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24 August 2009

To: Chairman – Councillor Mrs PS Corney
Vice-Chairman – Councillor RJ Turner
All Members of the Planning Committee – Councillors Mrs VM Barrett,
JD Batchelor, Mrs PM Bear, BR Burling, 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, 2 SEPTEMBER 2009** at **2.00 p.m.**

Members are respectfully reminded that when substituting on committees, subcommittees, and outside or joint bodies, Democratic Services must be advised of the substitution *in advance of* the meeting. It is not possible to accept a substitute once the meeting has started. Council Standing Order 4.3 refers.

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.

AGENDA

PAGES

PUBLIC SPEAKING

Those non-Committee members wishing to address the Planning Committee should first read the Public Speaking Protocol.

PROCEDURAL ITEMS

1. Apologies

To receive apologies for absence from committee members.

2. General Declarations of Interest

Members should declare specific interests when the Chairman introduces the item to which they relate, or as soon thereafter as a declarable interest becomes apparent.

1 - 2

3. Minutes of Previous Meeting

To authorise the Chairman to sign the Minutes of the meeting held on 5 August 2009 as a correct record.

To agree that part of the minutes of the meeting held on 10 June 2009 was incorrect, and should be revised to reflect the update report issued after publication of the main agenda. Minute no. 14 should read as follows:

C/6/9/1A - HISTON AND IMPINGTON (GUIDED BUSWAY)

.....

(Section 1) From Park Lane (Girton Interchange) along Pease Way, Melvin Way and St Audrey's Close:

- The Committee gave officers delegated power to discharge Condition 3(a)(v) subject to obtaining the information required to demonstrate the barrier will perform to the necessary standard set out by the Inspector; and invitation of the submission on behalf of Cambridgeshire County Council of a revised scheme (if it subsequently proves necessary) and to accept the submitted alternative scheme to be subject to consultation and agreement with the Planning Committee Chairman.
- The Committee gave officers delegated power to discharge Condition 4 subject to the receipt of revisions and detailed planting schemes in accordance with the Landscape Design Officer's comments as contained in the report from the Corporate Manager (Planning and Sustainable Communities).

(Section 2) From Villa Road, Villa Place to Station Road:

- The Committee gave officers delegated power to discharge Condition 3(a)(v) subject to obtaining the information required to demonstrate the barrier will perform to the necessary standard set out by the Inspector; and invitation of the submission on behalf of Cambridgeshire County Council of a revised scheme (if it subsequently proves necessary) and to accept the submitted alternative scheme to be subject to consultation and agreement with the Planning Committee Chairman.
- The Committee gave officers delegated power to discharge Condition 4 subject to the receipt of revisions and detailed planting schemes in accordance with the Landscape Design Officer's comments as contained in the report from the Corporate Manager (Planning and Sustainable Communities).

(Section 3) From Station Road to Pepys Terrace:

- The Committee gave officers delegated powers to discharged Condition 3(a)(v) subject to obtaining the information required to ascertain if the barrier will perform to the necessary standard and if necessary, invite the submission on behalf of Cambridgeshire County Council of (a) a revised scheme or; (b) invite the submission on behalf of Cambridgeshire County Council of this scheme (or a revised scheme) and an alternative scheme (similar to that offered for Melvin Way) to be subject to consultation and agreement with the Planning Committee Chairman.

- The Committee gave officers delegated power to discharge Condition 4 subject to the receipt of revisions and detailed planting schemes in accordance with the Landscape Design Officer's comments as contained in the report from the Corporate Manager (Planning and Sustainable Communities).

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PLANNING APPLICATIONS AND OTHER DECISION ITEMS

4.	S/0232/09/F - Linton (Land to the south west of Little Linton Farm)	3 - 50
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INFORMATION ITEMS

The following item is included on the agenda for information and is, in the main, available in electronic format only (at www.scambs.gov.uk/meetings and in the Weekly Bulletin dated 26 August 2009). If Members have any comments or questions relating to issues raised therein, they should contact the appropriate officers prior to the meeting.

15.	Appeals against Planning Decisions and Enforcement Action Summaries of Decisions of interest attached. Contact officers: Gareth Jones, Corporate Manager (Planning and Sustainable Communities) – Tel: 01954 713155 John Koch, Appeals Manager (Special Projects) – Tel: 01954 713268	133 - 138
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GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL

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Increased hygiene at South Cambridgeshire Hall

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- **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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Toilets

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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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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.

EXCLUSION OF PRESS AND PUBLIC

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

"I propose that the Press and public be excluded from the meeting during the consideration of the following item number(s) in accordance with Section 100(A) (4) of the Local Government Act 1972 on the grounds that, if present, there would be disclosure to them of exempt information as defined in paragraph(s) of Part 1 of Schedule 12A of the Act."

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

Notes

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

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South Cambridgeshire District Council

Planning Committee – 2 September 2009 – Declaration of Interests

Councillor

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villiage:

Reason:

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villiage:

Reason:

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villiage:

Reason:

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villiage:

Reason:

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

Personal / Personal and Prejudicial [delete as appropriate]

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

Reason:

Personal / Personal and Prejudicial [delete as appropriate]

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

Reason:

Personal / Personal and Prejudicial [delete as appropriate]

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

Reason:

Personal / Personal and Prejudicial [delete as appropriate]

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

Reason:

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee2nd September 2009**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0232/09/F - LINTON**Installation of seven wind turbines and associated infrastructure to include access tracks, crane hardstandings, temporary construction compound, switch house and cables at land to the south west of Little Linton farm, Cambridge Road, for Enertrag UK Ltd****Recommendation: Minded to refuse****Date for Determination: 24 June 2009**

This Application has been reported to the Planning Committee for consideration because it is a major application on which an appeal has been lodged and which will be considered at a public inquiry.

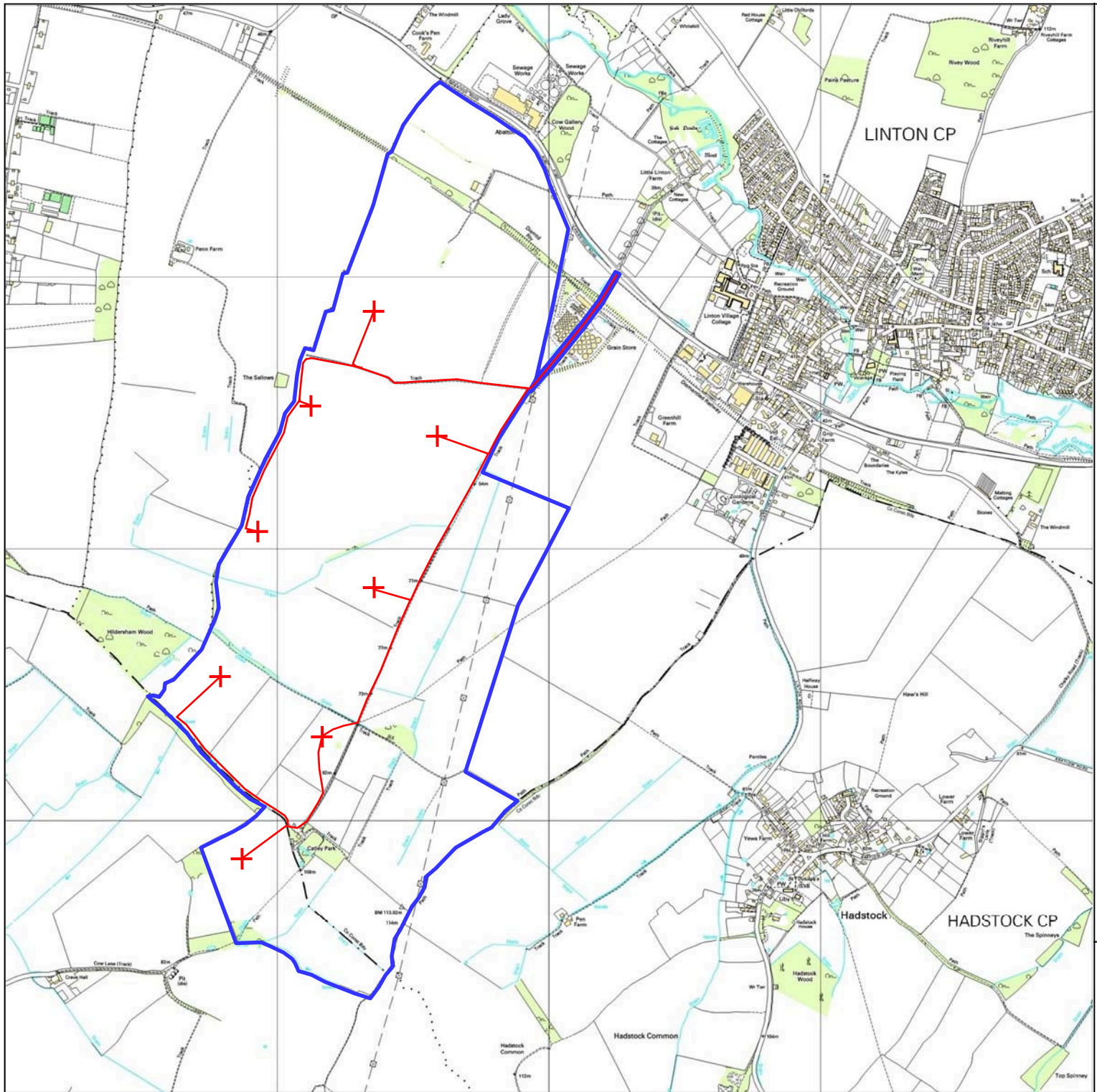
Members will visit this site on Wednesday 2 September 2009.

Appeal

1. This planning application is the subject of an appeal against non-determination by the Local Planning Authority. The appeal is to be heard at a public inquiry, at a date to be determined. The purpose of this report is to provide an opportunity for the view of the Planning Committee to be presented at the inquiry. Because the application is the subject of an appeal, it cannot be determined by the local planning authority

Site and Proposal

2. The site, which extends to some 9.67 hectares (according to the application form), is an area of elevated and sloping agricultural land that varies in height. The site is elevated, with the lowest turbine (T2) being set at approximately 65m AOD, and the highest (T7) at approximately 107m AOD. This is in contrast to the local settlements of the Granta Valley which are mostly contained below the 50m AOD contour. The site is located adjacent to Hildersham Wood SSSI. National Grid high voltage overhead pylons, approximately 50 m in height, run along the eastern boundary of the site approximately 300 m from the nearest proposed turbine.
3. The site is bounded to the north and east by the premises of Camgrain, a large complex of grain storage hoppers, and beyond that the dual carriageway of the A1307. Public rights of way are located around the site. A bridleway follows the eastern boundary and a network of public footpaths follow the southern boundary and dissect the southern area. A public footpath runs northwest to southeast, to the north of turbines six and seven. A bridleway also runs in the north-west corner of the site area.
4. The edge of the village of Hildersham is situated approximately 0.5 km to the north of the nearest turbine and the edge of Linton is approximately 0.5 km north east of the site boundary. Both Hildersham and Linton are separated from the site by the A1307.



Great Abington is located approximately 1.9km to the north west of the site. The village of Hadstock is over 1.5 km east of the southern end of the site. The nearest dwellings are a minimum of 700 m from the turbines.

5. The site of a second proposed wind farm, at Wadlow Farm, West Wrating, is located some 7 kilometres to the north of the site. The proposal is to erect 13 turbines of a similar size to the current proposal.
6. The full application, registered on the 4 March 2009, proposes a wind farm comprising seven turbines within South Cambridgeshire District. An eighth turbine within the scheme falls within Uttlesford District Council's area. Each turbine would have three blades, a hub height of up to 80 m and a blade diameter up to 90 m. The total height of the turbines to blade tip will be dependent on the exact model selected, but would be a maximum height of 125 m. The maximum installed capacity of each turbine would be 2 megawatts, giving a total installed capacity of the scheme of 16 MW. The turbine towers are to be constructed of steel, the nacelle at the top of the tower is also to have a steel casing. The diameters of the towers at the base are to be approximately 4 metres. The turbine foundations will consist of a concrete base approximately 4 m in diameter, situated between 1.5m and 3.0 m below ground level. Piling may be necessary, subject to further investigation of ground conditions.
7. Access tracks would be constructed from the A1307 to each of the turbines and each turbine would require a concrete hardstanding for cranes which would be required during construction and final decommissioning and possibly during on-going maintenance. Each turbine would take approximately one week to assemble on-site which would require two cranes. Delivery of each turbine tower would require 11 low loader vehicles. The longest section would be up to 54 m in length and the heaviest section would weigh approximately 62 tonnes. Normal working hours would be Monday to Saturday, from 7 a.m. until 7 p.m. or dusk.
8. Cables would be run underground to a switch house on site. This building is to be single-storey 10m by 5m by 4.2m high, located by Turbine 1 (T1). From there, cabling would run to a local sub-station on Rivey Hill. The route for the off-site cabling does not form part of this application, and would not require planning permission. An indicative route has been shown via the road network through Hildersham.
9. The expected operational life of the wind farm is 25 years from the date of commissioning. At the end of the working life of the wind farm, the turbines would be decommissioned and the ground surface reinstated to its former condition. Below ground foundations and cabling would remain. Operationally, the turbines would be controlled according to wind speed. Typically, they would cut out at wind speeds of between 34 and 46 m per second. The turbines would be remotely monitored by a telemetry system to a central control point.
10. The applicant claims that the wind farm would have an annual output of 42,048 MWh, the equivalent electricity consumption of 8,946 households and that this would save approximately 18,081 CO₂ tonnes a year.
11. The applicant is willing to establish a 'trust fund' which will "be available to the neighbouring communities and will be available for projects for local schools and community groups (Design and Access Statement, p.3) and have undertaken a "programme of public consultation". The trust fund would be available throughout the 25-year lifetime of the wind farm.

12. The following documents have been submitted with the application, which are on the Council's website page for this application:

An Environmental Statement covering the following issues:

- (a) Project details
 - (b) Legislative context and the EIA process
 - (c) Energy and Planning Policies
 - (d) Site Selection
 - (e) Ecology and Ornithology
 - (f) Geology and Hydrology
 - (g) Landscape and Visual Character
 - (h) Cultural Heritage
 - (i) Archaeology
 - (j) Traffic and Access
 - (k) Noise and Vibration
 - (l) Shadow Flicker
 - (m) Electromagnetic Interference
13. In addition the following documents have been submitted:
- (a) Design and Access statement
 - (b) Visualisations
 - (c) Arboricultural Implications Assessment
 - (d) Aircraft Routes and Airspace Supplement
14. A non-technical summary of the Environmental Statement is available.

Planning History

15. **Uttlesford District Council** refused planning permission reference **UTT/0232/09/FUL** for Turbine 8 on 25 June 2009. The reasons for refusal were:

1. Notwithstanding the positive aspects of the proposal in contributing towards regional and national targets for renewable energy and reduction in carbon emissions, the scale of the proposal, together with the topography of the site will result in a significant harm to the area. The proposed turbine would be located on a prominent ridge in a rural area where there is a wealth of public rights of way. The siting of the turbine would lead to a loss of visual amenity in the area potentially resulting in detraction from the recreational enjoyment of the area. In addition the turbine would appear as a visually prominent feature having a detrimental impact on the character of the Hadstock Conservation Area and the setting of the listed buildings. The proposals would be contrary to the adopted Uttlesford Local Plan Policies ENV1 and ENV2, advice contained in PPG15. The environmental impacts of the proposal are not satisfactorily addressed as required by PPS22 and PPS1.
2. The background noise data has been collected from positions not immediately adjacent to an elevation of the noise-sensitive properties and as such background noise levels are likely to be higher than if they had been measured adjacent to the dwelling. In addition, no consideration appears to have been given to the potential for wind speeds at noise-sensitive properties to be lower than those at the turbine, a fact that could be exacerbated by the topography of the area. As such there is the potential for the proposed turbine to operate at noise levels that would exceed the criteria set out in ETSU-R-97 and this would also be contrary to ULP Policy GEN4.

3. Objections in relation to operational impacts on radar have been received from Defence Estates and NERL Safeguarding. PPS22 places the onus on the applicant to demonstrate that the proposal would have no adverse effect on aviation interests and this has not been demonstrated.
16. A Scoping Opinion (an indication by the local planning authority of the issues required to be covered in the Environmental Statement) in respect of a proposed wind farm given in May 2007.
17. Temporary permission has been granted until 30 September 2010 for a 50m anemometer mast on the site under references **S/0847/08/F**. The anemometer mast that has been erected is located close to the point proposed for Turbine 5.
18. Wadlow Farm, West Wrattling **S/1018/06/F**: This site is located 7m to the north of the current proposal. Planning permission for the erection of 13 wind turbines, each 120m in height, was refused on 7 June 2007. The reason for refusal referred to the substantial harm to the character and quality of the landscape by the development. An appeal was lodged by RES Developments Ltd on 7 December 2007. A Public Inquiry was held 9-19 June and 7-8 July this year. The decision of the Secretary of State is expected mid- November.

Planning Policy

National Guidance

19. **The Climate Change Act 2008** became law on 26 November 2008. It sets legally binding targets for reducing UK greenhouse gas carbon dioxide emissions.
20. Planning Policy Statement (**PPS**) 1, 'Delivering Sustainable Development', (2005) aims to facilitate and promote sustainable and inclusive patterns of urban and rural development. It confirms that the Government is committed to protecting and enhancing the quality of the natural and historic environment, in both urban and rural areas. At the same time, it confirms that development plan policies should take account of environmental issues such as mitigation of the effects of climate change through the reduction of greenhouse gas emissions and the use of renewable energy.
21. A supplement to PPS 1 entitled '**Planning and Climate Change**' was published in December 2007. The statement confirms that the government believes climate change is the greatest long-term challenge facing the world today. Tackling climate change is a key government priority for the planning system. This includes setting targets in Regional Spatial Strategies for renewable energy generation and ensuring any local approach to protecting the landscape is in line with PPS 22. The PPS states, at Paragraph 22:
22. "Planning authorities... should: look favourably on proposals for renewable energy, including on sites not identified in development plan documents; not require applicants to demonstrate either the overall need for renewable energy and distribution or for a particular proposal for renewable energy to be sited in a particular location; avoid policies that set stringent requirements for minimising impact on landscape and townscape if these effectively preclude the supply of certain types of renewable energy, and therefore other than in the most exceptional circumstances such as within a nationally recognized designations, avoid such a restrictive policies".
23. **PPS 7**, 'Sustainable Development in Rural Areas', (2004) aims to promote more sustainable patterns of development by protecting the countryside for the sake of its intrinsic character and beauty, the diversity of its landscape, heritage and wildlife, the

wealth of its natural resources and so it may be enjoyed by all (para. 1 (iv)). It advises that, in determining planning applications, authorities should provide for the sensitive exploitation of renewable energy sources in accordance with the policies set out in PPS 22.

24. Planning Policy Guide **PPG 8** 'Telecommunications' advises on the potential for disturbance to television and other telecommunications signals and the need to investigate possible engineering solutions to such matters.
25. **PPS 9**, 'Biodiversity and Geological Conservation', (2005) sets out Government's objectives for 'biodiversity and geological conservation'. Planning decisions should aim to maintain and enhance, restore or add to biodiversity and geological conservation interests. Development proposals should be permitted where the principal objective is to conserve or enhance biodiversity and geological interests. If significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused.
26. **PPG 15**, 'Planning and the Historic Environment', (1994) provides guidance in respect of development which will affect the historic and built environment. The historic environment includes not just buildings, but encompasses the wider landscape. It indicates that development may affect the setting of a Listed Building some way away.
27. **PPG 16**, 'Archaeology and Planning' advises that the duty to protect archaeological sites and monuments extends to their setting. Para 27 advises that there is 'a presumption against proposals which would involve significant alteration or cause damage, or which would have a significant impact on the setting of visible remains.'
27. **PPG 17** 'Planning for Open Space, Sport and Recreation' supports the enhancing of the rights of way network in the countryside.
28. **PPS 22**, 'Renewable Energy' (2004). This aims to increase the development of renewable energy resources. Amongst key principles are:
 - (a) Renewable energy developments should be capable of being accommodated throughout England in locations where the technology is viable and environmental, economic, and social impacts can be addressed satisfactorily.
 - (b) The wider environmental and economic benefits of all proposals for renewable energy projects, whatever their scale, are material considerations that should be given significant weight in determining whether proposals should be granted planning permission.
 - (c) Small-scale projects can provide a limited but valuable contribution to overall outputs of renewable energy and to meeting energy needs both locally and nationally. Planning authorities should not therefore reject planning applications simply because the level of output is small.
 - (d) Development proposals should demonstrate any environmental, economic and social benefits as well as how any environmental and social impacts have been minimised through careful consideration of location, scale, design and other measures.
29. The PPS sets out the government's objectives and the need to generate a minimum of 10% of UK electricity from renewable sources by 2010 (with onshore and offshore wind being the largest contributors) and up to 20% by 2020 (with onshore and

offshore wind biomass being the largest contributors). The fact that a target has been met is not a reason to refuse planning permission for further projects.

30. When considering landscape and visual effects Paragraph 19 notes these are likely to vary on a case-by-case basis according to the type of development, its location and landscape setting. Some of these effects may be minimised by appropriate siting, design and landscape schemes. Paragraph 20 goes on to state that the impact of turbines on the landscape will vary according to the size and number of turbines and the type of landscape involved. These impacts may be temporary if conditions are attached to planning permissions which require the future decommissioning of turbines.
 31. **'Planning for Renewable Energy: A Companion Guide to PPS 22' (2004)** identifies the key issues in determining planning applications. It is designed to encourage appropriate development and offers practical advice as to how policies can be implemented on the ground. At para 5.10 authorities are advised to come to an objective view on:
 - (a) The extent to which the project is in conformity with the development plan;
 - (b) The extent to which the reasons for any area based designations may be compromised;
 - (c) The extent of any positive or negative impacts, and the means by which they may be mitigated, if negative; and,
 - (d) The contribution towards meeting the regional target, but recognising that a small contribution cannot be in itself a reason for refusal of permission.
 32. The Companion Guide includes a detailed technical annex upon wind. It covers issues such as noise, low frequency noise, landscape and visual impact, driver distraction and shadow flicker. It states at Para 5.4, that landscape and visual effects will only be one consideration to be balanced alongside the wider environmental, economic and social benefits.
 33. **PPG 24 'Planning and Noise'** (1994) states that noise can be a material consideration in the determination of planning applications. Development should not cause an unacceptable degree of disturbance.
 34. Para 15 of **Circular 1/2003, 'Safeguarding Aerodromes'**, advises that wind turbines can create certain problems for aviation. This includes signals radiated from and received by aeronautical systems.
- Regional and Local Policies**
35. **The East of England Plan (2008)**
Policy **ENG1**, 'Carbon Dioxide Emissions and Energy Performance', identifies the need to meet regional and national targets for reducing climate change emissions. Local authorities should encourage the supply of energy from decentralised, renewable and low carbon energy sources.
 36. Policy **ENG2 'Renewable Energy Targets'** supports the development of new facilities for renewable power generation with the aim that by 2010, 10% of the region's energy and by 2020, 17% of the region's energy should come from renewable sources. These targets exclude energy from offshore wind and are subject to meeting European and international obligations to protect wildlife. The onshore targets for

installed capacity equate to at least 820 MW by 2010 and 1620 MW by 2020 for the region.

37. Policy **ENV2** 'Landscape Conservation' states that planning authorities should recognize and enhance the diversity and local distinctiveness of identified countryside character areas. Where damage to local landscape character is unavoidable, appropriate mitigation measures should be secured. The countryside character areas are identified in Figure 6 of the Plan, although this incorrectly defines the area covered by the East Anglian Chalk as 'Thames Valley'.
38. Policy **ENV3** (Biodiversity and Earth Heritage)
39. Policy **ENV6** (The Historic Environment)
40. Policy **T9** (Walking, Cycling and other Non-Motorised Transport)
41. **South Cambridgeshire Local Development Framework Core Strategy DPD (2007)**
This sets out a number of objectives. Amongst others they aim to ensure development addresses sustainability issues, including climatic change mitigation, protects and enhances native biodiversity and protects and enhances assets of conservation importance and the character of the landscape.
42. **South Cambridgeshire Local Development Framework Development Control Policies DPD (2007)**
43. In respect of renewable energy, Policy **NE/2** "Renewable Energy", and the supporting text states:
44. "The District Council will grant planning permission for proposals to generate energy from renewable sources, subject to proposals according with the development principles set out in DP/1 – DP/3 and complying with the following criteria:
 - (a) The proposal can be connected efficiently to existing national grid infrastructure unless it can be demonstrated that energy generation would be used on-site to meet the needs of a specific end user;
 - (b) The proposal makes provision for the removal of the facilities and reinstatement of the site, should the facilities cease to be operational.
45. **Supporting text Paragraphs 7.6 - 7.8 inclusive**
"Given the commitment by Government and the District Council to reduce the use of fossil fuels, opportunities to increase the proportion of energy, especially electricity, generated from renewable sources will be permitted unless there is clear adverse impact on the environment or amenity of the area.
46. "In South Cambridgeshire, with greater than the UK average levels of sunshine, solar power can make a significant contribution. The District Council will seek the incorporation of measures such as solar panels or electricity generation from photovoltaic cells in new or converted buildings and structures. Individual or small groups of wind turbines may also be appropriate".
47. Policy **NE/4** "Landscape Character Areas", states that:" Development will only be permitted where it respects and retains or enhances the local character and distinctiveness of the individual Landscape Character Area in which it is located".
DP/1 (Sustainable Development)

DP/2 (Design of New Development)

DP/3 (Development Criteria)

48. Policies **DP/1-DP/3** deal with issues relating to sustainable development, design and a checklist for development criteria.

