therefore required to assess the reasonableness of the condition restricting hours of operation. In doing so, he was made aware of the extensive history behind the applications and the various noise assessments that had been undertaken.
23. As the development plan does not provide any guidance as to how an unacceptable noise impact should be assessed, the inspector found that noise guidelines are of great assistance in determining the impact. Both sides agreed that the noise assessments that had been carried out should be given substantial weight. While compliance with such guidelines could not be conclusive, the inspector reasoned they were indicative of what should be acceptable.
24. It was accepted that noise levels within the bedroom at night should be less than 30dB(A). This was consistent with the findings of the previous appeal inspector. The corresponding outdoor daytime value is 38dB(A) and this offers more protection than World Health Organisation guidelines. From his visits to the site and neighbouring property, the inspector recorded that the background noise level is louder than the noise from Unit J. Unlike the previous inspector, he did not accept that the area is a quiet rural area and the noise from the equipment and machinery should be considered in this context.
25. It was common ground, based on noise readings, that both the day and night time noise readings are lower than accepted guidelines. Based on what he heard, the inspector found that while the noise from the hum of the extract units was audible, they "... would not have interfered with sleep... the living conditions of no. 15 within its garden would be limited and would not be unacceptable ... inside no. 15 with the patio doors open to the dining room, lounge and breakfast room the noise from Unit J was not intrusive ..."
26. The inspector noted that the occupant of no. 15 has been the most affected. He had experienced noise sufficient to be a statutory nuisance when the business first started operating on the site. The inspector could understand why the occupant was still distressed by noise he hears, even though this is now at a significantly lower level. The Planning Committee had found the noise during its site visit to be excessive, although the appellant's consultant did not. Officers' assessment of the noise found more often than not that noise levels were acceptable.
27. Taking into account all the evidence before him, the inspector concluded "... it is clear to me that, on balance, the noise from the operation of equipment and machinery does not have an unacceptable adverse impact on the acoustic environment of 15 Courtyard Way and 2 Monet Way." Given this conclusion, the inspector saw no need to address whether the loss of approximately 40 jobs was a material consideration.
28. The appeal was therefore allowed and a new planning permission granted for the use of the site, along with the equipment and machinery. The permission includes a number of conditions. These include no outside storage of materials or equipment; no machinery, except the existing units the subject of this appeal being used between 6 p.m. and 8 a.m. on Mondays to Saturdays and at no time on Sundays or Bank



Holidays; a restriction on noise levels from the equipment and machinery; time limiters to be fitted to machinery; restrictions on the refilling of gas cylinders; and a contingency plan for an alternative fume extract unit to operate should the key fume extract unit (unit 3) be unavailable due to breakdown or servicing.

29. The appellant's claim for costs was on the basis that the Council had not paid due regard to the technical evidence agreed by its officers. Instead it had sought to protect purely private interests. The Council's evidence at the inquiry was inconsistent. It had behaved unreasonably in refusing the application. For the Council it was claimed that the situation was entirely of the appellant's own doing. It was entirely appropriate that the Council should base its decision not only on technical advice, but on what neighbours hear and what the Planning Committee heard on its site visit.
30. The inspector agreed that technical guidance was important, but was still just guidelines. It was not the sole determining factor. As well as neighbours, both the Planning Committee and the Council's appeal witness had heard the extent of the noise and were entitled to exercise their judgement in stating it was unacceptable. The Council's desire to protect private interests was being exercised in the public interest. The Council had not acted unreasonably and an award of costs was not justified.

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