ET/9 Farm Diversification

SF/9 (Protection of Existing Recreation Areas)

CH/1 (Historic Landscapes)

CH/2 (Archaeological Sites)

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

CH/5 (Conservation Areas)

NE/6 (Biodiversity)

NE/7 (Sites of Biodiversity or Geological Importance)

NE/11 (Flood Risk)

NE/15 (Noise Pollution)

49. Developments Affecting Conservation Areas Supplementary Planning Document (2009)

Listed Buildings Supplementary Planning Document (2009)

Biodiversity Supplementary Planning Document (2009)

Consultation

Parish/Town Councils

South Cambridgeshire Parish Councils

50. **Babraham Parish Council:** No recommendation. Lack of information provided which is specific to Babraham.
51. **Balsham Parish Council:** Refusal. Concern about safety on the A1307; overbearing effect on the village of Linton; unacceptable impact on Linton Zoo and the breeding programme; unacceptable impact on Linton Village College.
52. **Bartlow Parish Council:** No recommendation.
53. **Great Abington Parish Council:** Refusal. There are unknown health hazards, particularly due to ultrasound and vibration; the turbines will be very near a large number of houses in Great Abington, Linton and Hildersham; the visual impact on the surrounding countryside would be very great; the turbines will be very near the A1307 and will present a distraction to drivers, particularly at Hildersham and Bartlow crossroads; adverse effect on local wildlife, particularly the bat population.
54. **Hildersham Parish Council:** Refusal.

Landscape/environmental issues:

55. Disagree with the applicant's statement that this is "an area without any specific landscape value". This is a glacial valley created during the East Anglian ice age and is unique in Cambridgeshire.

56. Hildersham Wood is not only a SSSI but is the last remaining ancient wooded area in a landscape that was originally fully wooded and it still has the same footprint since the Norman Conquest.
57. Concern for the local bird and wildlife.
58. Concern that the impact on Linton Zoo.
59. Concern about noise and light pollution.
60. The whole of Hildersham and the Linton Village College is within 2 km of the turbines. In Scotland, the planning application would have immediately been rejected, as was the case in other European countries.
61. Once an industrialised site has been established this could open the door to other heavy industries that needed a large power supply.
62. This area of the country is known to have the worst available wind supply. One resident has carried out his own wind strength survey, and in a 45-day period the wind had only been sufficient to drive the turbines for nine days or 20% of the time.

Health and nuisance issues:

63. The evidence from a documentary seen at a recent public meeting was that the old, the young and the people with special needs were the most susceptible to the effects of the turbines. Nobody could give the Parish Council a guarantee that the turbines would not have a health effect, or would not disrupt or affect the learning potential of our area's bright young teenagers.
64. Noise and flicker problems. Hildersham is a very peaceful and quiet rural community; the proposed wind farm would completely destroy this.
65. Loss of TV, radio and mobile phone signals is a major concern. Loss of the value of local property and homes.
66. Driver distraction on local roads, A1307 and back roads. The Highways Agency advice is that a clear view from distance would considerably reduce the temptation for drivers to turn their heads when passing the towers. The proposed location would give very little warning in either direction and therefore poses a large distraction problem.
67. In conclusion, Hildersham Parish Council fully supports a green energy supply for the United Kingdom, and in principle this scheme is needed, but this is a completely inappropriate location.
68. **Horseheath Parish Council:** Refusal. Too close to Linton and Hadstock -- about a mile when the rest of Europe has a limit of 4 km; low frequency noise; TV and mobile interference; distraction from the A1307; negative effects on Linton Zoo. However, some councillors supported the project because they approved of the use of renewable energy.
69. **Linton Parish Council:** "The Council recommends refusal of the application on the following grounds:
 1. **The proposed turbines, by reason of their size and location, would neither respect, retain nor enhance the character of the local landscape,**

contrary to Development Control Policy NE/4 of the approved Local Development Framework.

The local landscape is characterised by the presence of rolling ridges and the river valley. It forms a zone of transition between the flatter tablelands of the North East Essex area where the Granta and its tributaries rise, and the lower landscape of the Granta and Cam valleys to the north of the A505. It is a distinctively attractive but relatively fragile landscape which has already been affected to a limited degree by the presence of electricity pylons, and by local agriculture-related enterprises which have particular reasons for being located in the vicinity of the village.

2. **The proposed turbines, by reason of their size and location, would damage the distinctiveness of the individual landscape character of the area within which they would be located, contrary to Development Control Policy NE/4 of the approved Local Development Framework.**

The Granta Valley is a major feature of the East Anglian chalkland character area identified in the Local Development Framework in accordance with Policy ENV2 of the Regional Spatial Strategy. The ridges on either side of the mid-Granta valley, the ridge on which the turbines would be located and the Rivey ridge, are the most significant pair of valley ridges in the county and can be observed from a wide area. The quality of the local landscape has not been significantly compromised by the existing pylons, given their limited height and static nature. If permission is granted a condition should be imposed requiring the various components of the turbines to be finished in a colour which will minimise their impact on the landscape.

3. **The proposed turbines, by reason of their size and location, would be readily visible from many points within the village conservation area, the only conservation area designated as “Outstanding” within South Cambridgeshire, and from within the curtilage of a large number of the 123 listed buildings within the parish boundaries. The development would damage, and not preserve or enhance, listed buildings and their settings and would adversely affect the appearance and appreciation of the outstanding conservation Area. Approval of the application in those circumstances would be contrary to the advice set out in paragraph 11 of PPS 22, Renewable Energy.**

The Parish Council notes that the photomontages prepared by the applicant are generally taken from outside the village envelope and requests that an independent assessment is commissioned of the possible impact of the proposals on the Conservation Area, particularly in the vicinity of significant listed buildings. The setting of the Linton High Street conservation area, with its 75 listed buildings is particularly important and it is believed that full turbine heads will be seen in this area. Whilst Local Plan Policy EN30 has been formally superseded, pending new guidance within the LDF, the spirit and principles of EN30 should be applied to this application, namely that the application should be accompanied by sufficient details to allow the impact of the proposal to be assessed. The application fails to do so.

4. **The proposed turbines, particularly by reason of the creation of low frequency noise and blade flicker, are likely to damage the programme of the Linton Zoo which has for many years been a leading centre for the breeding of rare and endangered species from a variety of habitats around the world.**

The Linton Zoo is also a major tourist attraction and any development which risks endangering the long-term success and popularity of the Zoo is liable to

damage the local economy of the village, particularly through the loss of employment opportunities. The Council asks that the District Council obtain technical advice from a recognised national body. It does not appear from the material produced by the applicants that they have appreciated the full stature of the Zoo as a breeding centre. If permission is granted, a condition should be imposed that if the Zoo subsequently detects that the operation of the wind farm is causing adverse effects on its work and animals, its operation should be required to cease immediately until those problems are satisfactorily addressed.

5. **The proposed turbines are likely to generate noise which will have an unacceptable adverse impact on an area of countryside which is important for countryside recreation contrary to Development Control Policy NE/15 of the approved Local Development Framework.**

The proposed turbines would be close to public bridleway No. 7 which forms one of the major routes between the Cam and Granta valleys, particularly for horses. The British Horse Society recommends a minimum distance of 3 x turbine height between a bridleway and a turbine (formerly 200m). One of the turbines would be within 100 m of the bridleway and four less than 3 x turbine height away. It is also understood that the Countryside Services Team of the County Council have expressed concern over the use of the bridleway as a haul road. The views of the British Horse Society regarding suitable surfacing material should be sought and if permission is granted a condition requiring the material to be one approved by the Society should be imposed. In addition the Icknield Way, which links two national long distance trails, runs parallel to the Bridleway 7 and its enjoyment would be measurably reduced by the close proximity of the turbines. The local footpath network is also used by many visitors to the area for shorter distance walks because of its attractiveness and easy access by private car and frequent public transport links.

6. **The proposed turbines are likely to generate noise which will have an unacceptably adverse impact on the environment of existing development contrary to Development Control Policy NE/15 of the approved Local Development Framework.**

The Parish Council acknowledges that the proposed turbines would be more than the advised minimum distance from residential development generally. It asks the District Council to check by measurement whether any properties are within 700m of any proposed turbines.

The Parish Council also has the following specific concerns:

- (a) the applicants have failed to demonstrate that their analysis of noise effects complies with the methodology advised in the 1997 ETSU report. The analysis should also be shown to encompass differing atmospheric conditions, times of day and season.
- (b) the Parish Council is aware that in a small proportion of cases, the ETSU methodology has failed to adequately estimate the noise consequences of turbines in particular locations, and existing impacts, including television reception, demonstrate that the local geography possesses unusual characteristics. In the case of Linton, the village is downwind of the prevailing wind which would pass the turbines towards the village, which is encircled by higher ground within its river valley.
- (c) the turbines would be only a short distance beyond the recommended minimum distance for pupils studying at the Village College

(comprehensive school) and the Linton Granta (special needs) school, for whom peace and quiet when studying is important.

(d) the local community and those schools are already subject to significant noise from the A1307 and the Camgrain drying equipment by reason of their location within the valley. The noise is continuous throughout the day and night, particularly in the case of the Camgrain site at certain times of the year, which has been the subject of complaint. The District Council should ensure that the interrelationship between existing noise sources and the proposed turbines is adequately investigated.

7. The Parish Council considers that an independent study addressing all these issues should be commissioned and no permission granted unless the report demonstrates that concerns regarding noise are not well founded or can be adequately addressed by the imposition of conditions. The Parish Council also requests the local planning authority to commission a study into the possible effect of blade flicker on the large number of children at the Granta School suffering from epilepsy and not to grant permission unless the report demonstrates that the health of those children will not be put at risk.

8. **The proposed turbines will create an unacceptable danger to the safe movement of traffic using the A1307.**

The turbines will create fixated views for drivers travelling westbound on the A1307, particularly in the vicinity of the junction with the Horseheath Road and Bartlow Road junctions in Linton, and eastbound from the Hildersham junction to the Camgrain junction. The A1307, particularly the section between the boundary with Suffolk and the junction with the A11, is a particularly busy road with a very poor safety record; there are many hazards and high peak traffic flows. There have been 29 fatal accidents along this stretch of road during the past 12 years, including 4 in the vicinity of the Horseheath Road and Bartlow Road junctions in Linton, and 3 between the Hildersham junction and the end of dual carriageway to the east of the Camgrain junction. The Hildersham junction requires pedestrians to cross three lanes of traffic to access the westbound bus stop. In the event planning permission is granted, conditions should be imposed to ensure adequate notice of temporary road and footpath and bridleway closures and arrangements for diverted traffic along appropriate roads.

9. **The parish is in an area which is noted for its unusually poor television and radio reception, for reasons of local geography. Many residents already use high powered aerials to obtain adequate reception. The proposed turbines lie directly between the aerial providing television to the village, Sandy Heath, and the village. Evidence has been submitted by the applicant to demonstrate that the turbines may further degrade the quality of reception.**

The Parish Council notes the proposal of the applicant to look at providing technical assistance, including satellite services, if proved necessary. However, a significant number of houses are in the conservation area and/or are listed, so that the ability to provide satellite coverage is wholly or partly prevented by other planning controls. The Applicant refers to cable connectivity, but there is no cable connection in the village and the proposal to provide a connection was abandoned some years ago. These matters should be addressed to the satisfaction of the local planning authority before any permission is granted.

10. **The proposed turbines may have an adverse effect on the ecology and wildlife of the area in which they would be located contrary to the principles contained in Development Control Policy NE/15 of the approved Local Development Framework.**
The Council requests that planning permission will not be granted unless the local planning authority is satisfied that proper studies have been submitted or commissioned which demonstrate that any such concerns are not well founded.
11. **The proposed turbines are likely to create a hazard for air traffic flying by Visual Flight Rules to and from Duxford airfield.**
The nature and location of controlled airspace for commercial air traffic results in the use of the A1307 corridor by light air traffic working to VFR. The presence of the turbines is likely to cause a hazard to such traffic and lead to the abandonment of the normal "right hand rule" along the A1307 with adverse safety effects. The Parish Council additionally requests that permission is not granted unless the requirements of commercial and military traffic control are shown to be met.
12. **The applicants have failed to evaluate this site against alternative sites which may be available, or to demonstrate that there are no alternative sites. Alternatively, if they have evaluated this site against alternative sites, they have failed to set out why this site will cause less damage to acknowledged interests of importance than those other sites which have been considered.**
13. **If permission is granted the Parish Council would wish that suitable conditions be imposed requiring the closure and removal of the turbines and associated equipment if it becomes apparent during operation that the turbines are unable to operate without causing damage to the interests identified in paragraphs 4, 6, 7, 8 and 10 above, in addition to the normal conditions regarding its decommissioning at the end of its projected operational life."**
70. **Little Abington Parish Council:** Refusal. Impact on health; proximity to habitation; limited evidence that there is sufficient wind to generate a significant amount of renewable energy. This outweighs the disadvantage of visual impact on the local landscape.
71. **Pampisford Parish Council:** No recommendation due to an even vote. The Parish Council acknowledges the need for renewable energy. However, the turbines are very close together and will impact on the landscape (Policy NE/4). It is near the A1307 and the animals at Linton Zoo. Concern about noise for local residents and loss of recreational amenities.
72. **Sawston Parish Council:** Refusal. Concern about the impact on the environment and the small amount of electricity that would be generated.
73. **Hinxton Parish Council:** Refusal. The location of the wind farm is inappropriate for the area and its proximity to residential buildings is of great concern.
74. **Uttlesford Parish Councils:**
75. **Great Chesterford Parish Council:** Refusal.
The size of the structures would dominate the surrounding countryside.

The closeness to dwellings of some of the turbines is well within the recommended separation distance of 1.5 km. There is insufficient evidence that being this close to dwellings would not cause health problems in noise, flicker and amplitude modulation.

76. This area is known as being an area of low wind speed by the renewable energy community. There is no evidence that there is sufficient wind resource to make these turbines efficient. There is no evidence that this site is suitable.
77. Why is it acceptable to site one of the turbines right next to a SSSI?
78. The effect on the television signal, which is already poor in this area, has not been addressed adequately.
79. There are many paths and bridleways through and close to the site. The building of the wind farm would have a detrimental effect on the enjoyment of these facilities and would be a loss of amenity.
80. **Hadstock Parish Council:** Refusal. The site is too close to human habitations on all sides. Most of the houses in Hadstock village, several of which are grade 2 listed, are within 2 km of turbines 8, 6, and 4, across open fields. The prevailing wind is from the west, and turbine 8 is due west of the village centre. There is a concern that Hadstock village could be affected by low frequency noise, or other audio phenomena, resulting from the operation of the turbines. There is also the risk of exposure throughout the parish to shadow flicker from the setting sun, from the turbines 4, 5, 6, 7, and 8.
81. The moving turbine blades would disturb the visual tranquillity of the surrounding open countryside. They would pollute the rural scene with unnatural movement, and reduce the quality of recreation on footpaths on and around the site.
82. Enertrag's Viewpoint Number 2 in Volume 2 of the ES gives a misleading picture of the visibility of the turbines from Hadstock, as seven out of the eight turbines are hidden by trees immediately in front of the camera.
83. The wind farm proposal is a large-scale development that, if approved, would dominate the landscape and set a precedent for further industrial development in rural area along the county boundary.
84. **Little Chesterford Parish Council:** Refusal. The Parish Council is in favour of renewable energy, but the positive benefits are outweighed by the following concerns:
85. Visual Impact. Wind turbines are acknowledged as the most visually intrusive of any of the renewable energy generating technologies. The size and the rotating blades attract the eye, making them much more noticeable than any static object of the same size. These turbines will become the defining objects in the landscape and as alien commercial machines will bring a completely different industrial feel to one of the few remaining areas of open countryside in a part of the country where the pressure of development is ever present. The area between the Linton and Little Chesterfield is a key amenity for residents of the parish who value it for the attractive landscape and as a chance to enjoy the countryside.
86. This is an attractive village and the impact of the turbines on the ridge will provide a visual impression alien to the historical context of the Parish. There will be an adverse effect on the setting of many of the attractive listed buildings in the parish, in particular our Church of St Mary the Virgin. There will also be intermittent views of

blades and parts of turbines as you move around the village which will be visually disconcerting and out of character.

87. **Recreation:** The well-used footpaths and bridleways that cross the site are important to many villagers. The developers have ignored the recommended minimum separation distances of the British Horse Society and have placed the turbines closer to the main bridleway. This will pose problems for those who use the bridleway.
88. **Wildlife:** There will be a displacement effect on birds and bats from the eight large turbines even if they do not inflict collision damage. This will reduce the enjoyment of the countryside for parishioners.
89. **Policy:** The proposal is contrary to policy DP/3 (Development Criteria) especially with respect to sections j, l, m, n, o, p and s.
90. **Saffron Walden Town Council:** Refusal. Strong objection on the grounds of noise, environmental hazards, the effect on wildlife, including birds, and the inappropriateness of the site given its location in one of the least windy areas and its ineffectiveness.

Neighbouring District Councils

91. **Uttlesford District Council:** Uttlesford District Council considers that the proposed development before South Cambridgeshire District Council would adversely affect interests in Uttlesford for the following reasons:
 - (a) Affect on the character of the Hadstock Conservation Area;
 - (b) Form a visual intrusion into the open rolling landscape;
 - (c) The proposal is likely to give rise to higher levels of noise than identified in the applicant's case which could be harmful to properties within 2km.
92. The following District Councils were consulted but had no comment to make upon the proposal: Bedford Borough, Braintree, Forest Heath, Huntingdon, North Hertfordshire, St Edmundsbury Borough.

Representations

Consultees (by topic)

Economic development

93. **SCDC Strategic Sustainability Officer:** Support. From the perspective of strategic sustainability, The SSO considers there to be two key issues that should be taken account of when considering the determination of the current application:
 - i.) the need and relevance of wind farm development in South Cambridgeshire;
 - ii.) the importance of securing the support and acceptance of the local community.
94. Between them, the drivers behind these issues probably encapsulate the UK's ability to successfully negotiate the current 20-30 year transition period (between centralised fossil fuel generation and centralised green energy generation) in a manner that tackles the challenges of climate change alongside delivering secure and accessible energy supplies for all.
 1. *The need and relevance for large scale wind farm development as an effective and appropriate renewable energy technology for South Cambridgeshire*

From this strategic perspective, the strength of argument (as reflected in national, regional and local policy) is overwhelmingly in favour and constructed from the following elements:

- i. The likely impacts associated with climate change are significant and include flooding, subsidence, water shortages and increased insurance associated with damage to buildings. The importance to South Cambridgeshire and the Cambridge sub-region as a whole, of which the district is an integral part, cannot be understated since much of the area lies close to sea level and already experiences some of the driest seasonal weather in the country.

South Cambridgeshire residents also have, on average, one of the highest annual per capita carbon footprint figures in the region at 10.2 tonnes of CO₂ (as calculated by DEFRA under the methodology for national performance indicator NI 186).

It is therefore appropriate that the District takes all steps available to mitigate these impacts through maximising its contribution to carbon reduction as rapidly as possible. The Linton wind farm will generate approximately 40GWh of electricity per annum (based on a 28% capacity factor) which equates to an annual saving (over generation from conventional fossil fuels) of approximately 17,200 tonnes of CO₂. To put this into perspective the residents of Linton (population approximately 4,200), for example, account for approximately 44,000 tonnes of CO₂ per annum.

- ii. South Cambridgeshire District Council is committed, as a signatory to the Nottingham Declaration, to taking steps to mitigate the effects of climate change. It is also responsible, as are the other Cambridgeshire district councils, to reduce local carbon emissions through adoption of the current Cambridgeshire Local Area Agreement. Alongside these broader strategic positions, South Cambridgeshire as the local planning authority, is specifically disposed through its planning policies to encourage the installation of renewable energy technologies within the district.
- iii. On-shore wind is currently the most available and economically viable low carbon renewable energy technology in the UK and has a significant and very relevant role to play in decentralised energy provision. Wind energy is an inexpensive, clean and reliable form of power produced in an environmentally friendly way – the turbines do not produce chemical or radioactive waste.
- iv. In response to the 2008 EU Renewable Energy Directive the UK Government has adopted a target of generating 15% of all energy from renewable sources by 2020. The current scenario for realising this target suggests that it will need to incorporate 35% of electricity generation from renewable sources. In 2008 renewables provided 5.5% of the electricity generated in the UK (of which wind made up the largest proportion at around 33%). The contribution from wind farms (on- and off-shore) is placed at around 33GW by 2020 - only approximately 3GW were operational at the end of 2008. Onshore wind generation has been specifically identified as a means of realising these targets (off-shore wind generation requires a much greater investment – the conditions for securing such investments are presently far less favourable than they were).

At the regional level, it would appear that the Eastern Region will not now meet its 820 MW 2010 target for renewable energy generation. Delivery will need to increase as the region refocuses on the 2020 target of 1620 MW (Policy ENG2 of

the East of England Plan, May 2008). Presently there are no sub-regional targets but these can be expected as part of the review of the East of England Plan that is presently under way and looking to test initial aspirational targets of 16% of electricity demand from renewable energy technologies by 2015 and 20% by 2020 (estimates for December 2008 put the installed total at 6.7% as 2,200GWh from a total consumption of 27,700 GWh). It would seem likely that new national targets will probably push these figures up further. To meet such targets, within the appropriately pressing timescales set, will almost certainly require significant contributions from the onshore wind sector.

Wind turbines provide load relief for conventional fossil fuel powered plants, enabling them to 'throttle back' and save fuel. The need for a 'back-up' conventional electricity supply to stand in when the wind is not blowing has created concern over potential carbon savings. However, National Grid has calculated that 33GW of wind would require an additional 6.5GW of reserve back-up supply – roughly the same proportion as is currently built into the grid system. It should be remembered that every kWh generated by wind is one less from fossil fuels – the issue is not relative reliability but the number of kWh delivered to the grid.

2. *The importance of securing local community support, acceptance or buy-in for the wind farm development.*

The second strategic sustainability issue relevant to this proposed development is frequently left in the shadows when it comes to the consideration of commercial wind farm planning applications. This relates to the importance of effective public engagement as society makes the transition to low-carbon living in a low-carbon economy over the next 20 to 30 years. The decentralised energy supply model (with its tenets of energy conservation, efficiency and renewable generation) will be required to increasingly support our energy needs until a centralised model of energy production can re-establish itself within the parameters of an 80% reduction in carbon emissions by 2050 (as established through the 2008 Climate Change Act).

Effective public engagement is a necessity and bedrock of this transition and all decentralisation measures (of which the Linton wind farm must be considered one) will need to ensure that they propagate support. The essential facets of the take-up and shift to low carbon lifestyles over the coming two or three decades are not geographically remote, they are local – existing at community, neighbourhood and individual levels of engagement and agency. The decentralisation transition will come about as much through our individual actions to reduce carbon emissions in our day-to-day lives as it will from a change to a locally dispersed infrastructure of non-fossil fuel based energy generation: the former arising from behaviour change and domestic level changes towards more sustainable energy management, and the latter arising from the progressive inclusion of renewable energy installations – such as the Linton wind farm proposals.

The ability and significance of these two elements supporting each other must not be missed or underestimated. If the two are effectively linked then the rate of change is far more likely to reach that required to meet the challenging targets that have been set for national, regional and local carbon reduction between now and 2050.

Proposed developments, such as the Linton wind farm, are well placed to do this by fostering community buy-in and ownership. Without this local relationship between such installations (especially the more visible ones such as large-scale

wind) and the communities around them, and for whom they will become an element of day-to-day life, they will risk:

- i. not making the most of the opportunities they bring to engage local populations actively in the benefits and positive options arising from the transition to low carbon living in a low carbon economy, and;
- ii. alienating significant numbers of the local population from this transition process. Unless active and responsive consultation is carried out alongside potential options around local community buy-in, partial ownership or some other mechanism for sharing returns from the energy output, many local residents will come to see wind farms as externally imposed and purely commercial driven impositions upon their lives and local areas.

The current wind farm application is running this 'social' risk. Within the strategic sustainability framework, social viability is as important as its technical, environmental and financial counterparts.

The Linton wind farm developers talk briefly of establishing a 'trust fund' which will "be available to the neighbouring communities and will be available for projects for local schools and community groups (Design and Access Statement, p.3) and have undertaken a "programme of public consultation".

As it currently stands, from a strategic sustainability perspective, the underdevelopment of both these strands – a responsive consultation process and a tangible financial stake for all residents (ideally one that is tied to the productivity of the wind farm) is the greatest weakness of the application. Opportunities around partial/limited local ownership (for example through share options) of one or two of the turbines are an option that could have been brought forward. Many people are anxious about climate change and energy security and would welcome the chance to have a direct stake in a new low carbon future.

SSO overall recommendation:

Support the application from a strategic sustainability perspective.

95. Request that the applicant look to address the concerns raised around community engagement – especially those relating to reviewing options for limited/partial community ownership or shareholding that would allow local residents to secure a long term stake in the productivity of the wind farm.
96. **East of England Development Agency:** EEDA supports the proposal as it helps to address some of the key themes identified in the Regional Economic Strategy, especially the aim of maximising the efficient use of resources in a growth region facing the urgent need to reduce its carbon emissions. The region is expected to fall short of its 2010 target for production of electricity from on-shore renewable sources and has an ambitious 2020 target. EEDA therefore regards this application to be of strategic significance by reason of its potential contribution towards national and regional targets. Relatively few opportunities exist in the East of England for wind farms as the region is constrained by many factors. This makes those that are brought forward, such as this, of particular importance.
97. The RES, "Inventing Our Future- Collective action for a sustainable economy" was published in Autumn 2008. A key target is the need to address climate change,

reduce CO2 emissions (60% reduction target by 2031), and undergo transition to a low-carbon economy (p 43-4). The East of England is the leading region for renewable energy capacity (p64) and the RES commits to maximise its potential especially in the wind, biorenewables and on-site renewables arenas. EEDA initiated the establishment of Renewables East as an arms length agency to press forward that agenda.

99. EEDA is committed to the delivery of the regional renewable electricity production target set down in the East of England Plan (published May 2008). The regional target (Policy ENG2) requires the generation of 10% of the region's electricity from onshore renewable sources by 2010 (expressed as 820MW of installed capacity), and 17% by 2020 (i.e. 1620MW). Offshore wind is excluded. There are no technology-specific targets or area-based targets.

	MW of Installed capacity
On-shore wind projects built	128
On-shore wind projects approved	38
Biomass projects built	113
Landfill gas built	184
Sewage gas built	4
Total- assuming all wind projects approved are built.	467 (i.e. 57% of the target)

100. At December 2008 there were 273MW worth of wind projects in the planning system (including at appeal or Judicial Review), but, irrespective of those which will be withdrawn or refused, few if any of these can realistically achieve completion by the end of 2010. So the region is likely to achieve somewhere between 52% and 65% of its 2010 target in terms of MW. There is now a need to focus on the challenging 2020 target. Wind is the fastest growing and most mature technology. Both the region and the nation are falling short of their renewable energy targets so it is important that every scheme is sound enough to comply with planning policy receives consent.
101. EEDA has noted that the project is a form of agricultural diversification, that there may be some local employment generated during the construction phase, and that tourism is not expected to be adversely affected. EEDA would urge that planning permission be granted.

Cultural heritage

102. **Council's Conservation Officer:** Objection. Linton Wind Farm is within the settings of Conservation Areas and Listed buildings primarily within South Cambridgeshire, Uttlesford and Braintree, although other areas will have more distant views, generally as shown on the submitted Impact Zone maps.
103. The submission has not sufficiently shown consideration of the Conservation Areas and Listed Buildings. The map showing the majority of Listed buildings (those Listed Grade II) is omitted from the main documentation and only found in an appendix. The impact study for Grade II Listed buildings is again in an appendix rather than with the Grade II* and Grade I buildings in the main documentation. The table describes groups of buildings together even where the impact varies, and therefore the result fails to identify individual buildings where the impact is greater. Some comments are evidently not based in visits to the site where the conditions in reality are not as insignificant as predicted. The impact of the wind farm has been seriously underestimated in the submitted ES report.

Conservation areas

104. The Conservation Areas most affected are Linton, Great & Little Abington, Hildersham, Hadstock, and Great Chesterford. The latter are within Uttlesford. Further Conservation Areas such as Hinxton, Pampisford, Babraham, Bartlow and Little Chesterford are within 5 km of the wind farm and further Conservations Areas such as Littlebury, Sawston and Shudy Camps, which are further, have specific views and conditions that will be affected by the proposed wind farm to some extent, but not as greatly as the above.
105. The Conservation Areas comprise the major part of these historic villages. They are a complementary group of settlements set within a landscape of woodland and rolling agricultural hills. Close to the villages the landscape is more small-scale and interspersed with small areas of woodland. This intimate character is more easily harmed by large development. The Conservation Areas are closely related to the landscape beyond; linked together with footpaths and the Ickniel Way; and a significant part of the character of the Conservation Areas comprises the views into and from the villages.
106. The wind farm would be an alien tall industrial feature in this countryside, with a scale that is incompatible with the modest rural scale and character of its surroundings.

Linton Conservation Area

107. The proposed wind farm is closest to the Conservation Area in Linton and the nearest part of Linton Conservation Area is 1 km away from the nearest turbine. Linton is designated as the only Outstanding Conservation Area in South Cambridgeshire, due to the high quality of the historic environment within the village. Historically it was the most important market town in the County after Cambridge. It therefore contains many prosperous town houses and has more Listed buildings than any other settlement in the District, with around 130 listed buildings. The quality of the land surrounding the Conservation Area and village is high, especially where unaffected by the A1307, and the character is very rural.
108. This rural setting is an important part of the village and Conservation Area, with many views in and out of the countryside, and part of the Conservation Area comprises the fields to the south of the village centre.
109. Some of the most significant views of the relationship of the proposed wind farm with the Linton Conservation Area are from the Ickniel Way above the village near the Water Tower. Part of this is shown on photomontage Viewpoint 11, but this illustration omits most of the village and all of the Conservation Area. In this view the wind farm is seen immediately to the west (right) of the village and Conservation Area, and dominates the landscape and scale of the buildings.
110. Although views are unlikely to be obtained from the southern part of Conservation Area around The Grip where the wind farm is obscured by trees and the mound of the disused railway line, the turbines will be clearly seen from much of the High Street, and from many of the lanes leading from this to the South. In these views the Grain Store is out of sight so the wind farm will dominate the scene.
111. The major part of the Conservation Area, the village itself, is focussed around two buildings, the Listed Church and the High Street around the Listed Dog and Duck Public House. The applicants did not supply the requested views within Linton Conservation Area to show the Church and adjacent Listed Guildhall, but they are likely to be affected by isolated views of the blades in close proximity. The wind farm is significantly more evident along the High Street as the northern turbine is aligned with

part of the High Street and would be the dominant focus of views along most of it. View SLWF photo 19 along the upper part of the High Street shows the blimp very slightly to the right of the proposed northern turbine at this point. Slightly lower down the High Street, the photo shows the curve of the High Street to the left where the turbine aligns with the major view between houses. These views would conclude with the wind farm as a backdrop to the Dog and Duck PH and the adjoining Listed houses. At this lowest part of the High Street the full height of the northern turbine would be seen above the houses next to the Dog and Duck PH, along with the adjacent turbines. The buildings in this part of the Conservation Area are amongst the most modest in the village and the turbine will be at least one-and-a-half times their height above them. The SLWF photo 17 is taken lower than the view of the greatest impact and the turbines would be spread out on the skyline to the left of the blimp.

112. Views of the wind farm will also be from Church Lane, Mill Lane, Green Lane, Market Lane and Horn Lane, and the meadows to the South of the village, within the Conservation Area. SLWF photo 10 shows the view from Church Lane where the turbines would be spread across the skyline to left and right of the blimp.

113. **Conclusion:**

The special interest of the Conservation Area in Linton and its rural setting would be significantly harmed by the proposed wind farm. The impact would be of a high magnitude due to the close proximity, orientation of the High Street and the dominance of important views and buildings. Major Adverse impact.

Great and Little Abington Conservation Area

114. The Conservation Area of Great and Little Abington is 2 km from the nearest turbine. The Conservation Area is centred on the High Street and the meadow around the Listed Great Abington Church. The High Street is enclosed by trees to the east although turbine blades will be higher than most of these trees. From the easternmost belt of houses, and from the open meadowland around the Church, the wind farm including most of the height of turbines will be seen. This will include views as a backdrop to the houses at the entrance to the church path, including some Listed buildings. When viewed from the land around Little Abington church, the wind farm can be seen as a backdrop to Great Abington Church. When viewed from the open parkland between Abington Hall and Little Abington Church, the turbines would be visible between them and would disturb their strong historic relationship. SLWF photo 61 from the porch of Abington Church gives an idea of the height the turbines will be when viewed across the meadow and along the High Street.

115. **Conclusion:**

The Conservation Area of Great and Little Abington would be harmed by the wind farm. The greatest impact and harm would be on the area around the Churches and the open space around them. Major Adverse impact.

Hildersham Conservation Area

116. The Conservation Area of Hildersham is 1.2 km from the nearest turbine. It is primarily set into a valley but some of the High Street follows the direction of the wind farm, making the turbines more prominent. The blades will be visible from the southern end of the Conservation Area and from the higher ground to the north and east more of the turbines will be seen. The wind farm will also be visible from the group around the Church and Manor Farm, where the buildings face open ground towards the direction of the wind farm, and in conjunction and in competition with the tower of the Church in longer views.

117. **Conclusion:**

The proposed wind farm will harm the rural character and special interest of the Conservation Area in Hildersham due to the proximity of the turbines. The greatest impact and harm will be around the Church and the south western part of the Conservation Area. Moderate Adverse impact.

Uttlesford Conservation Areas:

118. These will be commented on separately but the Conservation Areas of Great Chesterford and Hadstock in Uttlesford, as well as possibly Littlebury, would be significantly harmed by the proposal. The village of Hadstock is in close proximity to the proposed wind farm and is 1.8 km from the nearest turbine. It comprises many Listed buildings and is on the edge of a hillside facing towards the wind farm. The illustration supplied by the applicants is not indicative of the centre of the village and around the Listed Church where the turbines would dominate and be the focus of views of the countryside. Likewise the SLWF photos do not show worst case positions and neither of the reports considers the prominence of the turbines in the only long views from the group of buildings around and including the Grade I Listed church. At Great Chesterford and Littlebury the wind farm will be visible from part of the village and the turbines will compete with the Church tower (see SLWF photo 68). Subject to comments from Uttlesford DC, it is likely that the impact would be Major Adverse for Hadstock Conservation Area and Moderate Adverse for Great Chesterford & Littlebury Conservation Areas.

Listed Buildings

119. The group of seven Listed buildings called Chapel Terrace, numbers 53 – 61 High Street, Linton are Listed Grade II. They are 1.5 km away from the nearest turbine. The most prominent views of the buildings would have the turbines directly behind them. Because the ground rises behind the buildings, one turbine is sited with its base level with the ridge of number 61, so would be visible for its entire height above the cottage. Because of perspective, the turbine will appear to be one-and-a-half-times as high as the cottages so will dominate them. Major Adverse impact.
120. The buildings along the High Street directly above and below Chapel Terrace are 1.5 – 1.7 km away from the nearest turbine, and would have the turbines as a focal point in their settings. They include The Dog and Duck Public House, The Swan Inn, numbers 45, 71,75,77,79 and 81 High Street and Linton House. Views of these buildings will include at least one turbine appearing at a similar height to that at Chapel Cottages. Major Adverse impact.
121. The buildings along Church Lane are 1.6 km away from the nearest turbine and would have a backdrop of the wind farm. Linton House is the most prominent of these and the turbines behind the outbuildings attached to Linton House are aligned with part of Church Lane so would be a focal point. At this position, the turbines would be spread across the skyline to left and right of SLWF photo 10. Moderate Adverse impact.
122. The buildings along Green Lane are 1.8 km away from the nearest turbine and would have a backdrop of the wind farm. The most prominent view would be at the front of the Manor House, 14 Green Lane, which is Listed Grade II. It is positioned at 90 degrees to the road so would have the wind farm as a focal point of the view of the front of the house. Moderate Adverse impact.
123. Great Abington Church is Listed Grade II* and is 2 km away from the nearest turbine. The church tower is the focus of the settlement and the turbines would be double the height of the church tower, in a row directly behind it. The turbines would harm the

setting of the church by attracting the attention in views and competing with the church tower. Major Adverse impact.

124. Little Abington Church is Listed Grade II* and is 2.6 km from the nearest turbine. It has long views over open space towards the wind farm. This view incorporates Great Abington Church as well. The importance of the setting and this view is enhanced by the relationship of the two churches, the spaces around them, and the surrounding open countryside. The effect of the harm would be increased by the importance of the two churches and their joint setting. Major Adverse impact.
125. The buildings along the High Street, Great Abington are 1.9 – 2.2 km away from the nearest turbine and where the trees are lower, whole turbines are likely to be seen. One of the most prominent positions where a whole turbine would be seen would be as a backdrop to Gildencroft, a Grade II * listed house. Moderate Adverse impact. Abington Hall is Listed Grade II* and 2.5 km from the nearest turbine. It has modern development on the west and south, so the only remaining original parkland and landscape to the north east is of high significance. The rarity of the parkland, views in conjunction with the major garden elevation, and style of the house where parkland is part of the composition, increase the impact of the blades visible in this setting despite this being further from the wind farm. Therefore, contrary to the submitted ES analysis, the impact based on Table 8.4 criteria would be Major Adverse.
126. The group of buildings at Little Linton, especially 'Barn to W of Little Linton Farmhouse' and '2 Barns to E of Little Linton Farmhouse', both Listed grade II. These are only 1.2 km away from the nearest turbine and the views are similar to those shown on figure 7.21 with at least 7 of the turbines in view. The farm buildings currently have a rural setting (the grain store is almost entirely hidden behind trees) and this would be harmed and dominated by the turbines which have a much larger scale and are industrial in character. Major Adverse impact.
127. The Kyles & The Boundaries, Long Lane, Linton, both Listed Grade II are 2 km away from the nearest turbine. On the approach along Long Lane, they are seen with a backdrop of the wind farm on the skyline. These houses are situated along a rural Lane surrounded by small fields which would be dominated by the turbines in close proximity. Moderate Adverse impact.
128. Barham Hall is Listed Grade II* and is 3 km away from the wind farm. When looking westwards past Barham Hall over its grounds the turbines will be visible in a row, behind the Mill on Long Lane. SLWF photo 20 shows a blimp in this direction. The turbines will appear higher than the Listed building and harm its setting within open countryside. Moderate Adverse impact.
129. Linton Village College and headmaster's house, Linton. These are some of the closest buildings to the proposed wind farm and are 1.5 km from the nearest turbine. The setting is not rural but the turbines are so close and large that they will significantly harm the interests of the Listed buildings when viewed from a distance such as from Rivey Hill. (see SLWF66). Moderate Adverse impact.
130. Symonds House, Linton is Listed Grade II and was previously the Union Workhouse and Hospital. It is 1.5 km away situated within housing on the side of a hill looking over the countryside towards the proposed wind farm. The blades and some of the shaft would be visible above the rooftops and the turbines would be visible in conjunction with the Listed building when viewed from Rivey Hill. Moderate Adverse impact.

131. The application has failed to provide sufficient information as requested to consider the impact on the numerous historic Listed windmills in the vicinity. The two closest windmills are both Listed Grade II. Four Winds is 1 km away from the nearest turbine and The Mill at Linton is 2.5 km away. When viewed from Barham Hall across open countryside the Mill on Long Lane is visible in the foreground to the wind farm (see SLWF photo 20 where the turbines would be spread to left and right of the blimp). From that direction, the wind farm will appear more than twice the height of the Mill. Both mills are only 10 or 12 metres high whereas the turbines are ten times that. Whilst there is a historic link, the scale of the turbines is in competition with the existing Mills and their uninterrupted skyline. Moderate Adverse impact.
132. Hildersham Church is listed Grade I and is 1.9 km away from the nearest turbine. The turbines would be visible in the same direction as Four Winds and the turbines will be visible in conjunction with the church tower at Little Abington, where they will be considerably higher than the church tower. SLWF photos 2 and 4 give an idea of the impact although in both views three turbines will be to the east (left) of the blimp, making the turbines more prominent above the lower trees. Major Adverse impact.
134. Manor House, Hildersham is Listed Grade II* and is 1.8 km from the nearest turbine. Although heavily landscaped within the immediate curtilage, there would be views of the turbines in conjunction with the house and modest outbuildings. Moderate Adverse impact.
135. Hildersham Hall is Listed Grade II* and is 1.4 km from the nearest turbine. The setting is enclosed by trees but the blades would be visible through and over trees due to the proximity to the wind farm. Moderate Adverse impact.
136. Mill House, Hildersham is 1.3 km away and Listed Grade II. Although set low in the landscape, the turbines would be higher in views southwards on the entrance to the group. SLWF photo 6 gives an idea of the effect. Moderate Adverse impact.
137. South Lodge, Hildersham. This is 1 km away from the wind farm, but screened to some extent by rising ground. The blades would be seen in close proximity in conjunction with the Lodge on the approach from the Abingtons. Moderate Adverse impact.
138. **Conclusion**
The list above is a selection of the Listed buildings affected by the wind farm. The settings of a number of Listed buildings will be harmed by the proposed wind farm. The worst affected would be Chapel Terrace, buildings adjacent to Chapel Terrace on the High Street in Linton, Little Linton, Great and Little Abington Churches, Abington Hall and Hildersham Church.
- Uttlesford Listed Buildings:**
139. These will be commented upon separately, but the worst affected Listed buildings would include the village centre of Hadstock including the Grade I Listed church, (of national significance) which would look out onto the wind farm; and Great Chesterford including the church (also Listed Grade I) which would have a backdrop of turbines competing with and appearing higher than the church tower.
140. There are Listed buildings and Conservation Areas further away than the above that would be affected by the wind farm. For instance, Photo 21a shows the Grade II Listed Street Farmhouse (7 km from the nearest turbine) in the foreground of the Shudy Camps Conservation Area with the turbines prominent on the skyline. Due to the height of the turbines even with perspective at this distance, the turbines appear

at least as tall as the Listed house and out of scale with any of the buildings, so there would be a Moderate Adverse impact.

141. In conclusion, the proposal for a wind farm at Linton would significantly harm a number of Listed buildings and Conservation Areas by means of its location, competition, size, height, bulk, industrial appearance, visual disturbance and character. The submission significantly underestimates the effect of the proposed wind farm and also fails to include any investigation of less harmful alternatives and any mitigation for the harm. The proposal therefore will not comply with CH/4 and CH/5; or the relevant policies and guidance in PPG15, PPS22, or the relevant English Heritage guidance. The Conservation Officer recommends refusal of the application.
142. **English Heritage:** No comment. The application should be determined in accordance with national and local policy guidance, and on the basis of the Council's conservation advice.
143. **Cambridgeshire County Council Archaeology:** The Environmental Statement proposes an archaeological watching brief to be carried out during construction of the access road. This is inadequate and should be replaced with a targeted and contained archaeological investigation prior to the construction of the access roads. This should be the subject of a planning condition in the event of an approval of planning permission.
- Public Rights of Way**
144. **Cambridgeshire County Council (Office of Environment and Community Services and Countryside Access Team):** Objection to the proximity of the turbines to Linton Public Bridleway No. 7 and Public Footpath No.11. The proposed location of the T6 is approximately 80 m away from Linton Bridleway No.7; T4 has 110 m separation distance from Bridleway 7; T2 is 180 m away. These do not conform to a the current policy of The British Horse Society which states that there should be a separation distance from public rights of way of three times the overall height of the turbine. For the currently proposed turbines this would amount to 375 m. The proposal does not comply with Policy T9 of the East of England Plan, a which seeks to improve access to the countryside and recreational opportunities.
145. The County Council's Countryside Access Team has concerns about the use of Linton Public Bridleway No.7 as the access route for construction and maintenance of the wind farm. Damage to the surface of a public footpath or bridleway is an offence.
146. **The Ramblers Association (Cambridge Group)** Objection. The RA is concerned at proximity of turbines to Rights of Way. The RA understands that the distance of some turbines is less than that recommended. Falling ice could be a real danger. It is concerned about the impact on the landscape in the immediate vicinity in an area of designated landscape value. The turbines will be seen from more distant ridges and paths, even as far away as Elmdon. It is concerned about the disruption to the path network during the construction of the turbines and service roads. It is concerned about the short and long term impact on the wildlife and fauna of the area. Hildersham Wood is a SSSI and some of the turbines are surprisingly close to the wood.
147. **Shelford and District Bridleways Group:** Objection. The proposal does not conform to the guidance of the British Horse Society that turbines should be placed at a minimum distance of three times their height from any bridleway. For the current scheme this represents a distance of 375 m. T2, T4 and T6 (and T8 in Uttlesford District) are well within this zone. Horses may be disturbed by the sudden appearance

of turning blades, by low frequency noise, by shadow flicker, and the unexpected starting up of the turbine as the horse approaches. A second concern is that, during the construction period, encounters between construction traffic and horses are likely to result, which could be dangerous for the horse and rider. Construction traffic should be provided with a separate access, whereas the submitted proposal is to temporarily close or divert the bridleway route. Heavy traffic using the bridleway is likely to result in this being left muddy, boggy and uneven. If these measures cannot be achieved, or the turbines relocated appropriately, the route of a new bridleway should be agreed and be in place prior to any construction work beginning.

Landscape

148. **Council's Landscape Design Officer:** Objection. The Landscape Design Officer advises that the site forms part of the East Anglian Chalk Landscape Character area. This is a broad scale landscape of large fields, low mechanically trimmed hedges and few trees. The eastern part of this area has a number of woodlands and shelterbelts which help to break up along distant views and give some form and character. The complex history of settlement and the impact of people on the landscape over the centuries are particularly apparent in this part of the county.

The site

149. The site is elevated, with the lowest turbine (T2) being set at approximately 65m AOD, and the highest (T7) at approximately 107m AOD. This is in contrast to the local settlements of the Granta Valley which are mostly contained below the 50m AOD contour. The site is located at the edge of a noticeable escarpment, running north-east to south-west, affording long views to the north-west to The Gog Magog Hills and the wide Cam Valley and the Fens beyond. To the east and west there are views towards the high land at the Great Chishill and Balsham areas. Given the elevated position and open nature of the landscape, long views are also possible back into the side from a wide area, whether from the valley bottoms to the north and west, or from the surrounding hills to the south west and east.
150. Linton and the adjacent landscape has no specific landscape designation or protection. However, these can be seen as distinctive due to the position of Linton in a relatively narrow, intimate river valley with steep slopes and Rivey Hill beyond, and the wide distant views from the Icknield Way. Taken as a whole with the historical significance of the village buildings as a group, and the generally small scale of buildings and streets, this landscape is locally very significant.
151. The ES notes (para 7.5.5 page 119) the existing presence of detracting influences (Camgrain, busy roads, pylons) and suggests that these features reduce the local landscape sensitivity to Medium- Low. However, the local landform means that to the north, Camgrain does not break the skyline and to the south, folds in the land form means that buildings, the roads and even some of the pylons are intermittent features in the landscape. This would not be the case with the proposed turbines, the scale of which would mean that they were an ever present feature. The scale of the development, and the relative impact of Camgrain and the A1307, is shown in Figure 7.31 Viewpoint 11. This illustrates that Linton would be completely dominated by the development.
152. At para 7.9.4, the ES notes the presence of agricultural buildings and pylons and suggests that the turbines will be just another element within a busy landscape. Agricultural buildings are an inherent element of the farmed landscape, are horizontal in form, and can usually be absorbed into the landscape. The scale of the proposed development will introduce vertical, moving elements into the landscape of a far greater stature than even the existing pylons.

153. The ES again reduces the landscape sensitivity of the area to Medium-Low at para 7.8.3 page 133, because of the presence of detracting influences, and suggests that the effects of the development will be reduced due to the "natural barriers" of Linton and Hildersham. The LDO advises that, due to the landform elevation, and the scale of the development, this will not be the case.
154. Many public rights of way exist in the landscape close to the site. Many of these pass through some of the most tranquil areas of the district. Long views are possible to the site over wide areas. In some areas the turbines will remain in view for long periods of time to the traveller, for example south of Hadstock from viewpoints 6 and 9 (Figures 7.26 and 7.29) from both roads and footpaths.

Cumulative effects with Wadlow wind farm

155. The proposed wind farm at Wadlow lies approximately 7 km north of the site. If allowed, this would be a very significant feature in the landscape. Cumulative viewpoints have been provided by the applicant (particularly figures 7.33, 7.34, 7.36, 7.37, 7.38 and 7.41), but the Landscape Design Officer advises that these do not demonstrate the combined effects of the developments on the landscape. Both are situated at similar elevations and they would have views to each other across the Granta Valley. The area between the developments, including sections of the Hamcarlow Way, is currently largely a tranquil landscape in which it is possible to escape the effects of the major transport routes. This would not be the case with the cumulative scale of the wind farm developments, if approved/allowed.
156. The Landscape Design Officer recommends refusal of the application due to 1) the overbearing scale of the development, particularly in relation to Linton, and the distinctive smaller-scale landscape surrounding the village; 2) the effects of the development over wide areas of the tranquil chalk landscape and associated public rights of way, including the cumulative effects with Wadlow wind farm; 3) the lack of detail relating to alternative layouts and possible landscape mitigation measures.
157. **Cambridge Preservation Society:** Objection. The Society is not against wind farms in principle and overall welcomes moves to facilitate more sustainable living and working and achieving higher sustainability in relation to the expanding needs of this Sub-region. However the Society has identified issues which it considers require addressing in relation to the designated nearby Green Belt, the special local natural and historical areas surrounding the site and their setting and views. In particular, the proposals have to consider the adverse effect on the setting of the nearby designated Green Belt:
- (a) Adverse to the setting of the adjacent long-distance recreational and historic route – the Icknield Way;
 - (b) Adverse impact on the setting of the immediate quality landscape both in relation to scale and overall height of turbines and in relation to nearby conservation areas and listed buildings.
 - (c) Adverse to the setting of the villages of Hadstock and Linton;
 - (d) Adverse effect due to the scale of the proposed wind farm to views south from the Gog Magog Hills – i.e. major recreational areas and strategic open space of Wandlebury Country Park and the Magog Down – and also the setting of both their Ancient Scheduled Monuments and County Wildlife Sites;

- (e) Adverse impact on the setting of the nearby Cambridge Green Belt.
 - (f) Adverse effect on the Nature Enhancement Areas designated on/around the Gog Magog Hills – in particular to the south of these hills.
 - (g) Poor quality design. The proposals seem to follow limited field
 - (h) Pattern/landownership rather than high quality design and quality integration into the local landscape – such is profoundly missing.
 - (i) Lack of a detailed and up to date Landscape Character Assessment of the whole South Cambridgeshire district (as usually prepared by a Local Planning Authority). There is a lack of valuation of local landscapes, their quality and capacity to integrate small or large changes, as well as a lack of identification and protection of potential sensitive and high-quality landscapes. The Society disagrees with the overall Visual Impact Assessment as made by the applicant, as such large scale wind turbines would have a significant impact on this local landscape, as well as further afield.
 - (j) Cost benefit of wind turbines is unclear and should be demonstrated, particularly with an inland location with relatively low wind speeds in the UK.
158. **Campaign to Protect Rural England (Cambridgeshire):** Objection. Because the site is on elevated ground, one or more turbines at a time will be seen from many viewpoints, particularly by Linton residents. The developers state that because of existing man-made features adjacent to the site, it is capable of accommodating the development; however CPRE considers that these features are a reason for not adding more. Wind turbines would have an urbanising effect on this rural landscape. The area in and surrounding the site presents a scene of undulating agricultural fields and copses. On the Great Chesterford approach there is a sense of remoteness from cities and towns and busy motorways. This would be spoilt by the turbines which introduce an alien and intrusive feature into this lovely countryside. It is a countryside beloved by walkers and horse riders who are well served by a network of paths and bridleways.
159. The Regional Spatial Strategy Review indicates that Cambridgeshire will be expected to accommodate many new homes in the next 20 years or so. The consequent increase in population will mean increasing pressure on rural areas from people wishing to enjoy a few hours or a day in the countryside, by walking, cycling, and horse riding. CPRE favours the use of renewable energy, but looks at all applications on their merits to see whether the benefits outweighed the effect on the landscape. CPRE feel that this application does not demonstrate sufficient benefits and should be rejected.
- Environmental impacts***
160. **Council's Health and Environmental Services:** Objection. Health and Environmental Services (HES) have identified the main relevant environmental health issues associated with this application to be the impact of noise and shadow flicker. These have been considered in Sections 11 and 12 respectively of the submitted Environment Statement.
161. PPS 22: Renewable Energy states that the 1997 report by 97 “**The Assessment and Rating of Noise from Wind Farms**” ETSU-R-97 (ETSU) for the Department of Trade and Industry should be used to assess and rate noise from wind energy development. The relevance of ETSU has been discussed at numerous wind farm

planning appeals and at three recent appeals inspectors have acknowledged that there are inherent problems with certain aspects of ETSU in assessing noise impact.

162. In the light of these recent appeals and due to the increasing technical nature of noise associated with wind farms, Health & Environmental Services are in the process of appointing an independent acoustic consultant to undertake a detailed review of the noise issues associated with this application and submitted ES having regard to the above appeal decisions, national policy and relevant noise guidance such as ETSU. However, in the absence of such a comprehensive independent review, serious concerns about the findings and conclusions of the noise impact assessment in the ES remain. A number of noise issues require further consideration, clarification and or justification and additional background noise monitoring and anemometric data / information is required to allow an informed assessment of significant impacts and material considerations to be reached.
163. In the absence of this additional information it is not possible to fully consider the merits of the application and to fully assess the impact of the proposed development and the application should be refused.
164. It is considered that the additional noise monitoring and anemometric data are substantive and could be considered under regulation 19 additional information under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.

Assessment of existing noise environment / locations

165. Obtaining accurate and representative background noise measurements is paramount as they underpin the methodology of ETSU to minimise the impact of noise. They are used to determine noise acceptability of noise emissions in planning policy and in any significance of effect assessment as part of the environmental statement. They are fundamental to meet the tests in the wording of any planning conditions that may include operational controls / mitigation and any post installation compliance monitoring.
166. The ES states that a noise survey to determine the existing noise environment was undertaken by noise monitoring at the seven measurement locations neighbouring the proposed site in accordance with the guidance within ETSU-R-97. The Noise Survey
167. Methodology and the Noise Survey Measurement Locations are detailed in 11.5.1 and 11.5.2 respectively.
168. Measurement locations were selected on the basis of noise predictions based on their location relative to the proposed wind turbines. The locations of these dwellings suggested these properties would be the most sensitive, or in some cases would be representative of prevailing background noise conditions at other dwellings surrounding the proposed wind farm.
169. Table 1, below summarises the locations where and dates when noise monitoring were undertaken.

Table 1: Background Monitoring Locations / Time Periods

Background Monitoring Locations	Monitoring Dates	
	Winter	Summer
Little Linton House	23 rd October 2007 to the 13 th November 2007	28 th May 2008 to the 18 th June 2008

15 Chalky Road	23 rd October 2007 to the 13 th November 2007	28 th May 2008 to the 18 th June 2008
Abington Park Farm	23 rd October 2007 to the 13 th November 2007	28 th May 2008 to the 18 th June 2008
Linton Zoo	23 rd October 2007 to the 13 th November 2007	Not Undertaken
Pen Farm	23 rd October 2007 to the 13 th November 2007	28 th May 2008 to the 18 th June 2008
Crave Hall	13 th November 2007 to the 3 rd December 2007	Not Undertaken
Windpump Cottage	3 rd December 2007 to the 20 th December 2007	28 th May 2008 to the 18 th June 2008

170. The monitoring locations are in general accordance with the principles of ETSU that require that the existing noise environment at potential receiver locations (in the vicinity of a proposed wind farm site) must be adequately determined for a representative range of conditions.
171. However, having viewed the photographs in Appendix I.2 of the equipment setup with the residence in the field of view there is some concern about the actual monitoring positions at some of the measurement locations.
172. To date it has not been possible to visit each monitoring location to assess the actual location of microphone positions in terms of acceptability. HES intend to visit the various locations and the intention is to report any serious concerns at a future date.
173. Of greater concern is the fact that at two of the monitoring locations, namely Linton Zoo and Grave Hall no summer time monitoring was undertaken. Summer monitoring is a crucial time of the year when noise from the proposed turbines are likely to have greatest impact when residents are more likely to sleep with windows open for rapid ventilation. In addition acoustic effects such as wind shear and amplitude modulation are more likely to have greater influence at this time of year, when stable (non-neutral) metrological conditions are more prevalent.
174. It is EHS view that this is a departure from ETSU and it is recommended that summer monitoring is undertaken and noise impact is assessed before this application is determined.
175. It is also recommended that identified noise sensitive premises / relevant receivers where noise monitoring / measurements are not taken need to be characterised for their likely type of background environment and linked or justified with reference to receptors where noise monitoring is undertaken. There should therefore be a distinction between locations where background noise monitoring is actually undertaken and those additional relevant receiver locations where noise impact should be assessed as part of a modelling task.
176. Any residential premises within at least 1 to 1.5km of the nearest turbine of the proposed wind farm array should be identified as a potential relevant receiver where noise impact from the wind turbine should be considered. An estimation of the number of properties within a distance of up to 1km should be included. Although separation distance is not a decisive factor in assessing acceptability in terms of policy or noise criterion it provides a broad context setting for consideration of the extent of amenity impacts.

Noise Survey Measurement Results (para 11.5.3) / **Results of Regression Analysis** (para 11.5.4)

177. Appendix I.3 details the time histories of all the measured data that has been collected at the seven measurement locations when meteorological data was recorded. Appendix I.4 details the regression analysis performed for each measurement location for the Amenity Hours and Night-time period.
178. Obtaining and interpreting background noise measurement is not straightforward. There is some concern about the noise measurements at various wind speeds at certain monitoring locations, having regard to noise traffic from the A1307 and the Grain Stores to the north of the site. Whilst the appendices provide a representation of wind data etc it is not possible to undertake a comprehensive review and interpretation without the raw measurement data. The actual raw data used in the assessment such as wind speed / direction at relative heights at anemometric location, gust details and synchronized noise monitoring data should be submitted in a useable electronic format.

Wind Speed Data & Direction

179. In the appendices various figures graphically show the range of wind speed occurred during monitoring and the graphs of wind directions. Whilst these provide a representation of wind data etc it is not possible to readily analyse / interpret and validate conclusions without the actual raw data that has been collected. Recent research has shown that some sites may show variations in the vertical wind profile / shear between night and day, most likely attributable to greater atmospheric stability (non neutral conditions) at night. This may result in errors in the assumed turbine sound power level versus wind speed for varying conditions on site. It is important that the inherent wind profile at the site is defined correctly to sound power generated and to have confidence in the noise prediction to noise sensitive premises.
180. The ES has attempted to assess wind shear in 11.5.3. However, the calculation method used to convert higher height wind data to the equivalent at 10 m agl, when using site specific wind profile data, has not been detailed. Many researchers, since the publication of ETSU in 1996, have found that wind shear varies throughout the day and season. Considerable research has also shown that the effects of wind shear in stable atmospheric conditions, particularly at night, can result in a substantial underestimation of the turbine sound levels. In stable meteorological conditions, which often occur at night, the use of the standard formula recommended in ETSU underestimates the wind shear and therefore the noise generated by the turbines. The wind shear gradient calculation method used should be confirmed with a sample calculation and justification for use.
190. Another related concern is the fact that the monitored noise background noise levels are averaged over all wind directions. Wind direction is important as it can influence the gathering of representative background noise levels. This is likely to underestimate existing prevalent background noise levels at receptors whilst underestimating the true impact of predicted noise.
191. To undertake a comprehensive assessment of the influence of wind shear and wind direction the actual raw data used such as wind speed / direction at relative heights at anemometric location, gust details and synchronized noise monitoring data should be submitted in a useable electronic format to enable statistical analysis.

Prediction of Wind Turbine Noise Levels (para 11.6)

192. There is concern about the actual sound power levels used with in the applicant's model and it is recommended that the applicant clarifies these discrepancies in the ES and confirms the actual sound power levels used as inputs.

193. 11.6.1 of the ES also states that no allowance has been made for the character of noise emitted by the wind turbines but no justification is given for doing so.
194. It is recommended that manufacturer sound power guarantees and spectral noise tests for the Vestas V90 2MW turbine undertaken (referenced as documents 12 and 13 on page 260) are submitted for consideration.

Ground Effect (para 11.6.5)

195. It is stated that predictions have been carried out using a source height corresponding to the uppermost tip height of the proposed turbine, a receiver height of 4m and an assumed ground factor $G = 0$. This ground factor corresponds to a hard ground condition between the source and receiver and represents a worst-case situation. ISO 9613-2 (1996)1, 2 provides two methods for calculating ground effect namely spectral ground attenuation and non-spectral. The applicant should confirm which method was used for this component and justification for use.
196. It is generally accepted that ISO 9613-2 is only valid for moderate night time inversions with downwind conditions with a valid range of wind speeds of 1 to 5 m/s at 3 to 11 m high. This is effectively a light wind in neutral atmospheric conditions even though the greatest noise propagation of noise can occur under stable atmospheric conditions which may underestimate predicted noise levels at noise sensitive premises. The ES does not mention such a limitation and no commentary has been provided on how this has been considered in the noise predictions to ensure accurate noise predictions.
197. Based on the shortcomings detailed the predictions cannot be considered sufficiently robust to allow an informed assessment.

Additional issues requiring further consideration / information:

Microphone windshield effects / issues

198. Such windshield effects require careful consideration and this is reflected in paragraph of ETSU-R-97 which states:
"There is a risk that measured noise levels can become contaminated by the effect of wind noise on the microphone when using the wind shields available commercially."
199. The ES has not considered this windshield effect and the type of microphone windshield used during monitoring has not been detailed.
200. Further information is required on this matter and the details of and the wind tunnel tests on the microphone windshields used for the background noise measurements should be submitted for consideration

Amplitude Modulation (AM)

201. Wind turbine noise is not a steady sound and can include an aerodynamic noise known as amplitude modulation (AM) in the form a constant beat or swish which occurs at the same rate as the turbine blades rotate.
202. At the time of the preparation and publication of ETSU-R-97 the phenomenon of amplitude modulation was acknowledged but the understanding of its potential effect on the prediction of noise from wind turbines in the UK was limited.
204. The ETSU report does identify a potential for AM in the order of 3dBA meaning that the noise level increase and decrease by 3 dBA with every rotation of the turbine blade. However ETSU specifically excludes applying any penalty for the character of AM noise.

205. Recently greater consideration has been given to AM and significantly following the publication of research carried out by Fritz Van Den Berg in The Netherlands. This research indicates that in stable atmospheric conditions, the effect of wind shear at altitudes in which modern wind turbines operate can be underestimated and results in considerable AM of up to 9.5dBA. Such an effect has the potential to have adverse impact.
206. Section 11.4 of the ES refers to a DTI commissioned investigation undertaken by Salford University in 2007 that concluded that there were only 4 wind farm locations in the UK where reported incidents of complaint from Amplitude Modulation occurred out of over 100 wind farm developments in operation at the time. No scientific investigation of AM was undertaken.
207. While the understanding of AM generation is limited and its onset and severity is not totally predictable, it is recognised by professional acousticians that AM can occur where there is a combination of high wind shear, wind direction, close proximity of turbines to one another and any topographical features which also increase turbulence around the turbine blades and in particular when the wind turbines are in a layout that is in a linear form.
208. The proposed turbines do have a linear form so there is concern that AM is a material consideration and further consideration should be given to whether an additional uncertainty allowance dB penalty should be added to predicted noise levels. The advice of an independent acoustic consultant is been sought on this matter.

Health effects of wind farms

209. The ES has provided little if any information on the potential health impacts of noise associated with wind farms.
210. Environmental impact assessments require at least the consideration of the direct and indirect health impacts.

To comply with health impact assessment requirements it is recommended that the applicant provides some commentary on this matter such as a literature of published health related academic papers on health and wind farms.

Assessment of the impact of wind turbine noise

211. The assessment of the proposed wind farm noise is contained within Appendix I.5 which details an assessment of the wind farm in accordance with the requirements of ETSU-R-97. It is concluded in 11.7.1 that at all receptor locations neighbouring the proposed wind farm, operational wind turbine noise will meet the requirements of ETSU-R-97 for amenity hours and night time operation, for both winter and summer conditions.
212. For the reasons stated it is not possible to reach an informed view on the noise impact of the proposed wind farm. Therefore is not possible to conclude that the requirements of ETSU-R-97 have been met and that adverse impact will not be caused.

Assessment of the audibility for the animals at Linton Zoo

213. HES are primarily concerned with the impact of noise on humans. There is no planning guidance on this matter and there is limited academic research. It is unlikely that, due to the introduction of the wind farm, wildlife at the zoo will be subjected to an

overall sound pressure level that is louder than the levels that potentially already occur in the existing noise environment.

Construction Impacts

214. The ES considers construction impacts in section 11.8. Construction noise is inevitable but the impact is likely to be for a limited duration. It should be possible to limit noise impact to an acceptable level by using best practical means to minimise noise and by restricting construction hours / time. This can be adequately secured by condition. However, it is recommended that regard is given to the recently published and updated BS 5228 (2009).

Decommissioning Noise Impact

215. No assessment of noise during decommissioning has been undertaken. HES does not envisage decommissioning noise to be an issue that cannot be controlled by condition. However to comply with health impact assessment requirements it is recommended that the applicant provides some additional commentary / information on this matter

Shadow Flicker (section 12)

216. Under certain combinations of geographical position, time of day and year, the sun may pass behind the rotor of a wind turbine and cast a shadow. When blades rotate and the shadow passes a narrow window then a person within that room may perceive that the shadow appears to flick on and off - this effect is known as shadow flicker. It can have health and amenity effects.
217. Planning Policy Statement (PPS) 22 states that flicker only occurs within 10 rotor diameters of the turbines; a shadow flicker analysis using computer modelling for 2 residential properties which fall within 900m of the proposal was undertaken. The assessment is comprehensive and the study area is well defined. It is possible to calculate the number of hours per year that shadow flicker may occur at a dwelling from the relative position of a turbine to a dwelling, the geometry of the wind turbine and the latitude of the wind farm site.
218. It is concluded that theoretically that there are 4 receptor properties within the study area that could be exposed to shadow flicker although for very short periods. The worst affected property is reported in Table 12.1 as Wind Pump Cottage which could experience 121 shadow days per annum for a maximum of 30 minutes on each day a total of 41.56 shadow hours per annum. It should be noted that no actual survey of the receptor properties has been undertaken to assess window widths and habitable rooms, as these are required to have an actual impact.
219. The ES details operational frequencies that cause epilepsy. The applicant should confirm whether the proposed turbines operate outside the range to cause epilepsy as detailed in the ES, as most modern commercial scale turbines are likely to do so. The ES does not detail possible mitigation measures and it is stated in 12.6 that if shadow flicker does represent a nuisance at any residential or business properties, the individual issues will be investigated and remedied to an acceptable level. To comply with environmental impact assessment requirements mitigation measures should at least be considered and the available options should be detailed.
220. On balance shadow flicker is not a major concern and it should be possible to impose appropriate conditions to mitigate any impact.

HES conclusions

221. Noise is a substantive material consideration. The ES has not adequately addressed the impact of operational noise on amenity and health and the conclusion reached cannot be fully substantiated as detailed, a number of noise issues require further consideration, clarification and or justification. Additional background noise monitoring and anemometric data / information are also required to allow an informed decision to be made about the significance of impacts and material considerations. Planning conditions could be considered but due to the degree of uncertainties present in the assessment it is difficult at this stage to even consider draft conditions
223. In the absence of this additional information it is not possible to fully consider the merits of the application or fully assess the impact of the proposed development and the application should be refused.

Flood risk and pollution control

224. **Environment Agency:** Objection. The site lies within the Flood Zone 1, and current advice in PPS 25 'Development and Flood Risk' requires all applications of 1 ha or greater in FZ1 to be accompanied by a Flood Risk Assessment. No such assessment has been submitted as part of this planning application, and so flood risk has not been adequately considered.

Highway matters

225. **Cambridgeshire County Council (Office of Environment and Community Services):** Concern about possible highway safety issues during construction. Whilst recognizing that there is an existing access at this point from the dual carriageway to the grain silos, the intensification of use of this access at the end of what is a fast section of road may pose highway safety concerns.
226. **Cambridgeshire County Council as Local Highway Authority:** No objection. The LHA states that, due to the low traffic generation of site when operational, the Highway Authority considers that this phase of the development will have no significant impact on the adopted public highway. It considers that the delivery of the wind turbines to site and the potential increase in HGV movements fall outside the normal operation of the adopted highway. Therefore the LHA requests that a condition be attached to the effect that a traffic management plan be agreed before any construction works commence on site.
227. **Highways Agency:** No objection.

Nature conservation interests

228. **Council's Ecology Officer:** Objection. The ES acknowledges that two important bat hibernation sites are within 5km of the site. Thus there is a reasonable likelihood that bats may migrate across the wind farm site as they seek hibernation particularly given the number of woodlands on the Cambs/Essex boundary in which one would expect to find bat populations.
229. It has recently been established that the turbines pose risks to bats not solely through blade collision but also through barotrauma (internal haemorrhaging as a result of sudden air pressure drop). Thus if bats are present they can be harmed by wind turbines.
230. In the opinion of the Ecology Officer, the current surveys have not explored the entire site and its surrounding landscape features in enough detail. Whilst the applicant's studies had clearly begun prior to the publication of recent new guidelines, their

existence should not be ignored especially in the light of growing research on the threats posed by wind turbines to bats.

231. The ES in 5.3.3 shows how limited the survey was. No spring surveys were carried out at all (when bats might be leaving hibernation sites). The survey work undertaken falls short of the Eurobat guidelines in terms of effort and seasonality. The consideration of seasonality is very important given the two bat hibernation sites known to exist nearby.
232. Given the presence of the anemometer mast it would have been possible to locate an automatic recording device in order to collect such highflying bat data.
233. The Ecology Officer is surprised that the Hildersham Wood SSSI did not show any bat roosts, nor had been identified as having potential that should be explored in greater detail. A number of ash trees in the locality have rots holes and peeling bark, as do some oaks. Such features are potential bat roosts. This was possibly a consequence of inadequate survey effort.
234. Turbine 7 is partly sheltered from the prevailing southwest wind by Hildersham Wood and tree belts. This sheltered area has flying insects present that would draw in bats to feed in such night time conditions, but with a turbine located relatively near there is a risk that bats would come to harm. The threat could be further magnified if insects sought shelter in the lee of the turbine blades thus drawing bats near to the blades in order to catch such insects.
235. At present, the Ecology Officer considers that an inadequate level of effort has been undertaken to fully assess the likely impact upon bats of the local area and that both direct and indirect negative impacts could arise from the erection of wind turbines in this location. Policy NE/6 (Biodiversity) is relevant given the potential for impact on protected species (bats). It could also be argued that the potential for an indirect impact upon the Hildersham Wood SSSI exists, as whilst the SSSI is primarily designated due to the floral interest if bats are present then they would form part of the site's ecosystem and should be appropriately taken into account.
236. **Natural England:** No objection but has presented comments to be taken into account. Natural England (NE) is satisfied that the impact on the adjacent Hildersham Woods SSSI has been adequately assessed in the ES.
237. Birds – NE agrees that the collision impacts, along with displacement effects, are unlikely to have any substantial impact on the assemblage of birds on the site.
238. Bats - NE is disappointed with the level of survey effort undertaken across the site. Some surveys were taken during a light drizzle and not in optimal conditions. In addition, no form of remote detector systems or surveys at height was used to supplement the activity surveys and provide a more robust assessment of the site for bats. Clarification of the actual distances of turbines from boundary features with bat commuting/foraging potential (particularly with the more wooded southern section of the site) may be required. NE advises that turbines (measured from the edge of the rotor and swept area) should be located at least 50 m from any habitat features used by bats.
239. Other species- badgers are present at the site. A badger survey is recommended prior to construction, as a planning condition.

240. Post construction monitoring of bats and birds, together with enhancements for wildlife and future management of hedgerows, ponds etc should be secured by condition/ Section 106 Agreement.

Utilities

241. **Anglian Water Services Ltd:** No objection. There should be no affect on Anglian Water Services business microwave and UHF radio communication links.
242. **National Grid:** The Asset Protection Team operates to a standard of excluding a turbine if it falls within a zone calculated at five times the diameter of the rotor blades. Using this measure, National Grid advises that the proposed scheme would have a 'moderate' risk.
243. **The Joint Radio Company Ltd:** No objection. The JRC analyses proposals for wind farms on behalf of the UK fuel and power industry to assess the potential for interference to radio systems operated by utility companies. Based on known interference scenarios, the JRC does not foresee any potential problems arising from the proposed development.

Air safety

245. **BAA Aerodrome Safeguarding on behalf of Stansted Airport Ltd:** Objection. All of the turbines would be visible to the radars at Stansted and Debden and have the potential to cause false plots on the radar screen. This could result in an inability to detect small aircraft at low altitude in the airspace above the wind farm, resulting in an adverse effect on the safe and efficient operations into and out of the airport.
246. **Civil Aviation Authority (Directorate of Airspace Policy):** CAA makes no overall recommendation, but notes that the applicant undertook consultation pre-application discussions with them. Some issues highlighted in those discussions have not been addressed in the submitted Aircraft Routes and Airspace Supplement document. These include a potential need for aviation obstruction lighting, and the potential difficulties for aviation should further wind farm developments take place in this area, and on the need to advise the Defence Geographic Centre of details of the turbine development. The rotor blades and upper part of the masts should be painted white, unless otherwise indicated by an aeronautical study. The CAA notes from these pre-application discussions the concern of Cambridge Airport about radar performance, which do not appear to have been resolved.
247. **NATS (En Route) Plc (NERL):** Objection. NATS (formerly National Air Traffic Services Ltd) is the United Kingdom's main air navigation service provider. It provides air traffic control to all en-route aircraft in UK airspace, and to aircraft at 15 UK airports. NATS (En Route) Plc (NERL), is one of its main service provision companies, which holds the monopoly of civilian en-route air traffic control over the UK and is regulated by the CAA. The NERL Safeguarding Office has advised that, based on its preliminary technical findings, the proposed development does conflict with its safeguarding criteria. An operational assessment is awaited.
248. **Defence Estates Operations North - Safeguarding Wind Energy:** Objection. The Defence Procurement Agency is concerned that the radar provider at Cambridge Airport would be unable to provide a full Air Traffic Radar service in the area of the proposed wind farm. The turbines will be 14.1 km from, in line of sight to, and will cause unacceptable interference to the radar at Cambridge Airport. Following trials carried out in 2005, it has been concluded that wind turbines can affect the probability of detection of aircraft flying over or in the vicinity of wind turbines. If the developer is

able to overcome these issues, the MoD may recommend that the turbines be fitted with aviation lighting.

249. **Marshall of Cambridge (Holding) Ltd, Cambridge Airport:** Objection. The proposed wind farm will interfere with radar operation at the airport, through 1) radar clutter, resulting in a lowering of the probability of detection of aircraft in the region of the clutter; 2) fast moving blade tips appearing as aircraft on the display; 3) confusion for radar operators in distinguishing between real aircraft and false targets; 4) creation of a radar ‘shadow’ behind the turbines. Partial mitigation may be possible, but would require all aircraft using the standard inbound and outbound routes to fly more track miles and departing traffic having to turn right over the City of Cambridge. This would result in more noise pollution over Cambridge City and aircraft flying additional miles, offsetting any environmental gain of the wind farm. Cambridge Airport has set out a package of measures which could provide a solution to these issues. The developer would have to deliver a proven solution before Cambridge Airport would lift this objection. In the event of the Wadlow farm wind farm being allowed, the cumulative effect of both wind farms would put Marshall’s MoD approval at risk, which would be unacceptable to the company.
250. **Imperial War Museum Duxford:** No objection. The proposed development will not interfere with the Visual Flight Rule operation of the airfield.
251. The responses of the following consultees are awaited: RSPB, Cambridge Bat Group, British Horse Society Eastern Region, Ofcom, BT Group, Orange PCS Ltd, Vodafone Limited, T-Mobile (UK) Ltd, O2, Cable and Wireless, The BBC, Cambridge University for Lords Bridge Radio Telescope.

Representations

Objections

252. A total of 1306 individual objections to the proposal have been received. In summary form these can be grouped as follows, together with the number of responses. The full text of all letters is available to view on the Council’s website page for this application.

	Harm to Landscape	928
	Spoiling Specific Views	844
Landscape & Visual Impact	Inappropriate Height / Scale	750
	Design of Turbines – Colour	19
	Cumulative with Wadlow Farm	1
	Noise / Vibration	938
Amenity Impact	Shadow Flicker	507
	Construction Noise	3
Health & Safety	Ice / Snow / Fire	470
	Construction	9

	Ecology / SSSI
	667
	Birds
	566
Environmental Impact	Flooding
	11
	Listed Buildings / Conservation Areas
	589
	Archaeology
Heritage Impact	6
	Electricity Grid / Pylons
	51
	Gas
Utilities Impact	1
	Construction Period
	509
	In Operation
Traffic and Highways / Access	673
	Aircraft & Radar
	15
	TV Interference
	546
Electromagnetic Impact	Radio Interference
	22
	Footpath
	577
	Bridleway
Recreation Impact	578
	Linton Zoo
	712
	Businesses / Employment
Economy	112
	Suitability of Site / Performance
	838
	National Energy Policy / Offshore
Energy Issues	149
	Decommissioning Issues
	10
Decommissioning Precedent	Precedent for other wind farms
	508
Other	Other
	13

253. **Stop Linton Wind Farm Action Group:**

The Stop LWF objection consists of 3 volumes. Volume 1 is their Interim Report covering a variety of issues; Volume 2 is the Landscape Architect's Report and Volume 3 is a document of Blimp photographs. The full submission of SWLF is available to view on the Council's website page for this application. A summary is attached as [Appendix 1](#).

Ickleton Society:

254. Detrimental impact on the landscape. The ridge on which they would be situated is in an area of open and gently undulating countryside and the turbines would be visible for miles around. This is one of the few remaining areas of land of any size in this vicinity in which it is possible to get some sense of remoteness. The turbines will

have significant visual impact not only on the villages immediately surrounding the site but for a considerable distance in all directions. The footpaths and bridleways through and around the site are well used. The visual and noise impact of the turbines would ruin the experience for users of these paths. It may mean that it is no longer possible for many horses to use the bridleway. Opinions vary over the effect of noise from wind turbines on people living close to them. Given the uncertainty it seems to us that planners should err on the side of caution and ensure that wind farms are not located close to houses. Linton Zoo is particularly concerned about the effect of the low frequency noise and vibration that would come from the wind turbines and to which many animals and birds have shown to be sensitive. The proposals would have ecological impacts both during construction and subsequently. The turbines would cause the death of significant numbers of birds and bats. There have been many serious and fatal road accidents on the A1307 near Linton. A wind farm that is highly visible along this stretch will be a great distraction to drivers and could result in more road accidents. This is not a particularly windy part of the UK.

Linton Zoological Gardens:

258. It is well known that animals are much more attuned to their environment and are especially more sensitive to noise than humans. The Zoo is about 1km from the nearest turbine and we know that the Davis family have had to leave their home at Deeping St Nicholas, which is 930m away from smaller turbines, due to noise problems. Trying to get endangered species to breed is difficult enough and a lot of the success depends on creating exactly the right environment. Anything that disturbs that environment jeopardises the complete programme. The turbines would be a risk to our free flying displays of birds.
257. Wind is a universal resource capable of being harvested anywhere. There are thousands of potential sites for onshore wind farms where the impacts on countryside and people are much less. Linton Zoo on the other hand cannot up and move. The noise consultants are not wildlife experts and undertake noise assessments for wind farm developers putting in planning applications for onshore wind farms. People have mentioned the turbine at Wood Green Animal Sanctuary but there is little similarity between domesticated and wild animals and Wood Green has a quick turn around of animals rather than a permanent breeding centre and their one turbine is much smaller. Enertrag have admitted that problems have occurred with elephants, cassowaries and okapi which leads to the question – what other wildlife may also be affected? They have done no additional analysis into the noise spectrum produced by wind turbines or the frequencies beyond the range of human hearing and this is dismissed on the basis that the volume will be below the capacity of the human ear, but what about animal ears?
258. Their own data shows that for certain wind strengths the noise from the turbines would be up to 10dB higher than the background noise. To claim that the noise from the road is a mitigating factor casts doubt on the robustness of their whole argument. Wind farm noise is much more intrusive than road noise because of its rhythmical impulsive nature. Linton Zoo feels it is only right to adopt the precautionary principle and the application should be refused.

Letters of support

259. 21 letters in support of the scheme have been received from third party individuals. These refer to the importance and benefits of renewable energy

260. **Cambridge Friends of the Earth:** Climate change is regarded by many as one of the most serious threats facing the world's environment, economy and society. We consider it is absolutely essential that renewable energy projects are allowed to progress. The UK benefits from 40% of Western Europe's wind energy resource which could provide the UK with an enviable diversity and security of supply, factors that form a key component of the Government's energy policy. The Regional Spatial Strategy requires 1192MW of installed capacity of renewable energy by 2010. CFoE is aware that there has been some local opposition. It is also aware that a lot of their fears surrounding the proposed development are based on misleading and inaccurate information and that it is actually only a vocal minority of people who feel that way.

Response by the Applicant

261. Enertrag has responded to concerns raised by consultees, Stop Linton Wind Farm Action Group, and objectors. This is summarised as follows:
262. Need: As per PPS1 Climate Change, it is not necessary to prove the need for renewable energy. The need is most certainly there, as a country we are well behind renewable energy targets. There are no precedents set in planning law. Enertrag has complied with PPS 22.
263. Ecology: In consultation with Natural England, all turbines have been sited in excess of 100 m from hedgerows where bat activity may occur. Enertrag has satisfied Natural England and believes that no further information is necessary.
264. Environmental impact: There is no evidence to show that turbines give rise to health problems. The sound report shows that Enertrag complies with ETSU-R- 97. The impact on residential amenity will be very minor.
265. Safety: The spacing of turbines depends on many things; ecology, communications, archaeology, etc. The industry accepted recommendations for spacing are between 6 and 7 blade diameters in the prevailing wind direction, and 4 and 5 diameters in the cross direction. The proposal is within these ranges. Even if not, there would certainly be no safety issues.
266. Bridleways and footpaths: With the exception of Turbine 6, which is 103 m from the nearest footpath/bridleway, all turbines are in excess of "fall over distance" from footways and bridleways (125 m or more). Fall over distance is the accepted standard for clearance to roads/footpaths. There is no prescribed distance in legislation. The British Horse Society in general compromises at around fall over distance. This approach has been upheld in recent public inquiries. Walkers, riders and cyclists are relatively few on the site. Enertrag cannot change the positions of the turbines.
267. Flooding: Enertrag has contacted the Environment Agency to discuss its concerns. Enertrag will submit a very basic flood risk assessment.
268. Archaeology: Enertrag has consulted with the County Archaeological Unit during the preparation of the ES. A full trenching survey has been completed on site, and the County Archaeologist has agreed the findings of the survey. Enertrag considers that the requirements of the County Archaeological Unit have been met.
269. Cambridge Airport: The objection by Defence Estates on behalf of Cambridge Airport is from the procurement wing of the MoD. This objection is not based on any operationally justifiable grounds. Marshall's airport is almost certainly vacating the site in the foreseeable future. This is an argument put forward at many public inquiries and nearly always dismissed. This is not a safety issue, otherwise the CAA would

have objected, which they have not. Enertrag considers this to be a totally unsustainable objection.

270. Landscape: This area has no national or even local designation with regards to landscape quality. It has pylons bisecting the site with industrial structures in the form of grain silos present. The setting of this landscape is already charged with industrial structures. Some people do not object to the sight of turbines, some say they add interest to the view. The quoting of Green Belt legislation is wrong. Our consideration is that the impact of these turbines in an already industrially charged landscape is not major.
271. Cultural heritage: The ES has addressed cultural heritage, the listed buildings being mostly in the villages. Little archaeology has been found. The setting of the listed buildings will not be compromised. English Heritage has been consulted and has raised no issues.
272. Highway safety: the distraction of these turbines would be at some distance from the road, amid that of the sight of pylons and silos. It is not intended to widen the A1307 at this point, therefore this is not a sustainable objection.
273. Linton Zoo: This is an unsustainable objection, with no published evidence of noise problems with animals. Enertrag has addressed the issues within the ES.

Planning Comments

Renewable energy targets

274. Both strategic and local planning policies recognise the benefits and the strong presumption in favour of renewable energy development. Policies ENG2 and NE/2 are expressed in positive terms. The thrust of government advice, as confirmed by the Council's Sustainability Officer and EEDA indicate the necessity for the provision of wind farm capacity in this region, to meet existing and evolving targets. The proposal represents a relatively small wind farm, which would contribute to national and regional targets for onshore renewable energy and so is to be supported in principle. It could also be considered as a small group in the context of the sub-text to Policy NE/2 of the LDF.

Landscape and cultural heritage

275. Members will have an opportunity to view the site in order to consider the visual impact of the proposal. The site is devoid of any national or local landscape designation, however this does not therefore mean that the prevailing landscape character is not worthy of protection. The Council's Landscape Design Officer has provided an assessment which highlights the sensitivity of the landscape and the harm that would result from the placing of such tall structures on this elevated land. The decision on the appeal for a wind farm at West Wratting is awaited and, if allowed, would add a cumulative impact to the harm to the landscape. The applicant has not indicated a willingness to reduce the height or number of the proposed turbines. Notwithstanding the lack of landscape designation and the presence of agricultural buildings and pylons on and adjacent to the site, the development is considered to fail to conserve local landscape character, and would be contrary to policies ENV2, D/1p, DP/2 1a,f, DP/3m and NE/4.
276. The Council's Conservation Officer has presented a detailed assessment of the impact on the setting of listed buildings and conservation areas within the visual zone of influence of the development. This has highlighted numerous instances of harm,

which the applicant does not appear to be willing to mitigate. The proposal fails to comply with policies ENV6, DP/1r, DP/3l, CH/4 and CH/5.

Noise and shadow flicker

277. The Council's Health and Environmental Services has indicated that noise and shadow flicker are the two principal environmental considerations arising from the proposed development. Its overall conclusion is that there is insufficient evidence of adequate detail and quality to assess the noise impact of the proposal. It has less concern on the ground of shadow flicker. The proposal as submitted fails to demonstrate compliance with policies DP/3j,n and NE/15. This is a holding objection, which may be resolved with further information.

Wildlife

278. The Council's Ecology Officer has expressed concern at the quality of the assessment of the potential impact on local bats. Similar reservations have been lodged by English Nature. The proposal as submitted fails to demonstrate compliance with policies ENV3, DP/1o, NE/6 and NE/7. This is a holding objection, which may be resolved with further information.

Highway issues, including public rights of way

279. Cambridgeshire County Council (Office of Environment and Community Services and Countryside Access Team), and walkers and riders groups have objected on to the proximity of the turbines (T2, T4 and T6) to Linton Public Bridleway No. 7 and Public Footpath No.11. Although there is no formal separation distance requirement in government guidance for safety purposes, when in operation the proximity of the turbines will be likely to spoil the pleasure of the use of these rights of way, and others more widely to some degree. The proposal fails to comply with policies T9, DP/1m and DP/3s.

280. The comments received from Cambridgeshire County Council (Office of Environment and Community Services) and the County Council as local highway authority concerning highway safety during the construction period are not fully consistent and it is recommended that further clarification be sought prior to this matter being considered at the public inquiry. Third party concerns about driver distraction on the A1307 have not been supported by these consultees.

Electromagnetic interference

281. The proposal has drawn objections on the grounds of adverse impact on radar from Defence Estates, NERL Safeguarding, and Cambridge Airport. The proposal as submitted fails to demonstrate compliance with guidance in PPS22. This is a holding objection, which may be resolved with further information.
282. There is no evidence from consultees that disturbance to telecommunications or television reception will arise as a result of the development. A document produced on behalf of the Renewables Advisory Board and BERR advises that impacts on television reception could be controlled by condition and a legal agreement requiring a bond from the applicant to carry out any remedial works required. It is not recommended that a refusal on this ground could be substantiated, and that mitigation could reasonably be achieved by the recommended means.

Flood Risk

283. The Environment Agency has not indicated receipt of an acceptable flood risk assessment as required by them. The proposal as submitted fails to demonstrate compliance with policies DP/1a and NE/11. This is a holding objection, which may be resolved with further information.

Utility apparatus

284. National Grid has indicated that there is a medium risk that the overhead power lines adjacent to the site may be affected by the development. It appears that T2 and T4 would fall inside the zone that it would wish to be excluded from wind turbines. It is not recommended that a refusal on this ground could be substantiated at this time until possible mitigation measures have been examined in consultation with National Grid.

Linton Zoo

285. The concerns raised by Linton Zoo and third party objectors about disturbance to animals from noise and others effects have not been supported by the Council's Health and Environmental Services. It is not recommended that a refusal on this ground could be substantiated without convincing evidence being available.

Other Matters

The applicant's proposal to set up a Trust Fund is a voluntary offer and is not a material planning consideration relevant to the deliberation of the application.

Conclusion

287. Members will wish to balance the strong presumption in favour of renewable energy provision with the various types of harm arising from this scheme that have been identified in the course of the application, and the extent to which any such harms could be mitigated by condition, or legal agreement, or by further discussions with the developer. The need for this balance of judgements is encapsulated in policy NE/2, which requires renewable energy schemes to be acceptable subject to accordance with development control criteria as set out in policies DP/1, DP/2 and DP/3. This report has highlighted harm which is not readily amenable to mitigation without significant reduction in either the number, scale or siting of turbines. Other possible harms may be capable of resolution or mitigation with more surveys or clarification from the applicant. Given that significant concern about likely impacts on landscape quality, the setting of listed buildings and conservation areas, and to users of the bridleway and public footpaths on the site, it is considered that normal development control criteria would not be met in the submitted scheme, and that the planning application would not be supported.
288. If Members accept this position, delegated authority is requested to enable officers to continue discussions with applicant, as is recommended practice in the lead up to a public inquiry, in order to isolate and clarify the main issues to be considered by the appeal Inspector.

Conditions

289. The following conditions have been recommended by consultees to be included in the evidence to be presented to the Inspector:
- (a) A full condition survey to be undertaken in respect of the bridleway and its future improvement/maintenance.
 - (b) Implementation of a programme of archaeological investigation.
 - (c) Pre-construction survey for badgers.
 - (d) Post-construction monitoring for birds and bats.
 - (e) A scheme of enhancement works for wildlife and future management to be agreed in accordance with the ES, to be secured by a S106 Agreement.

- (f) A scheme of mitigation of disturbance to horses and riders using Bridleway No.7, during construction and in operation, to be agreed.
- (g) To prevent the health effects of shadow flicker, any wind turbine shall only have an operational blade frequency outside the range of 2.5 and 30 flashes per second (hertz): the general frequency at which photosensitive epilepsy may be triggered.
- (h) Prior to the operation of any wind turbine a shadow flicker mitigation scheme / protocol for shadow flicker which may be experienced within habitable rooms within any dwelling, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the operation of the turbines shall be in accordance with the approved shadow flicker mitigation scheme / protocol unless the Local Planning Authority gives its prior written consent to any variation.
- (i) Traffic management plan be agreed before any construction works commence on site.

Recommendation

- 290 (A) In the event that South Cambridgeshire District Council had authority to determine the application registered 4 March 2009; it would have been refused for the following reasons:
1. The proposed development would significantly harm a number of Listed buildings and Conservation Areas by virtue of its location, competition, size, height, bulk, industrial appearance, visual disturbance and character. The submission significantly underestimates the effect of the proposed wind farm and also fails to include any investigation of less harmful alternatives and any mitigation for the harm. The proposal therefore will not comply with Policies ENV6, DP/1r, DP/3l, CH/4 and CH/5; or the relevant policies and guidance in PPG15 and PPS22.
 2. As a result of the overbearing scale of the development, particularly in relation to Linton, and the distinctive smaller-scale landscape surrounding the village; and the effects of the development over wide areas of the tranquil chalk landscape and associated public rights of way, including the cumulative effects with Wadlow wind farm, the development would fail to conserve local landscape character, and would be contrary to development plan policies ENV2, D/1p, DP/2 1a,f, DP/3m and NE/4.
 3. The proximity of the turbines to Linton Public Bridleway No. 7 and Public Footpath No.11 would seriously harm the enjoyment of the public rights of way. The proposed location of the T6 is approximately 80m away from the bridleway; T4 has 110 m separation distance from the bridleway and T2 is 180m away. The proposal does not comply with Policy T9 of the East of England Plan, which seeks to improve access to the countryside and recreational opportunities.
 4. Noise is a substantive material consideration. The submitted Environmental Statement has not adequately addressed the impact of operational noise on amenity and health and the conclusion reached has not been fully substantiated as detailed. A number of noise issues require further consideration, clarification and or justification. Additional background noise monitoring and anemometric data / information are also required to allow an informed decision to be made

about the significance of impacts and material considerations. The proposal as submitted fails to demonstrate compliance with development plan policies DP/3j,n and NE/15.

5. The site lies within the Environment Agency Flood Zone 1, and current advice in PPS 25 'Development and Flood Risk' requires all applications of 1 ha or greater in FZ1 to be accompanied by a Flood Risk Assessment. No such assessment has been submitted as part of this planning application, and so flood risk has not been adequately considered. The proposal as submitted fails to demonstrate compliance with development plan policies DP/1a and NE/11.
6. The likely impact of the proposed development upon bats in the local area, where direct and indirect negative impacts could arise from the erection of wind turbines in this location, has not been adequately investigated. The Environmental Statement, as submitted, does not comply with development plan policies ENV3, DP/1, DP/3 and NE/6, Biodiversity Supplementary Planning Document (2009) and the provisions for the protection of bats under the Wildlife and Countryside Act 1981.
7. The proposed wind turbines would be visible to the radars at Stansted and Debden and have the potential to cause false plots on the radar screen. This could result in an inability to detect small aircraft at low altitude in the airspace above the proposed wind farm, resulting in an adverse effect on the safe and efficient operations into and out of Stansted airport. Similar concerns apply to Cambridge Airport. PPS22 places the onus on the applicant to demonstrate that the proposal would have no adverse effect on aviation interests and this has not been demonstrated.

B. That officers be granted delegated authority to continue discussions with the developer to clarify the main issues to be considered at a public inquiry.

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

- PPS 1; Supplement to PPS 1; PPS 7; PPG 8; PPS 9; PPG 15; PPG 16; PPG 17; PPS 22; Companion Guide to PPS 22; PPG 24; Circular 1/2003.
- The East of England Plan (2008)
- South Cambridgeshire Local Development Framework Core Strategy DPD (2007)
- South Cambridgeshire Local Development Framework Development Control Policies DPD (2007)
- Planning File refs S/0847/08/F, S/1018/06/F
- Stop Linton Wind Farm objection submission (viewable on the Council's website)
- Developments Affecting Conservation Areas Supplementary Planning Document (2009)
- Listed Buildings Supplementary Planning Document (2009)
- Biodiversity Supplementary Planning Document (2009)

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 2nd September 2009
AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0854/09/F & S/0855/09/LB - SAWSTON

S/0854/09/F - Conversion of Public House to Form a Dwelling with Extensions and Alterations. Erection of Dwelling, Cartshed, Bin and Bike Store and Wall at 90 High Street for Mr & Mrs Bloomfield

Recommendation: Approval
Date for Determination: 10th August 2009

S/0855/09/LB - Internal and External Alterations, Extension and Conversion of Public House to 5 Bedroom Dwelling with Attached Walls and Gates at 90 High Street for Mr & Mrs Bloomfield

Recommendation: Approval
Date for Determination: 8th September 2009

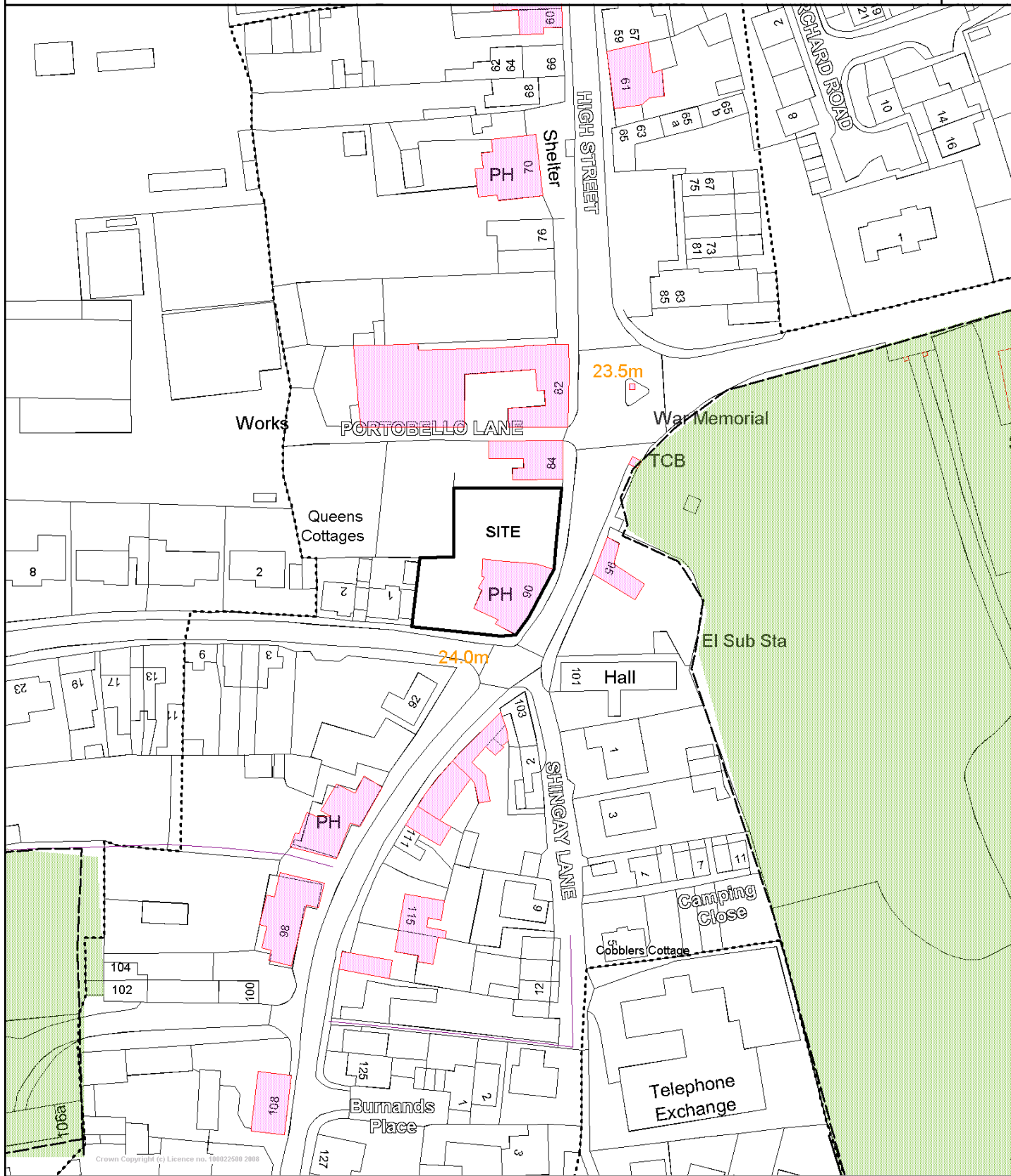
Notes:

The Applications have been reported to the Planning Committee for determination as the site lies in a Conservation Area and the Officer recommendation of approval conflicts with the response from the Parish Council.

Conservation Area and Listed Building**Site and Proposal**

1. No.90 High Street is a pink render timber-framed Grade II* Listed Building sited on the west side of the High Street, and on the north side of the junction of Common Lane with the High Street. The property is sited within the Conservation Area, in the historic core of the village, and is surrounded by a number of Listed Buildings to the north, south and east. To the north is a Graded II Listed Building, used as a restaurant, whilst to the west, along Common Lane, are two chalet style dwellings. Vehicular access to the site is via Common Lane.
2. The premises are presently vacant but, until February this year, the building was used as a Public House, The Queen's Head, on the ground floor, with a five bedroom flat above. The property has previously been extended to the rear/west side, with a two storey pitched roof addition and a large single storey, flat roof extension.
3. The planning and listed building applications, registered on 15th June 2009 and 14th July 2009 respectively, propose to extend and alter the existing public house and flat, and to change the use of the whole property to form a single five bedroom dwelling. The existing unsympathetic extensions to the rear would be demolished and a replacement pitched roof extension erected towards the southern gable. Between this extension and the existing two storey rear element, a replacement flat roof extension

S/0854/09/F Sawston



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Scale 1/1250 Date 18/8/2009

Centre = 548630 E 249183 N

September Planning Committee 2009

would be constructed. Internal alterations to the original building would be kept to a minimum, with just the first floor of the main building being altered in order to add a bathroom to bedroom 2.

4. The planning application also seeks to erect a new two bedroom dwelling within the south-western corner of the site, fronting onto Common Lane. This would be a 7.8 metre high brick and tile chalet style dwelling with a two storey forward projecting gable. It would be sited adjacent to the garage of the dwelling at No.1 Queen's Cottages, and would be identical in design to the dwelling at No.2 Queen's Cottages. A garden, single parking space, and 2.2 metre high bin/bike store would be provided to the rear/north side of this proposed dwelling. The density of the development equates to 22 dwellings per hectare.
5. The application also seeks to erect a detached cart shed at the northern end of the site which would provide a double garage and bin/bike store for the proposed converted public house/5-bedroom dwelling. This would be a single storey, 4.2 metre high, timber and pantile structure sited gable end to the High Street, approximately 15 metres back from the High Street/eastern boundary.
6. The existing timber fence along the High Street frontage of the site would be replaced with a new 1.8 metre high brick wall. The boundaries to the rear garden areas of both properties would also be defined by 1.8 metre high brick walls along both sides of the access into the site.
7. Access to both properties would be via the existing access off Common Lane. The access would be 5 metres wide for a distance of in excess of 20 metres into the site, and 2 metre x 2 metre pedestrian visibility splays would be provided to either side of the access within the site edged red.

Planning History

8. **S/0887/06/F** – Application for change of use of the premises to allow for the delivery of hot food was refused on the grounds of harm to the amenities of local residents and harm to the setting of the listed building.
9. **S/1965/98/F** – Application for the erection of two houses and garaging and the resiting of the public house car park was refused, but subsequently allowed at appeal. These approved houses are those fronting the north side of Common Lane directly to the west of the site (Nos. 1 and 2 Queen's Cottages).
10. **S/0588/93/F, S/0589/93/LB, S/1750/86/LB, S/0343/84/F and S/0342/84/LB** – Planning and listed building applications for various extensions and alterations to the property approved.
11. **S/1762/86/F** – Restaurant (approved)

Planning Policy

12. **East of England Plan 2008:**
SS1 – Achieving Sustainable Development
ENV6 – The Historic Environment
ENV7 – Quality in the Built Environment

13. **South Cambridgeshire Local Development Framework Development Control Policies DPD 2007:**

ST/4 – Rural Centres

DP/1 - Sustainable Development;

DP/2 - Design of New Development;

DP/3 – Development Criteria

DP/4 – Infrastructure and New Developments

HG/1 – Housing Density

HG/2 – Housing Mix

HG/3 – Affordable Housing

SF/1 – Protection of Village Services and Facilities

CH/3 – Listed Buildings

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

CH/5 – Conservation Areas

NE/6 – Biodiversity

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

14. **Supplementary Planning Documents:**

Development Affecting Conservation Areas – Adopted January 2009

Trees and Development Sites – Adopted January 2009

Open Space and New Developments – Adopted January 2009

Listed Buildings – Adopted July 2009

15. **Circular 05/2005 – Planning Obligations** – states that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind, and reasonable in all other respect.

16. **Circular 11/95: The Use of Conditions in Planning Permissions** – states that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

Consultations

17. **Sawston Parish Council** recommends refusal for the following reasons:

- (a) Overdevelopment
- (b) Loss of public house to village
- (c) Parking on tight corner used by articulated lorries
- (d) Request site visit and highways report
- (e) Request marketing test to assess viability to remain a public house.

In response to the application for Listed Building Consent, the Parish Council also raises additional concerns about the partial demolition of the listed building.

18. **The Conservation Manager** states that the principle of converting the public house to a dwelling has been discussed at length with the Conservation Team and English Heritage and is supported. The internal alterations required will be minimal and the proposed alterations and extensions to the rear elevation will be an enhancement. Currently the rear elevation is a mix of historic and later additions with different roof forms and materials, and the demolition of the later additions and their replacement with a simpler form, will not harm the character and appearance of the rear and side elevations.

With regards to the proposed new dwelling, there are two existing houses built within the curtilage of the listed building that were allowed at appeal. The proposal is to provide an additional dwelling of the same form and design to mirror the left hand dwelling design. In principle there is no objection to a dwelling in this location but a smaller, perhaps detached building without the covered way would be the preferred option. However, in view of the design of the adjacent buildings and in order to achieve a coherent design for the group, this would be difficult to achieve and therefore the proposal is considered to be acceptable.

The proposed cart shed is simple in form, design and materials, modest in scale and will have no impact on the setting of the Grade II* Listed Building. There are also no objections to the bin and bike store, which is modest in scale and form and will not harm the setting of the listed building.

With regards to the proposed boundary treatments, there is an existing fence and trellis along the front boundary and the proposal is to replace this with a 1.8m high brick wall. While the fence is of no historic interest, it is simple in materials and detailing, and wholly appropriate within the setting of the listed building and the street scene. Replacement with a wall may damage the adjacent tree and is considered to harm the setting of the listed building. There are no details of the wall and it has been suggested by the agent in an email that it is rendered to match the listed building. This is not a traditional detail and, even if a wall were considered to be acceptable, this detail would not be supported. A wall is also proposed along the boundary with Common Lane and to enclose the rear garden. This wall would be the same height as the one on the front boundary and presumably the same materials. A timber fence, possibly hit and miss rather than close boarded, would be more appropriate and less solid in appearance. Gates should be the same form as the fences and read as a continuation of the fence, whilst brick gate piers should be omitted.

19. **English Heritage** raises no objections, stating that the application should be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist conservation advice.
20. **The Trees and Landscape Officer** raises no objections.
21. **The Landscape Design Officer** requests the submission of a landscape plan for the front of the proposed new house and Common Lane entrance to the converted pub. There should not be a repeat of the clumsy wall effect, and a mixture of shrubs and herbaceous planting would be preferable. Details of the walls along the High Street and at the rear of the former pub should be submitted. Climbers should be planted against the west side of the wall onto the High Street and along the walls to the rear gardens of the new dwelling and pub conversion. A mix of different cultivars of *Clematis montana* is suggested in order to soften the top of the wall.
22. **The Local Highways Authority** expresses concern that the proposed access will facilitate future development to the rear of the site in its present format. The access is considered to be unsuitable for more than light vehicle usage that will be generated by the current proposal. Therefore, the access should either be redesigned to accommodate potential future use or the proposal redesigned to physically prevent the use of additional vehicle movements.

The proposal seeks to provide a 5 metre wide access for the full length of the driveway. With regards to the latter comment, the Local Highways Authority has clarified that an access of this width would enable vehicles to park on the drive without impeding access for other cars and may result in unnecessary manoeuvring

onto the highway. On this basis, the application is recommended for refusal on highway safety grounds. The access only needs to be 5 metres wide for 5 metres back from the highway boundary, after which it could narrow to a width of 3 metres. It is also recommended that the carport be relocated as close as possible to the turning area, thereby reducing the land available for car parking to within acceptable limits.

If these concerns can be overcome, approval is recommended subject to conditions requiring the following:

- (a) Access to be hard paved for 6m from the highway boundary;
- (b) 2m x 2m visibility splays;
- (c) Manoeuvring area shown on drawings to be provided and thereafter retained;
- (d) Provision of a 5m wide access for 5m back from the highway.

23. **The Environmental Health Officer** expresses concern that problems could arise from noise during the construction period. As such, a condition restricting the hours of use of power operated machinery during the period of demolition and construction should be added to any permission.
24. **The Environmental Health Officer (Contaminated Land)** states that the site is adjacent to an area of industrial use. Therefore, a condition should be added to any consent preventing the commencement of any development until a scheme for the investigation and recording of contamination, together with remediation measures, has been carried out.

Representations

25. The owner of No.35 Edinburgh Avenue, Sawston states that, until recently, the Queen's Head was a thriving social centre within the village. To claim it is unviable economically is wrong, as the last two landlords have been driven out by unreasonable demands from the freeholder. It appears this was deliberately planned so that the building could be redeveloped as a residential property. The building has been used as a pub or coaching house since the 15th century and should not be converted to a residential property. With the demise of the Woolpack and Black Bull, the choice in Sawston is limited and is driving people into Cambridge and Newmarket. A former landlord has enquired about buying the property, in order to run it as a pub, but has been advised it is not for sale.
26. The owner of this property has also submitted a petition, comprising 95 signatures (including the author's), from people who have, and would again, socialise in the Queens Head. The petition objects in principle to the pub being turned into a dwelling, stating it should remain as a public house.

Planning Comments – Key Issues

27. The key issues to consider in the determination of these applications are:

The principle of the development, including the loss of the existing public house;
The impact of the development upon the character and setting of the Grade II* Listed Building;
The impact on the character of the Conservation Area;
Effect upon the amenities of occupiers of adjoining properties;
Impact on trees;
Highway safety;
Density;

Mix;
Affordable housing;
Open space.

Loss of the public house

28. Significant concerns have been raised by the Parish Council and local residents as the proposal would result in the loss of a village pub.
29. Local Development Framework Policy SF/1 states that planning permission will be refused for proposals that would result in the loss of village services, including pubs, where such loss would cause an unacceptable reduction in the level of community or service provision in the locality. In determining the significance of any loss, the policy states that consideration will need to be given to:
 - (a) The established use of the premises and its existing and potential contribution to the social amenity of the local population;
 - (b) The presence of other village services and facilities that provide an alternative with convenient access by good local public transport services, or by cycling or walking;
 - (c) The future economic viability of the use including, in appropriate cases, financial information and the results of any efforts to market the premises for a minimum of 12 months at a realistic price.
30. The Parish Council particularly stresses that the 12 month marketing exercise must be completed so that viability issues can be assessed. The property has not been marketed. However, Policy SF/1 does not require this to be undertaken in all cases and this is only one of the criteria that need to be taken into account in considering the significance of the loss of the pub. Sawston has a very wide range of services and facilities, and the applicant's agent comments in the planning statement that there are 5 other public houses within the centre of the village, all within 0.2 miles of the application site. These pubs are The Black Bull, The Greyhound, The Kings Head, The White Lion and The Woolpack. At the present time, both The Black Bull and The Woolpack are closed, so only three of the pubs referred to in the supporting statement are currently trading. In the absence of any consents to change their use, however, they are still classified as public houses. All of these public houses are within easy walking distance of the site, and it would therefore be difficult to argue that the loss of The Queen's Head would result in an unacceptable reduction in the range of facilities provided in the locality.
31. In view of the fact that there are other pubs within walking/cycling distance, it is not considered necessary in this instance to require the property to be marketed for a minimum 12 month period. As stressed within the policy, this is only necessary 'in appropriate cases' and would normally be insisted upon in the case of any application resulting in the loss of the last/only pub in a village. This is clearly not the case in this instance.
32. The planning statement accompanying the application states that the public house closed in February 2009 as it had suffered from poor trading figures and its continued trading was no longer economically viable. The applicant's agent has completed the CAMRA public house viability test and this demonstrates that the public house has closed as a result of the range of similar facilities provided in the village, and the lack of demand and subsequent impact on takings, rather than due to issues of neglect.

Impact on the listed building and character of the area

33. The proposal seeks to convert the Grade II* Listed Building to a dwelling. Prior to the submission of the application, the applicants met Planning and Conservation Officers from this Council, as well as English Heritage, on site in order to establish the potential for converting the building. The finalised application has sought to address concerns raised by Officers during the pre-application discussion process.
34. The listed building has a number of modern, unsympathetic flat and pitched roof single storey additions to the rear. The proposal seeks to demolish these elements and to replace them with a more sensitively designed pitched roof wing towards the southern end of the building with a flat roof link between the existing and proposed wings. The replacement extensions to the rear of the building would have a much lesser footprint than the existing additions, and are considered by the Conservation Manager to enhance the character and setting of the Listed Building.
35. Works to the building itself are minimal and comprise alterations to the fenestration within the modern rear extension, the insertion of a bathroom at first floor level in the historic part of the building and the formation of a w.c on the ground floor within the rear extension. These alterations are all minor, do not detract from the special character and appearance of the building, and are supported by the Conservation Manager.
36. With regards to the impact of the development upon the setting of the Grade II* Listed Building, and upon the character and appearance of the Conservation Area, the application proposes to erect a new dwelling along the Common Lane frontage of the site, a cartshed towards the northern boundary, a bin/bike store to the rear of the new dwelling, and new walls along the High Street frontage and around the curtilages of the proposed dwellings. The Conservation Manager has raised no objections to the cartshed or bin/bike store, both of which are considered to be modest in scale and form, and appropriate to the setting of the listed building.
37. Some concerns have been expressed by the Conservation Manager regarding the design of the new dwelling, with a preference indicated for a detached building without a covered way. As stated above, the application has been submitted following a site meeting and extensive pre-application discussions with Planning and Conservation Officers. During these discussions, no objections were raised to the principle of erecting a dwelling in this position nor to the general design of this property relating to and blending in with the appearance of the pair of properties fronting Common Lane. Discussions had centred around the forward projecting wing and whether this should be sited on the western end of the dwelling, resulting in a symmetrical form across the three properties, or whether its appearance should replicate that of the end property. The latter approach was considered to be more appropriate and the proposed dwelling has been designed on this basis. Whilst a detached building may also have some merits, it is considered that the design proposed achieves a coherence with the adjoining two properties fronting Common Lane and the Conservation Manager therefore considers, on balance, its design to be acceptable and to avoid undue harm to the character of the area.
38. Strong concerns have been raised by the Conservation Manager in respect of the proposed 1.8 metre high brick walls. The existing boundary along the High Street consists of a fence and trellis and is considered to be more appropriate to the setting of the listed building and street scene. In addition, fences are considered more appropriate along the boundaries to Common Lane and enclosing the rear garden areas. At the time these comments were made, no details of the walls had been

submitted. Full details of the walls and gates have since been provided and further comments in respect of these details will be reported verbally at the Committee meeting. The applicant's agent has stressed that the principle of erecting walls in the locations proposed, as well as the height and design of the walls, were discussed and agreed at the pre-application stage. If, however, the view is taken that the proposed walls would be inappropriate, a condition requiring the agreement of all boundary treatment details would be accepted.

Neighbour amenity

39. The proposed new dwelling would be sited with its rear elevation level with the rear wall of the adjacent property. As such, it would not harm the outlook or result in a loss of light to this dwelling. With regards to the existing public house, this is already in residential use at first floor level so the proposal would not result in any additional overlooking of neighbouring dwellings/garden areas.
40. The application also proposes to erect a single storey carport adjacent to the northern boundary of the site. The property beyond this boundary is used as a restaurant and the only openings to the rear/west side serve a w.c and kitchen area. This structure would not therefore result in undue harm to the adjoining property.

Impact on trees

41. The Conservation Manager has expressed concern about the impact of the proposed wall along the High Street frontage of the site upon trees within the garden area. However, the Trees Officer has raised no objections to the application and considers the proposal to be acceptable in this respect.

Highway safety

42. The Local Highways Authority (LHA) has objected to the application on the basis that an access of the width proposed would have the potential to facilitate future development to the rear of the site. It is requested that the access either be redesigned to accommodate potential future use or the proposal redesigned to physically prevent the use of additional vehicle movements.
43. The land to the north-west of the site is allocated within the 2004 Local Plan as a residential development site. The land is presently accessed via Portobello Lane but the supporting text to the policy states that any proposal should seek to access the site via Common Lane. However, Officers can only consider the merits of the application itself rather than concerns about the potential future use of the access. If an application is submitted in the future for housing on the adjoining land, and the application proposes to use the Queen's Head access, the highway safety implications of the proposal would then need to be taken into account.
44. The proposal to provide two dwellings on the site would result in fewer traffic movements than the previous use of the premises as a public house. In terms of traffic movements, therefore, no concerns have been raised in respect of the highway safety implications of the development. The Local Highways Authority does, however, still consider the access to be over designed and car dominated, and has requested that it be reduced in width (after the first 5 metres) in order to discourage parking along its entire length. The applicant's agent has agreed, in principle, to amending the access width. This does raise some issues, however, with the alterations required to the boundaries either side of the access, and the possible impact on the setting of the Listed Building of any staggered boundary treatment required on this site. Members

will be updated verbally at the Committee meeting regarding the outcome of any discussions on this issue. With regards to the request to reposition the carport, this raises strong concerns about the impact on the setting of the listed building as the carport would be located much closer to the building. In addition, moving this structure closer to the gated access would result in the loss of on-site turning presently shown for the 5-bedroom dwelling between the gated entrance and carport. Such a scenario is therefore more likely to result in occupants of this property reversing down the access and, in the event the parking space at the rear of Plot 1 is occupied, onto the public highway. In the interests of highway safety and the setting of the listed building, Officers therefore recommend that the carport remain in its originally proposed position.

Density

45. The density of the development, at 22 dwellings per hectare, is lower than the minimum 40/hectare ratio required by Policy HG/1 of the Local Development Framework. During pre-application discussions, the applicant initially sought Officer's views on a scheme of five dwellings, including the conversion of the public house to two flats. The site meeting involving English Heritage sought to establish the maximum number of units that could be provided on the site without resulting in harm to the character or setting of the Listed Building. After inspecting the building, Conservation Officers and English Heritage stressed that converting the building to more than one unit would entail too much interior alteration, thereby seriously harming its character. Initial drawings also sought to establish the potential for a two storey dwelling on the land to the north of the listed building. This, however, was considered to harm the setting of the Grade II* building, as well as that of the Grade II Listed Building to the north, and to harm the character of the Conservation Area. Support was only given to the erection of a single storey traditionally designed outbuilding in this location.
46. In this instance, it is considered there are exceptional local circumstances to justify a lower density of development on this site than required by planning policy.

Mix

47. Policy HG/2 of the Local Development Framework requires a minimum of 40% of new dwellings to be 1 or 2 bedroom properties. Initially, the application proposed to erect a 3-bedroom dwelling on the Common Lane frontage of the site and sought to justify non-compliance with this policy on viability grounds. The supporting planning statement explains that the application seeks to secure a future viable use for the listed building, and that the works required to convert the building to a dwelling would require significant investment, with the funding of these works being generated by the new development.
48. Officers raised concerns about this approach as the proposal was not considered to pass the tests of enabling development. The building is not considered to be at risk and the application does not prove that a residential conversion is the only way to secure a viable use for the building. In addition, Policy HG/2 only permits a different mix if the local circumstances of the settlement suggest a different mix would better meet local needs. The justification put forward related to the site specific circumstances rather than those relating to the settlement as a whole. As such, Officers considered there to be insufficient justification for waiving the requirements of Policy HG/2. The application has since been amended to alter the new dwelling from a 3-bedroom to a 2-bedroom property.

Affordable Housing

49. Policy HG/3 requires a minimum of 40% of new dwellings to be affordable housing. In this instance, there is an existing residential unit on the site, this being a 5-bedroom flat above the public house. Due to the size of the existing accommodation (rather than it being a small manager's flat occupying part of the first floor), the existing residential use is substantial enough that the proposal only results in a net gain of one dwelling. As such, there would be no requirement for affordable housing in this instance.

Open space

50. Policy SF/10 requires new residential development to contribute towards the provision and maintenance of public open space. The application originally sought to waive this requirement for the same viability reasons as argued in respect of the mix policy. The applicant's agent has since confirmed that his clients would be willing to accept such a contribution. The value is based upon the net gain in the number of properties, in this case a 2-bedroom dwelling, which equates to £2244.90, as calculated at today's date.

Recommendations

(a) ***S/0854/09/F***

51. Approval, as amended by design and access/heritage statement date stamped 15th July 2009, drawing number 105 Rev G date stamped 15th July 2009, and drawing numbers 220-102 Rev G, 106 Rev H, 108 Rev G, and 115 date stamped 23rd July 2009, subject to the following 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 samples of all materials to be used for the external walls and roofs of the extension to the existing property, the new dwelling and the carport, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details (Reason – To ensure the development does not detract from the character and appearance of the Conservation Area and from the character and setting of the Grade II* Listed Building, in accordance with Policy ENV6 of the East of England Plan 2008, Policies DP/3, CH/3, CH/4 and CH/5 of the adopted Local Development Framework 2007 and the Development Affecting Conservation Areas, and Listed Buildings, Supplementary Planning Documents 2009.)
 3. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatments to be erected. The boundary treatment for each dwelling shall be completed before that dwelling is occupied in accordance with the approved details and shall thereafter be retained (Reason – To ensure the development does not detract from the character and appearance of the Conservation Area and from the character and setting of the Grade II* Listed Building, in accordance with Policy ENV6 of the East of England Plan 2008, Policies DP/3, CH/3, CH/4 and CH/5 of the adopted Local Development Framework 2007 and the Development Affecting Conservation Areas, and Listed Buildings, Supplementary Planning Documents 2009.)

4. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock (Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
5. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation (Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
6. No development shall begin until details of a scheme for the provision of recreational infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policy SF/10 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details (Reason - To ensure that the development contributes towards recreational infrastructure in accordance with the above-mentioned Policy SF/10 and Policy DP/4 of the adopted Local Development Framework 2007 and to the Supplementary Planning Document, Open Space in New Developments, adopted January 2009.)
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no development within all classes of Part 1, and within Class A of Part 2, of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf. (Reason – To ensure that development that would not otherwise require planning permission is not carried out with consequent potential harm to the character of the Conservation Area, and to the character and setting of the Grade II* Listed Building, in accordance with Policies DP/3, CH/3, CH/4 and CH/5 of the adopted Local Development Framework 2007.)
8. Before either dwelling, hereby permitted, is occupied, the access road shall be constructed in accordance with drawing number 220-102 Rev G. 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.)
9. The area to be provided for the turning/manoeuvring of vehicles shall be provided in accordance with drawing number 220-102 Rev G before the occupation of either of the dwellings, hereby permitted, and maintained free of obstruction

thereafter (Reason – In the interests of highway safety, in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

10. Visibility splays shall be provided on both sides of the access and shall be maintained free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the highway boundary (Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
11. During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority (Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
12. No development approved by this permission shall be commenced until:
 - (a) The application 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 any 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 contamination should be agreed in writing by the Local Planning Authority
(Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DP/1 of the adopted Local Development Framework 2007.)

(b) **S/0855/09/LB**

52. Approval, subject to the following conditions:

1. The works to which this consent relates shall be started not later than the expiration of three years beginning with the date of this decision notice (Reason - To ensure that consideration of any future application for works will not be prejudiced by listed building consents, which have not been acted upon.)
2. The proposed works shall be carried out strictly in accordance with the approved plans and specification of works noted thereon, except where modified by the

conditions of this consent (Reason - To ensure compliance with the approved plans.)

3. Before work commences, arrangements shall be made by the applicant to enable the Local Planning Authority (normally the Council's Conservation Officer) to meet the owner or agent and the contractor on site to discuss the conditions of this Consent and the manner of works (Reason - For the avoidance of doubt and to ensure the proper control of works.)
4. The building shall be properly protected and shored prior to the demolition of the rear extensions and details of how the building is to be properly protected and supported shall be previously submitted to and approved by the Local Planning Authority (Reason - To ensure that the fabric of this listed building is properly protected during works.)
5. Any works of repair and replacement, which are agreed on site with the Local Planning Authority, shall precisely match the original to the Local Authority's satisfaction. (Reason - To ensure that such works are in keeping with the character and appearance of this listed building.)
6. Precise details of the proposed windows and doors to a scale of 1:5 shall be submitted for the prior, written approval of the Local Planning Authority. The proposed windows shall be single glazed, puttied without beading, of timber construction with narrow moulded glazing bars (of a design to be submitted for the prior agreement of the Local Planning Authority), traditionally painted and without trickle vents (Reason - To ensure fenestration appropriate to this listed building.)
7. The proposed ground floor windows shall have layboard detailing above rather than bellmouth render (Reason - To ensure detailing appropriate to this listed building.)
8. Before work begins, details of the materials proposed for the hard surfaced areas within the site, including roads, paths drives and car parking areas, shall be submitted to the Local Planning Authority for prior, written approval (Reason - To protect the setting of the listed building.)
9. Notwithstanding the approved drawing 220-102 Rev G, the proposed new boundary walls shall be specifically omitted from this consent, and shall be the subject of further discussions with revised proposals submitted to and agreed in writing by the Local Planning Authority before work commences on site; the work shall be carried out in accordance with the approved drawings (Reason - To protect the setting of this listed building.)
10. All new and matching materials shall be provided on site for the approval in writing by the Local Planning Authority (Reason - To ensure the use of matching materials.)
11. A sample panel of brickwork shall be constructed on site to enable the Local Planning Authority to agree in writing the type of brick, the bond, the joint detail and the mortar mix (Reason - To ensure detailing and materials appropriate to this listed building.)
12. Before work commences on site, precise details of the following items shall be submitted for the prior, written approval of the Local Planning Authority:

- (a) The position and details of soil vent pipes and mechanical extract vents.
 - (b) Details of the section of new timber framed wall including the infill and finish.
 - (c) Details of the proposed floor finishes
 - (d) Details of the eaves and verge to the proposed extension
(Reason - To ensure detailing appropriate to this listed building.)
13. All mortars, plasters and render shall be lime rich to specifications submitted to and agreed in writing by the Local Planning Authority (Reason - To ensure the use of the appropriate mix of traditional lime plasters and mortars.)
 14. Existing internal plaster on walls and ceilings shall be retained and protected during works and no internal plaster shall be removed without the written consent of the Local Planning Authority (Reason - To protect the historic fabric of this listed building.)
 15. Details of replacement and new gutters and drainpipes shall be submitted for the prior written approval of the Local Planning Authority (Reason – To ensure detailing and material appropriate to this listed building.)
 16. The roof shall be covered with clay plain tiles a sample of which shall be provided on site for the prior written approval of the Local Planning Authority (Reason - To ensure the use of roofing material appropriate to this listed building.)
 17. The approved tiles shall be laid without the use of tile and a half at the verges.
(Reason - To protect the appearance of the listed building and to ensure traditional detailing.)
 18. Internal timberwork, including doors and window surrounds, shall not be sandblasted and details of how paintwork is to be stripped shall be submitted for the prior written approval of the Local Planning Authority (Reason – To protect the fabric of this listed building.)
 19. The existing sign on the south elevation shall be retained (Reason – To ensure evidence for the previous use of this listed building.)

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

- East of England Plan 2008;
- South Cambridgeshire Local Development Framework (LDF) 2007;
- Supplementary Planning Documents - Development Affecting Conservation Areas; Trees and Development Sites; Open Space and New Developments; Listed Buildings – Adopted July 2009
- Planning application references S/0854/09/F; S0855/09/LB; S/0887/06/F; S/1965/98/F; S/0588/93/F; S/0589/93/LB; S/1762/86/F; S/1750/86/LB; S/0343/84/F; and S/0342/84/LB.

Contact Officer: Lorraine Casey – Senior Planning Assistant
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 2nd September 2009
AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0756/09/F – GREAT SHELFORD
Dwelling (Amended Design) at 19a High Green for Prof Anthony Green

S/0758/09/F – GREAT SHELFORD
Erection of Car Lodge/Store at 19 High Green for Dr S Rann

Recommendations for both applications: Approval

Date for Determination: S/0756/09/F – 5th October 2009

Date for Determination: S/0758/09/F – 12th August 2009

Notes:

Conservation Area

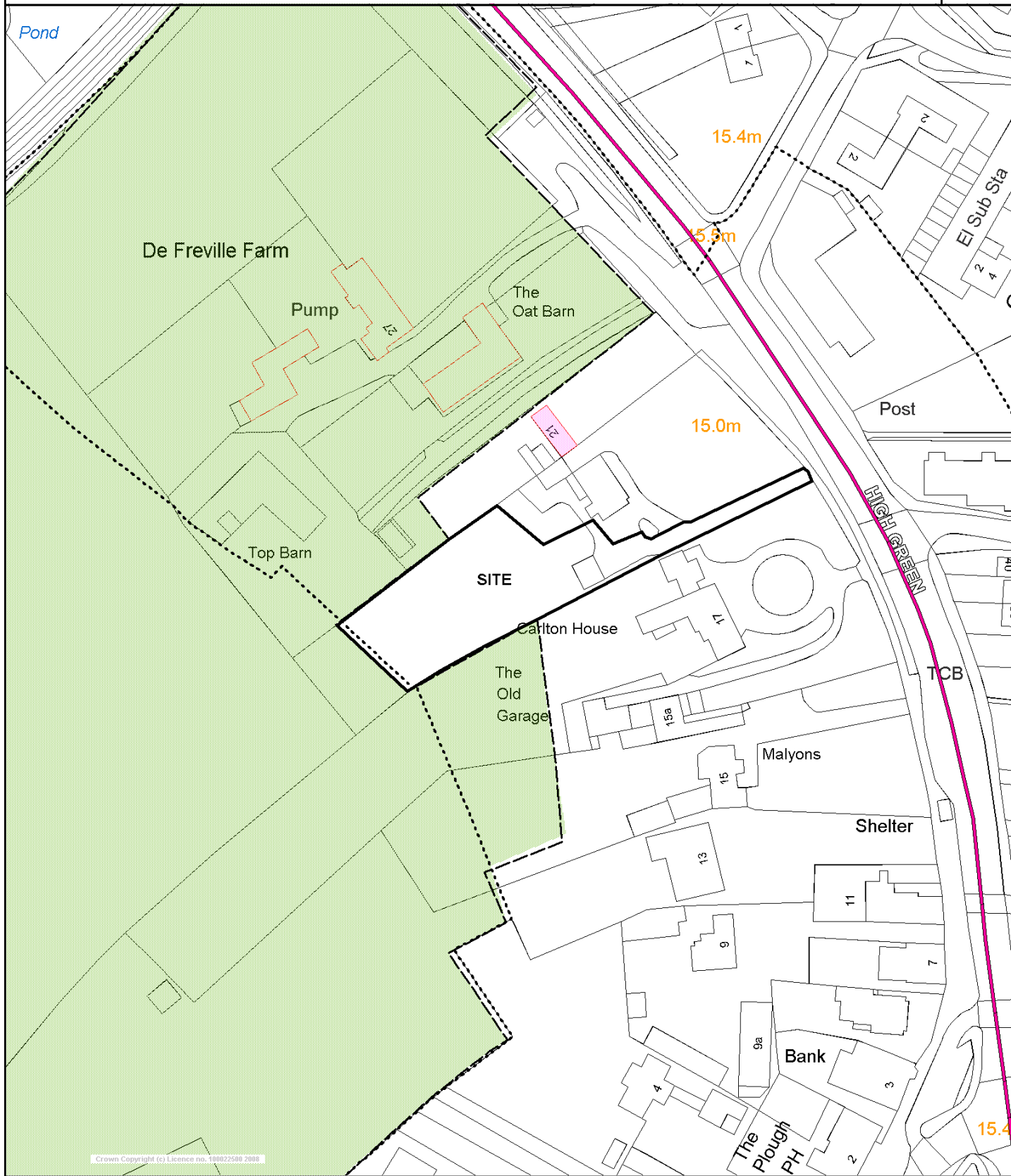
These Applications have been reported to the Planning Committee for determination as the site lies in a Conservation Area and the Officer recommendation of approval conflicts with the responses from the Parish Council, and also at the request of District Councillor Mr Nightingale.

Members of Committee will visit the site on Wednesday 2nd September 2009

Site and Proposal

1. No.19 High Green is a large detached two storey white painted brick and slate dwelling sited on the west side of High Green. It is set in excess of 35 metres back from the frontage of the site, from where it is very well screened from public views by mature trees and hedges along the front boundary of the site. To the north is No.21 High Green, a Grade II Listed thatched dwelling, beyond which lies two detached barns that have been converted to dwellings in recent years.
2. Planning permission was granted in February 2008 for the erection of a part two-storey, part single-storey timber/brick and plain tiled dwelling within No.19's rear garden. The approved dwelling was set slightly to the rear and to the south of No.19. This dwelling is under construction, and nearing completion, but has not been built in accordance with the approved plans.
3. Application reference S/0756/09/F seeks revisions to the design of the approved dwelling, to reflect the unauthorised alterations to the design of the property during its construction. Further details on the background to the application, as well as the key differences between the approved and proposed schemes, are provided within the planning history/background section of this report (see paragraphs 6 – 10 inclusive).
4. Application reference S/0758/09/F proposes to erect a garage/car lodge adjacent to No.19 High Green. The car lodge would be a pitched roof 3.5 metre high timber framed structure

S/0756/09/F Great Shelford



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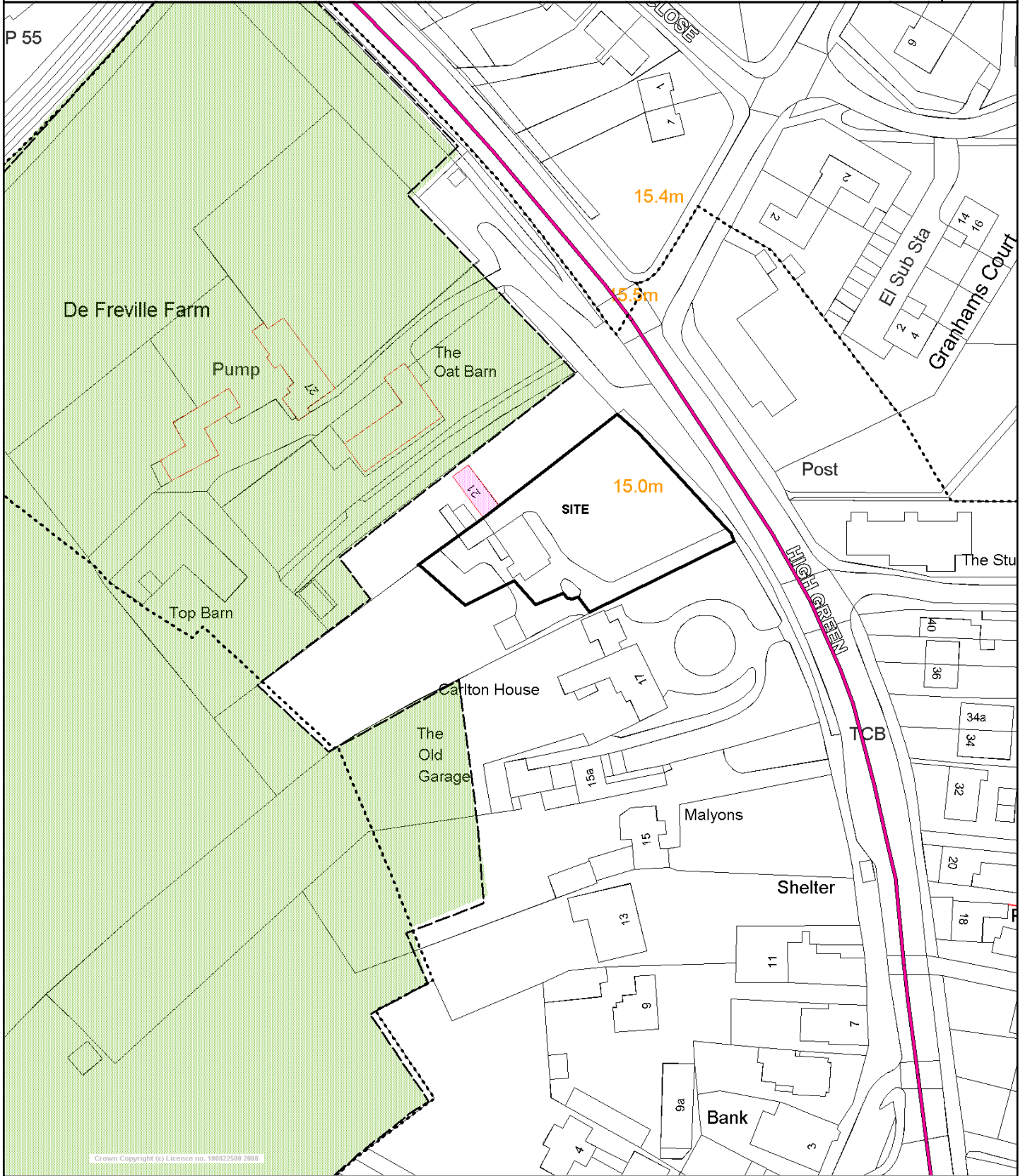
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Scale 1/1250 Date 18/8/2009

Centre = 546124 E 252514 N

September Planning Committee 2009

S/0758/09/F Great Shelford



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Scale 1/1250 Date 18/8/2009

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September Planning Committee 2009

with a lean-to at the side for the storage of bins and cycles. The structure would be sited to the front of the dwelling and directly in front of/to the east of the new property.

Planning History and Background to the Applications

5. **S/2392/07/F** – An application for a dwelling within the curtilage of No.19 High Green was approved (following consideration at the Chairman's Delegation meeting held in February 2008) subject to conditions, including the removal of householder permitted development rights and the removal of permitted development rights for the insertion of first floor windows in the north, east and south side elevations. Details required by conditions 4 (large scale joinery details) and 8 (landscaping) were submitted in April 2008 and subsequently approved. The remaining pre-commencement condition (Condition 2) required the submission of sample materials but no such details were submitted prior to construction starting on the site.
6. In early April 2009, following a site visit within the area, the Conservation Officer advised that the approved dwelling was under construction, but expressed concern as to whether it was being built in accordance with the approved plans. During a subsequent site visit, Officers established that the house under construction differed from the approved plans in a number of ways.
7. The approved dwelling had an approximately 13 metre long, single storey projecting element standing 4.5 metres high to the ridge and 2.2 metres high to the eaves. This provided a double carport, and bin/cycle storage for both the existing and new properties. The carport for the new property had openings to the south side with the vehicular access between the dwelling and southern boundary. Access to the car lodge for the existing property was in the east end/front elevation. Behind this single storey element, was a two storey forward projecting wing incorporating a bedroom and bathroom at first floor level. This section had an asymmetrical roofline extending down to form a covered entranceway on the southern side of the dwelling adjacent to the two storey element.
8. The forward projecting element has been constructed with an approximately 650mm higher ridge and eaves line than approved, and with an asymmetrical roofline that extends to the south side of the dwelling to form a canopy along the entire length of the forward projecting section. The former car port for the new property has been converted to form additional habitable accommodation, and the carport at the eastern end (formerly proposed to serve the existing dwelling at No.19) has been built with a south facing opening and is proposed to serve the new property. As a result of its increased height, the forward projecting section now includes accommodation in the attic space, lit by a high level rooflight in the north elevation. Other differences between the approved plans and the property, as constructed, are:
 - a) A rooflight serving bedroom 2 in the south side elevation has been lowered in order to provide a means of escape;
 - b) Two additional high level openings have been added to the north facing roof slope of the forward projecting element. These are high level openings serving a ground floor hallway;
 - c) Two ground floor windows have been added to the south side elevation as a result of converting one of the carports to habitable accommodation;
 - d) The position of a ground floor door and window opening in the north side elevation have been handed;
 - e) The east end elevation incorporates an obscure glazed window at first floor level and a timber louvre grill on the ground floor;

- f) The small dormer to the rear has been altered from a three pane to two pane dormer.
9. The applicant's agent was contacted both during and immediately after the site visit in order to advise that the dwelling was not being completed in accordance with the approved plans, and a new application for the revised dwelling design was requested. Towards the end of April, the applicant's agent submitted an amended drawing, stating that the forward element had been constructed higher than approved to allow for the insertion of tall mechanical equipment associated with the heat pump installation as well usable storage space in the roof void above the garage. It was requested that the modifications be treated as amendments to the approved application. Officers responded at the beginning of May, advising that the changes could not be treated as amendments to the approved scheme given that permitted development rights, including for the insertion of new windows, had been removed through conditions of the planning permission. The applicant's agent was advised to submit a new application for the revised dwelling design and to cease works on site until the new application had been determined.
10. Applications for the revisions to the design of the dwelling and for the proposed carport for No.19 High Green were submitted at the end of May. The application relating to the new dwelling was initially submitted as a proposal for an extension to the property, to include an increase in the roof height over the garage and installation of 3 rooflights. This has since been corrected so that the application is now reapplying for the whole dwelling (revised design). In addition, some of the alterations to the fenestration had not been shown accurately on the plans and this has now been corrected within the amendment.

Planning Policy

11. **East of England Plan 2008:**
- ENV6** – The Historic Environment
 - ENV7** – Quality in the Built Environment
12. **South Cambridgeshire Local Development Framework Development Control Policies DPD 2007:**
- ST/4** – Rural Centres
 - DP/1** - Sustainable Development;
 - DP/2** - Design of New Development;
 - DP/3** – Development Criteria
 - DP/4** – Infrastructure and New Developments
 - HG/1** – Housing Density
 - CH/4** – Development Within the Curtilage or Setting of a Listed Building
 - CH/5** – Conservation Areas
 - NE/6** – Biodiversity
 - SF/10** - Outdoor Playspace, Informal Open Space, and New Developments
13. **Supplementary Planning Documents:**
- Development Affecting Conservation Areas – Adopted January 2009
 - Trees and Development Sites – Adopted January 2009
 - Open Space and New Developments – Adopted January 2009
 - Listed Buildings – Adopted July 2009
 - Great Shelford Village Design Statement 2004

Great Shelford Conservation Area Appraisal

Consultations

14. **Great Shelford Parish Council's** comments relating to the car lodge application were received approximately two weeks prior to its comments relating to the amended dwelling design. With regards to the former, the Parish Council stated:

"Previous objections to the development of this site in the Conservation Area still stand but we are happy to leave this decision to the Conservation Officer."

The Parish Council subsequently recommended refusal for the application for the proposed revisions to the design of the dwelling, stating:

"We recommended refusal of the plans for this house (19a) on the grounds that it was out of character, would overlook adjoining properties and would dominate the existing house. We continue to believe this and are concerned that conditions imposed on the planning approval have been disregarded. Permission for these changes should have been sought before the building was constructed. In addition the car lodge for no 19 as proposed in the approved plans have been incorporated into no 19a making it necessary for a separate application for a garage for no 19 (S/0758/09/F) so these two applications should be considered together. The increase in height and new windows will have an adverse impact on adjoining properties and therefore we recommend refusal."

15. **The Conservation Manager** has commented in respect of the application for the car lodge, recommending refusal, but no formal comments have been received regarding the amendments to the design of the previously approved dwelling. She states that the house dates from the late 18th/early 19th century and is within the Conservation Area and adjacent a Grade II Listed Building. Recent consent was granted for a new house at the rear which extend from immediately behind the original house and is currently under construction. The proposed carport, although modest in itself, is considered to have an awkward relationship to the existing buildings (original and new build) and would give a cramped appearance at odds with the open rural character of this part of the Conservation Area. It is also likely to affect at least one of the adjacent trees, potentially with their loss, but the submission has no tree survey and fails to consider the importance of the trees in the rural streetscape of this part of the Conservation Area. Refusal is recommended due to the potential loss of trees and the cramped appearance of the proposal, which would be harmful to the character of this part of the Conservation Area.
16. **The Trees and Landscape Officer** raises no objections.
17. **The Landscape Design Officer** raises no objections.
18. **The Local Highways Authority** raises no objections to the revised dwelling application subject to conditions requiring: the vehicular access to be un gated; construction of the access to County Council specification, including with adequate drainage measures; and no unbound material to be used within 6 metres of the highway boundary.

Representations

19. The owner of No.21 High Green, the listed dwelling to the north of the site, objects to the application for the revised dwelling design on the basis that it dominates the

thatched cottage at No.21 and other listed buildings formerly attached to De Freville Farm. It dominates the entire back garden of No.21 and the increased height will further reduce what little light is left in the garden. A plan submitted for approval by No.21 was rejected on the grounds it would dominate the listed building. Yet the new dwelling at No.19 was approved despite the fact it is twice as high and twice as large as that proposed for No.21, and at a similar distance from the listed cottage.

Representation by District Councillor Nightingale

20. District Councillor Nightingale has requested that both applications be referred to Planning Committee, with a site visit. The Parish Council recommended refusal of both and there has been a complete disregard of planning which will have an impact on both adjoining properties. It is understood the applicant has moved into the new property and work is still ongoing. Should a stop notice be placed on the site?

Planning Comments – Key Issues

21. The key issues to consider in the determination of these applications are:
- Impact on the character of the area, including the character of the Conservation Area and setting of adjoining Listed Buildings;
 - Impact upon the amenities of occupiers of adjoining properties;
 - Impact on trees;
 - Highway safety.

Impact on the character of the area

22. The Parish Council recommended refusal for the previous application for a dwelling, as it was considered to be out of keeping with the character of the Conservation Area, to overlook adjoining properties and to dominate the existing house. These concerns have been reiterated in respect of the current application, which seeks to increase the size of the property. In turn, the internal modifications, resulting in the loss of the carport for the existing dwelling, have resulted in a concurrent application to provide a new carport for No.19.
23. The Conservation Manager has objected to the proposed carport, and its impact upon the open spacious character of this part of the Conservation Area. No formal written comments have been received in respect of the revisions to the design of the dwelling. However, the Conservation Team has verbally expressed concerns about the impact of the dwelling upon the Conservation Area particularly as a result of the increased scale of the forward projecting element, the revisions to the fenestration of the east elevation, and the addition of rooflights to the north elevation.
24. As stated previously, the dwelling is set some distance back from the road behind a mature, well screened frontage. In the original application for a dwelling on this site, the Conservation Manager commented that the new dwelling would be hardly visible from the public realm due to the established mature tree cover in the area. The Great Shelford Conservation Area policy document states that the west side of High Green, between No.11 and the railway bridge, is characterised by very large historic properties set well back from the road, on what was the edge of the High Green. It is noted that “these buildings make little visual impression on the conservation area because they are mostly invisible from the road, being screened by high hedges and mature trees.”

25. Despite the concerns raised by the Conservation Team, neither the modifications to increase the scale/height of the approved dwelling, nor the addition of a modest carport to the side of No.19 High Green, would be visible or prominent from the public realm. As the defined character of this part of the Conservation Area is one of very large houses set well back from the road, from which they are barely visible due to well screened frontages, it would be difficult to argue that either proposal causes harm to this established character.
26. No.21 High Green to the north of the site is a Grade II Listed Building. The proposed car lodge would be sited on the south side of No.19 and would not be seen in the same context as No.21. As such, the development is not considered to result in harm to the setting of this Listed Building.

Neighbour amenity

27. Concerns have been expressed by the occupiers of No.21 High Green and by the Parish Council, as the increase in height of the forward projecting element is considered to result in a loss of light to No.21. In addition, the additional rooflights are considered to result in overlooking of neighbouring properties.
28. The forward projecting element of the new dwelling has been constructed in the same position as approved, approximately 14 metres away from the southern side boundary with No.21 High Green's garden. This element has been built with both the eaves and ridge lines 650mm higher than approved. The applicant's agent has submitted a sunlight assessment in order to analyse the potential for overshadowing of No.21. This demonstrates that, even on winter's morning when the sun is lower in the sky, the increased height of this part of the dwelling would not result in an undue loss of sunlight to the habitable rooms or garden area of No.21 High Green.
29. With regards to the three additional rooflights constructed within the north facing roof slope, the two lower rooflights serve a ground floor hallway, with their sill levels 3 metres above the finished floor level. The upper rooflight provides ventilation for the heat pump equipment and is positioned with its sill level 1.7 metres above the finished floor level. As a result, none of these additional rooflights result in any overlooking of either No.19 or No.21 High Green.
30. A rooflight in the south side elevation has been lowered in order to provide a means of escape to bedroom 2. No objections have been raised by the occupiers of the adjoining dwelling to the south, No.17 High Green. This window is sited approximately 9 metres away from the south side boundary, and looks over a part of No.17's garden sited 15-20 metres away from the main dwelling. It does not afford any overlooking of either the main sitting out/patio area or of windows serving habitable rooms. As such, lowering this rooflight is not considered to result in undue harm to the amenities of No.17 High Green.

Impact on trees

31. Concerns have been raised by the Conservation Manager on the basis that the applications would result in the loss of trees. However, neither application would result in the loss of any additional trees, over and above those proposed for removal within the previously approved scheme, and the Trees Officer has raised no objections. The application is not therefore considered to result in undue harm to the character of the area by reason of the loss of trees.

Highway safety

32. The previously approved scheme was subject to the requirement for the access to be widened to 5 metres for 10 metres back from the highway. This condition should be reapplied to any subsequent permission for revisions to the design of the dwelling, with a view to ensuring the approved works are carried out prior to the new property being occupied. The Local Highways Authority has requested that the access remain ungated. However, the existing access is gated, and it would therefore be unreasonable to impose such a restriction on the current application, particularly as the previous permission was not subject to this requirement.

Other issues

33. Regard was had to the requirements of Policies HG/1 (Density) and SF/10 (Open Space) in approving the previous application. In the interests of preserving the character of the area, it was considered that erecting more than one dwelling on the site would be inappropriate. There was also no requirement for open space contributions as this had not been requested during pre-application discussions and, at that time, the content of pre-application agreements was being honoured within planning decisions. As the current application is, in effect, seeking to amend a consented scheme that is nearing completion, the requirement for an open space contribution should not be imposed on any revised permission.
34. The occupier of No.21 High Green has raised concerns that proposals for her own property have been rejected. These concerns relate to pre-application discussions and, to date, no application has been submitted for a dwelling in the rear garden of No.21. Each application must be determined on its own merits. Unlike No.19, No.21 High Green is a listed building that occupies a site that is far more prominent in the street scene than the application site. This would be an important factor in the consideration of any future applications relating to this adjoining site.

Recommendations

35. **S/0758/09/F** – Approval of the car lodge/store subject to the following 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 a sample of the materials to be used for the roof of the car lodge, hereby permitted, has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details (Reason – To ensure the development does not detract from the character and appearance of the Conservation Area, in accordance with Policy ENV6 of the East of England Plan 2008, Policies DP/3 and CH/5 of the adopted Local Development Framework 2007 and the Development Affecting Conservation Areas Supplementary Planning Document 2009)

36. **S/0756/09/F** – Approval, as amended by drawing number 07/1203:002 date stamped 10th August 2009, subject to the following conditions:

1. The first floor window in the east elevation of the dwelling, hereby permitted, shall be fixed shut, and fitted and permanently maintained with obscured glass (Reason – To safeguard the privacies of occupiers of No.19 High Green)
2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the north, south and east elevations of the dwelling at and above first floor level unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf (Reason - To safeguard the privacies of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no development within all classes of Part 1, and within Class A of Part 2, of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf. (Reason – To ensure that development that would not otherwise require planning permission is not carried out with consequent potential harm to the character of the Conservation Area, in accordance with Policies DP/3 and CH/5 of the adopted Local Development Framework 2007)
4. All hard and soft landscape works shall be carried out in accordance with the approved details, shown within drawing number 07/1203:003B. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation. (Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007)
5. Before the dwelling, hereby permitted, is occupied, the access road shall be widened to a minimum width of 5 metres for a distance of 10 metres back from the highway boundary, in accordance with drawing number 07/1203:003B (Reason – In the interests of highway safety, in accordance with Policy DP/3 of the adopted Local Development Framework 2007)
6. The area to be provided for the turning/manoeuvring of vehicles shall be provided in accordance with drawing number 07/1203:003B before the occupation of the dwelling, hereby permitted, and maintained free of obstruction thereafter (Reason – In the interests of highway safety, in accordance with Policy DP/3 of the adopted Local Development Framework 2007)

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

East of England Plan 2008;

South Cambridgeshire Local Development Framework (LDF) 2007;

Supplementary Planning Documents - Development Affecting Conservation Areas; Trees and Development Sites; Open Space and New Developments; Listed Buildings – Adopted July 2009

Great Shelford Village Design Statement 2004;

Great Shelford Conservation Area Appraisal 2007;

Planning application references S/2392/07/F, S/0756/09/F and S/0758/09/F

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

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 2nd September 2009
AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0574/09/F – OVER
Extensions and Two Garages, 2 Willingham Road for Mr Steve Dunn

Recommendation: Approval

Date for Determination: 13th October 2009

Notes:

This Application has been reported to the Planning Committee for determination because the Parish Council has recommended refusal in a Conservation Area, contrary to Officer recommendation.

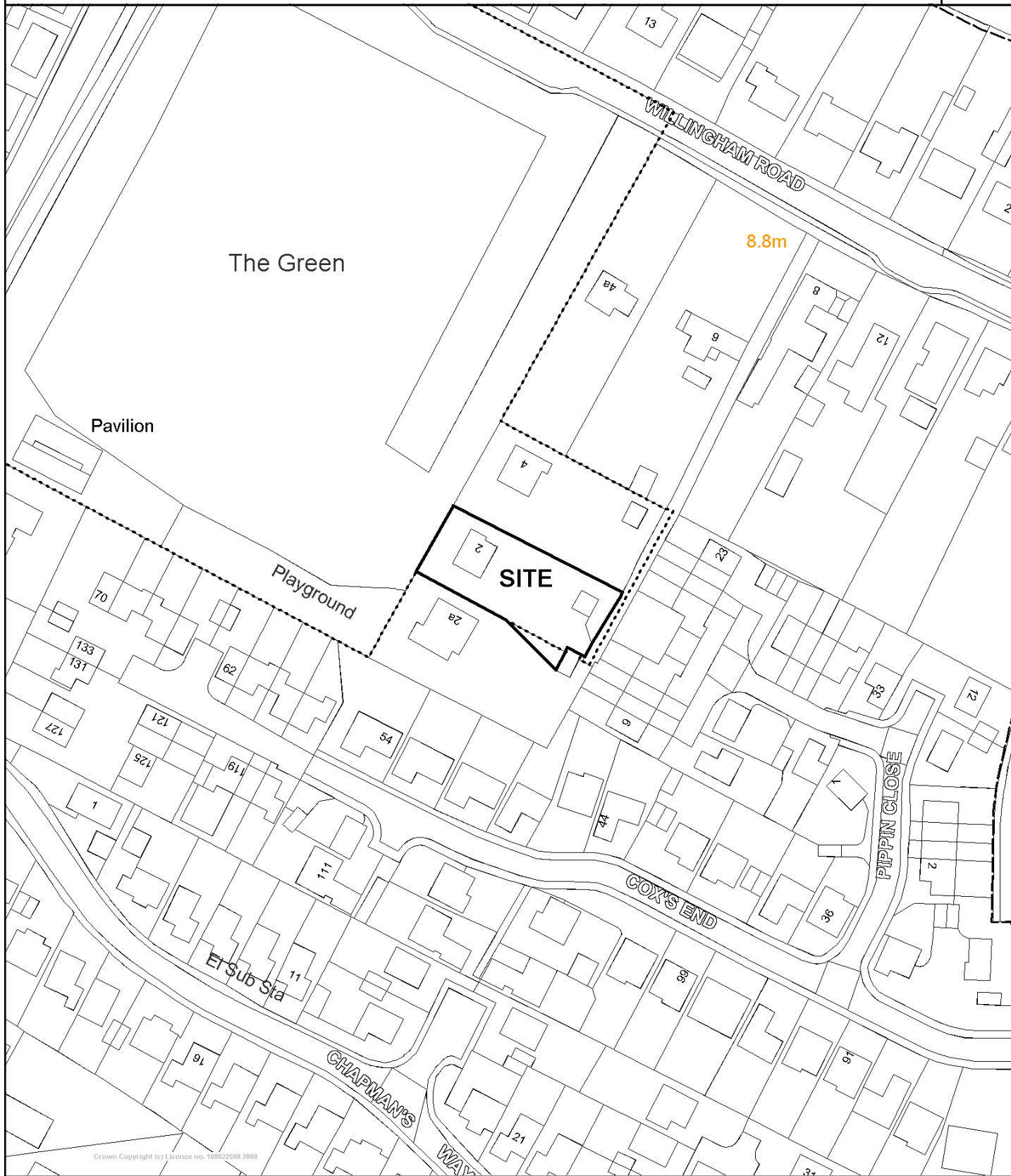
Site and Proposal

1. Number 2 Willingham Road is a two-storey detached property, constructed in the late 19th/early 20th century. The site is located in Over Conservation Area, with the recreation ground to the northwest, a detached two-storey house of similar age to the northeast, a detached bungalow to the southwest and a private access road to the southeast. The plot is defined by a hedge to the northwest boundary, and part close-boarded fencing and part hedging to the northeast and southwest boundaries; the southeast boundary is relatively open except for an existing flat roof garage and a neighbouring outbuilding. The site does not fall within a flood risk area.
2. The planning application, registered on 12th May 2009, and amended by drawings and Design and Access Statement franked 30th July 2009, seeks approval to extend the existing dwellinghouse with the addition of two single-storey elements positioned either side of the existing building and extending beyond its front wall by 4.9 metres. The proposal also involves two detached single garages located to the front of the plot. The extensions would be brickwork under slate roofs. The garages would be clad with featheredge cedar boarding and have slate roofs.

Planning History

3. The existing property has been extended with a two-storey double gable on the southeast side of the building (approved under **S/0321/91/F**).
4. The current proposal follows two previous schemes submitted in planning applications **S/0936/08/F** and **S/1789/08/F**. The first of these applications involved two single storey wings either side of the existing dwelling, with a mono-pitched roof design. The design, scale and form of the development was not considered sympathetic to the traditional scale and form of the building and was subsequently refused on 22nd July 2008, as it failed to preserve or enhance the special character and appearance of the Conservation Area.

S/0574/09/F Over



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September Planning Committee 2009

5. The second submitted scheme (**S/1789/08/F**) repeated the mono-pitch roof over the main length of the extensions but revised the roof design at its west elevation to include hip ends to each wing. This application was withdrawn due to concern that the roof design would be discordant with the existing simple form and design of the dwelling, and would have a negative visual impact on the skyline and Conservation Area.

Planning Policy

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

DP/1 (Sustainable Development), **DP/2** (Design of New Development), **DP/7** (Development Frameworks), **CH/5** (Conservation Areas), **NE/9** (Water and Drainage Infrastructure)

Consultation

7. **Over Parish Council** recommends refusal on grounds that the proposed extension would have a significant impact on the Conservation Area, as the hedge to the west of the site has been cut to a height of 5 foot and it is intended that this height be maintained in the future by the Parish Council. The extensions would result in significant increase in run-off water, as the footprint still appears to involve an increase of over 100%, as with the previous application (S/0936/08/F). Such an extension would also be out of character with the neighbouring dwelling. The Heritage Statement which accompanies the application is also incorrect as there is no longer a 'tall boundary hedge'.
8. **Conservation Officer** recommended refusal of the original application due to the design, scale and form of the proposed extensions which would be harmful to the scale, form and symmetry of this positive building and its setting in the Conservation Area, contrary to CH/5.

Pre-application discussion has taken place regarding the design of the extension to the house, following the previous refusal, which included design, scale and form as reasons. The design is improved, although the hipped roofs and the fenestration of the northwest elevation emphasise the contrast of length and scale of the proposed extensions at odds with the symmetrical design of the original house. The hipped roofs are also contrary to the gabled design of the existing house and the development in this part of the Conservation Area.

By lowering the hedge further, more of the single storey wings (especially the roofs) would be prominent over the lowered hedge and would contrast with the original building. By attracting attention to themselves by means of their design, they would emphasise the spread of the house across its site at odds with its neighbours.

9. Comments from the Parish Council and Conservation Officer upon the amended scheme, which omit the hipped roofs on the house extensions.

Representations

10. None

Planning Comments – Key Issues

11. The key issues to be judged in the determination of the application are the impact on the existing dwelling, the Conservation Area, and residential amenity.

Impact upon the existing dwelling

12. The existing dwelling is characterised by a traditional, symmetrical form. The proposal aims to extend the width of the dwelling from 10.5 metres to 17.45 within the width of the plot, which increases from 18.4 metres to 23.6 metres at the south east end. The footprint of the development would therefore occupy a large proportion of the plot's width but this in itself is not considered to result in harm to the character of the dwelling; moreover, the key issue is the resulting form and design.
13. The proposed south east elevation shows two single storey wings at 5.2 metres in width and both with a pitched roof that would reflect the symmetry of the existing double-gabled extension, unlike the previous submitted designs. Both wings would have a length greater than the existing dwellinghouse but, individually, this aspect of the proposal is not considered to harm the character of the building due to the low form of the development (4m to ridge) and the length of the plot.
14. Original plans submitted in the application raised concern due to the hip roof design on the side elevations of each wing. This design was considered to emphasise the contrast in the width and scale of the proposed extensions, at odds with the symmetry and character of the original house. The proposed utility room window also appeared disproportionate to the existing fenestration.
15. Subsequent amended plans were received on 30th July 2009 (drawings 006c, 008c, 007c) following the suggestions of the Conservation Officer to show gable ends to each wing and to reduce the size of the utility room window. Although views of the northwest elevation show differing widths to each extension, they are the same height and the form and design of the resulting development is considered to preserve the original character of the dwelling.

Impact upon the Over Conservation Area

16. The existing dwelling is considered to have a positive contribution to Over Conservation Area, with immediate views of the north west side of the building available from the recreation ground. The development would be visible within the Conservation Area, particularly with the lowered hedge to the north west boundary; however, the amended design of the extensions is considered to be compatible with the original style and appearance of the dwelling and in this respect would help to preserve the character of the Conservation Area, subject to appropriate materials. The extensions would have an impact on the open spaces that are visible between the neighbouring properties from the recreation ground but the height and form of the development would limit this impact.
17. The form of the proposed two single garages in the southeast corner of the site would be unorthodox but the siting and appearance would not result in harm to the Conservation Area and together both garages are considered acceptable, subject to suitable materials.

Impact upon residential amenity

18. The siting and low height of both the proposed extensions and garages would limit the impact of the development on the immediate neighbours. Existing boundary treatment on either side of the application site would also help to mitigate the impact of the development on the adjoining neighbours.

Other Matters

19. Surface water drainage has been raised as a concern due to the size of the proposed development and the increase in run-off water from the site. Although the site does not fall within a flood risk area, the local concern regarding flooding can be addressed by a suitable drainage condition.

Recommendation

20. That the application, as amended by drawings 006C, 007C and 008C framed 30th July 2009, be approved, subject to the following conditions:
1. SC1
 2. No development to the extensions, hereby permitted, shall take place until samples of the materials to be used in the construction of the external surfaces of the extensions have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(Reason - To ensure the appearance of the development preserves or enhances the Conservation Area in accordance with Policy CH/5 of the Local Development Framework Development Control Policies adopted 2007.)
 3. No development to the garages, hereby permitted, shall take place until samples of the materials to be used in the construction of the external surfaces of the garages have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(Reason - To ensure the appearance of the development preserves or enhances the Conservation Area in accordance with Policy CH/5 of the Local Development Framework Development Control Policies adopted 2007.)
 4. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.
(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/9 of the adopted Local Development Framework 2007.)

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

- Circular 11/95 – Use of Conditions in Planning Permissions
- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007.
- Planning File Refs: S/0321/91/F, S/0936/08/F, S/1789/08/F and S/0574/09/F.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 2nd September 2009
AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/1567/08/F – BASSINGBOURN-CUM-KNEESWORTH
Change of Use of Existing Store to Office and Land to Parking and Open Storage
(Retrospective) at 76 Old North Road for North Herts Surfacing Ltd

Recommendation: Approval

Date for Determination: 3rd December 2008

Notes:

Councillor Cathcart originally referred this Application to the Planning Committee for determination.

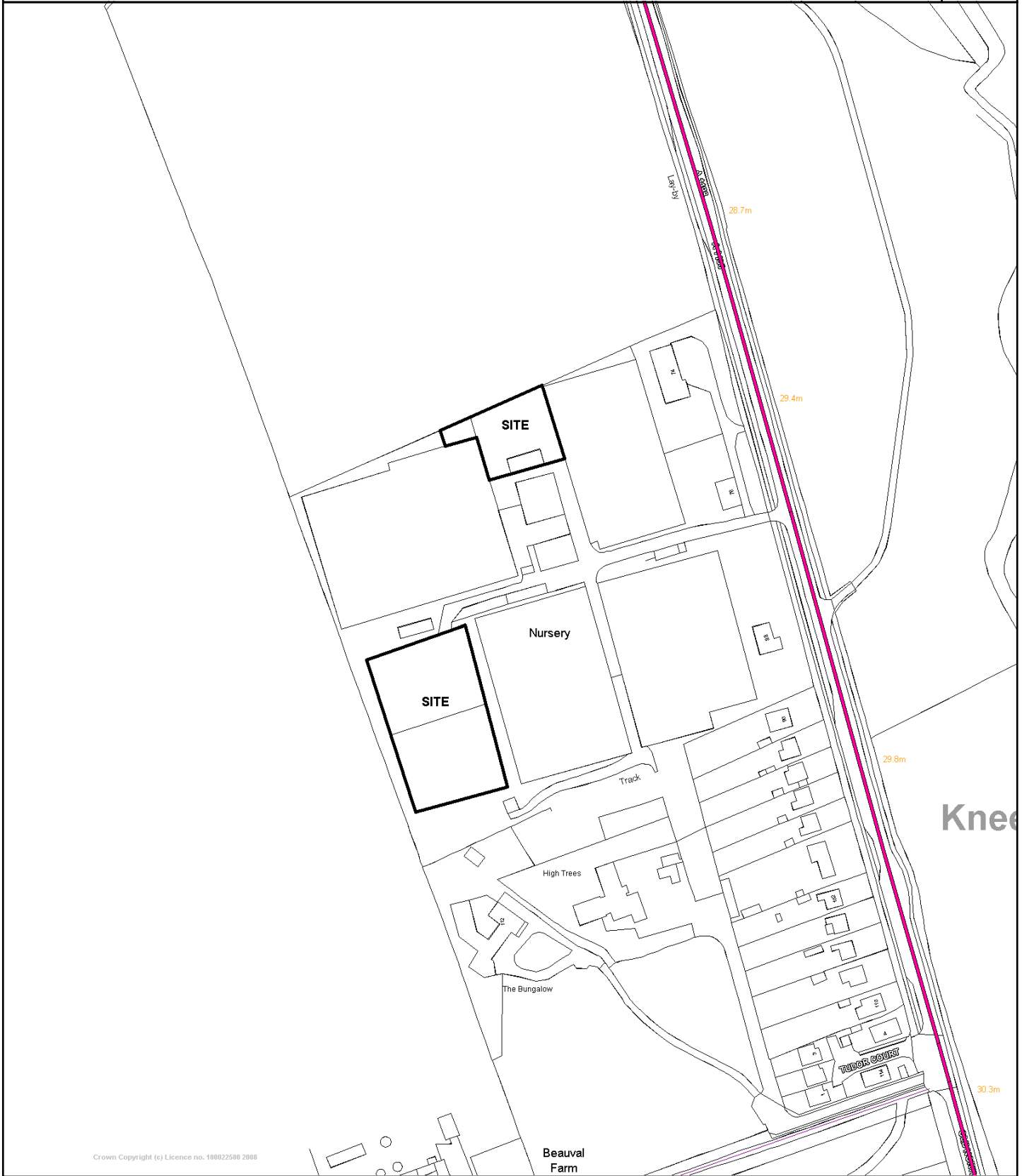
Site and Proposal

1. Members will recall deferring this application following a site visit at the May meeting (Item 11) in order to further establish what is to be determined by the County Council and to allow more time to identify potential planning conditions.
2. The full application, received on 8th October 2008, relates to two areas of land on the site, just south of Kneesworth, west of the A1198. Access is gained directly from the A1198. There are some frontage bungalows to the site, and to the rear is a nursery with a number of greenhouses and old industrial buildings. There are also large areas of hardstanding on the site. To the north and west of the site is open agricultural land; whilst to the south are a number of dwellings.
3. The application relates to two different parts of the site. Firstly, the northern part of the site contains an existing store, which would be converted into an office. The adjacent land would be used for open storage. The area of land to the southwest of the site would be used for the parking of HGV and plant vehicles and further open storage.

Planning History

4. A planning application was approved for industrial development (**S/1453/91/F**) on the site, specifically related to the proposed office building. A previous application for industrial development on the site as a whole, creating 36 units and a floor area of 52,000 square metres (**S/2219/88/O**) was refused, including on grounds of disturbance to the area and highway safety.
5. An application for the change of use of part of the site to a builders store/workshop (**S/0772/87/F**) was approved, as was a generator shed and oil storage tank (**S/2575/89/F**) on the same site.
6. An application for a change of use to a mini-skip business (**S/1815/93/F**) on part of the site was refused on grounds of residential amenity and highway safety. An

S/1567/08/F Bassingbourn



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application for a change of use of part of the existing mini-skip depot into a waste transfer station (**S/0010/94/CM**) was objected to by South Cambridgeshire District Council and refused by Cambridgeshire County Council on grounds of an unsuitable access and noise and disturbance to nearby residents. There have been several other applications on the site, not relevant to the determination of this application.

Planning Policy

7. South Cambridgeshire Local Development Framework Development Control Policies (LDFDCP) adopted July 2007 – **DP/1** – Sustainable Development, **DP/2** – Design of New Development, **DP/3** – Development Criteria, **DP/7** – Development Frameworks, **ET/7** – Conversion of Rural Buildings for Employment and **NE/15** – Noise Pollution.

Consultation

8. **Bassingbourn Parish Council** recommends approval.
9. The **Monitoring & Control Officer at Cambridgeshire County Council** states there are concerns about some materials stored on site being crushed and screened, which is unauthorised and unlikely to be supported by the County Council. Noise levels have been monitored relating to this activity and this also appears to have been unacceptable. Also, concerns are raised regarding the access to the site. If supported, a carefully worded condition could be imposed stating that no waste materials be stored on site.
10. Following May Planning Committee, the **Monitoring & Control Officer at Cambridgeshire County Council** has provided further information regarding the site and Regulations. Waste disposal sites, including waste transfer stations and similar facilities for treating, storing, processing or disposing of refuse or waste materials are County Matters and should be submitted direct to the County Council. An application has not been made for storage of waste or crushing on the site. A pre-application response has advised that such an application is unlikely to be supported. A Planning Contravention Notice was served dated 3rd November 2008, and a full response was received and no further action taken.
11. The **Corporate Manager (Health and Environmental Services)** has considered the implications of the proposal in terms of noise and environmental pollution, and concludes there are no significant impacts from the Environmental Health stand point.
12. The **Local Highways Authority** requests conditions relating to 2.4m by 120m vehicle-to-vehicle visibility splays, 2.0m by 2.0m pedestrian visibility splays, the formalisation of the two lay-by sections along the access to increase in width, a turning radius of 10.5m to be shown, and parking spaces to be 2.5m by 5m. Also, it requests information relating to total vehicle movement figures, and tracking on site for the largest vehicles. With regard to further highway and traffic information, the LHA requests a 10.5m turning radius to be shown so that vehicles do not have to cross the centre line of the A1198. A re-examination of vehicle movements and tracking is also requested. Regarding a proposed plan for large vehicles to only turn right out of the site, there are concerns about the enforceability of such a condition.
13. The **Scientific Officer (Contaminated Land)** is satisfied there are no issues relating to contaminated land. The nearest springs are some distance and should be unaffected by the works.

Representations

14. The occupiers of 90 Old North Road state that large lorries block both sides of the A1198 when accessing the site. They also have concerns about ground water pollution and black smoke emitted from bonfires.
15. The occupiers of 112 Old North Road object on grounds of noise and pollution by the activities on site. The noise issue relate to crushing activities, vehicular movements and the loading and unloading of lorries. Pollution relates to dust created by the works. They also note the A1198 is busy and have concerns about the safety of the access. They also query a conflict of interest, as South Cambridgeshire District Council is a client of the applicant.
16. The occupiers of 76 Old North Road have concerns regarding the impact of traffic on their dwelling, as it has cracks in the render. They state double-glazing has not prevented noise nuisance. There are also concerns regarding dust to the garden and the adjacent greenhouses.
17. Councillor Cathcart originally referred the application to Committee with a site visit "because of traffic considerations and also the proximity of the site to residential properties."

Planning Comments – Key Issues

18. Following the deferral at the May meeting, the applicant has provided further information as to the exact nature of the works on site.
19. Of a morning, vehicles load up with precast concrete kerbs or slabs, sand or Type 1 road base, which had previously been brought into the site and stored for future construction use. These are generally purchased from local builders merchants and suppliers. Some waste materials may be brought back to the site of an evening, although given the nature of the works done by the applicant, levels of "waste" brought back appear low. Materials that have not been used are unloaded again and then taken the next time it is needed. A further informal map has been provided by the applicant showing the areas where the materials are stored. This includes pipes, concrete, kerbs, soil road base and skips. The applicant would require consent from the County Council for any crushing of waste materials, which the applicants state could be recycled after crushing for further use.
20. As part of this application, Members are only determining the storage of materials brought from suppliers, to then be used on site by the applicant. Crushing and the storage of waste materials as a result of the proposal does not form part of this consent, and the applicant will be required to apply to the County Council if they wish to crush and store waste materials on site. An informative can be added to any consent ensuring the applicant is aware of this.
21. The key issues regarding the determination of the application relate to the principle of development, the impact upon the amenity of the occupiers of adjacent dwellings and highway safety.

The principle of development

22. The site does lie outside the Kneesworth village framework. However, the history of the site, the buildings on site and the large areas of hardstanding all show that the site has been used in the past for some industrial activities. A mini-skip business has

been run from the site, and this Council has approved industrial development in some buildings. Given the nature of the site, I do not consider outdoor storage on this site would be harmful to the countryside. The proposed office is to be used for administration as well as for tea breaks and would effectively be ancillary to the use. As the building already exists and appears structurally sound, I do not consider that any harm would be caused by an office in this location. The principle of re-use of buildings for employment is supported by Policy ET/7 of the Local Development Framework adopted 2007.

The impact upon the amenity of the occupiers of adjacent dwellings

23. There are residential dwellings to the east and south of the proposed areas. Number 76 Old North Road is located by the access. No. 112 is a backland plot set to the south of the site. There is a bund with minimal planting, and a water tower between it and the proposed storage area, with a distance of approximately 10m to the rear garden. The majority of the noise concerns relate to crushing of materials on site. This crushing does not form part of this application, and an informative can ensure the applicant is aware of this. It is this crushing that the Monitoring and Control Officer at the County Council has concerns about. Such crushing would need a new application, to be determined by the County Council. Corporate Manager (Health and Environmental Services) has investigated the site a number of times, and has no concerns about the proposed storage use. When considering this application, it is important to note that such crushing is an unlawful activity on site, and this application would not change this stance.
24. I note the further comments from the occupiers of nos. 76 and 112 Old North Road relating to noise emitted from loading and unloading of lorries and general vehicle movements. The area directly to the north of no. 112 is to be a store, and there are already storage bins on site, which appear to have been on site for a number of years. I consider it necessary to condition that storage use should only be for North Herts Surfacing Ltd, as any future storage may have a more harmful impact in terms of noise pollution and also visual impact. No. 76 is set by the access road, and would certainly hear some of the trucks moving to and from the site. However, given the potential levels of activity on site, I do not consider the use would seriously harm the occupiers of this property.
25. By the nature of the existing hardstanding and the storage of concrete bases, wooden railway sleepers, equipment and road materials, dust is likely to be an issue on site. There is a bund to prevent the spread of such dust. Again the Environmental Health Officer registers no concern about environmental pollution. I also note the comments from the Scientific Officer regarding land contamination on the site.

Highway Safety

26. The access to the site exists. The Local Highways Authority has requested a number of conditions and further information regarding the site and its use. Further clarification of figures was requested regarding vehicle figures. The applicant has confirmed that daily vehicle movements are approximately 9 cars driven to the site in the morning, and five construction vehicles then sent out. Vehicle movements occur from 06.30 and 09.00am and from 15.00 to 18.30pm. A turning area has been demonstrated on site.
27. Conditions can be added regarding vehicle-to-vehicle visibility splays as demonstrated on the amended plan, pedestrian visibility splays, and the formalisation of the access width as agreed by the applicant in a letter dated 8th April 2009. In a

practical demonstration during the site visit in May an HGV turned left out of the site without hazard. A condition, which required all HGV traffic to turn right out of the site, would not be enforceable. But a condition could be imposed requiring the display of a sign to direct such a movement. The applicant is agreeable to this requirement.

28. Members requested figures for total vehicle numbers using the access. The applicant has been unable to supply this detail as he does not control the other uses and has no details regarding their intensification. The access does serve 3 dwellings, four large greenhouses and an industrial unit to the south of the proposed office. The greenhouse use is likely to be seasonal.

Other Matters

29. I do not consider there to have been a conflict of interests in the consideration of this application. It has been judged solely on its own merits. I note the comments regarding potential impacts upon natural springs, which would be unaffected by the proposal.

Recommendation

Approve

Conditions

1. Visibility splays shall be retained on either side of the junction of the proposed access road with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access road from its junction with the channel line of the public highway, and 120m measured along the channel line of the public highway from the centre line of the proposed access road.
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
2. Visibility splays shall be provided on both sides of the access and shall be maintained free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the highway boundary.
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
3. Within one month of the date of this Decision Notice, a notice shall be displayed on the site to direct all HGV traffic to exit the site in a southerly direction.
(Reason –To prevent vehicles turning left crossing the white line in the road, causing potential highway dangers to vehicles travelling southbound on the A1198, in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
4. Within one month of the date of this approval, the width of the access shall be increased to 7.3m for the first 15m from the A1198, and thereafter maintained as such.
(Reason – To allow the safe entrance and exit from the site in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

5. The use, hereby permitted, shall be carried out only by North Herts Surfacing Ltd.
(Reason - To protect the residential amenities enjoyed by the occupiers of neighbouring dwellings from other potential storage uses on site, due to the proximity of that property to the application premises in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
6. When the use by North Herts Surfacing Ltd ceases, all materials and equipment brought on to the premises in connection with the use shall be removed.
(Reason - To protect the residential amenities enjoyed by the occupiers of neighbouring dwellings from other potential storage uses on site, due to the proximity of that property to the application premises in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

Informatives

The applicant should be aware that the decision does not consent any storage of waste materials or any crushing of materials on site. A separate application would need to be made to Cambridgeshire County Council for such works.

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

- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Planning Files Ref: S/1567/08/F, S/1453/91/F, S/2219/88/O, S/0772/87/F, S/2575/89/F, S/1815/93/F and S/0010/94/CM

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 2nd September 2009

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

S/0851/09/F - WHADDON
8 Affordable Dwellings with Associated Landscaping and Access
Land to the North-West of Rose Cottage, Church Street
for Bedford Pilgrims Housing Association (BPHA)

Recommendation: Refuse

Date for Determination: 26th August 2009

Notes:

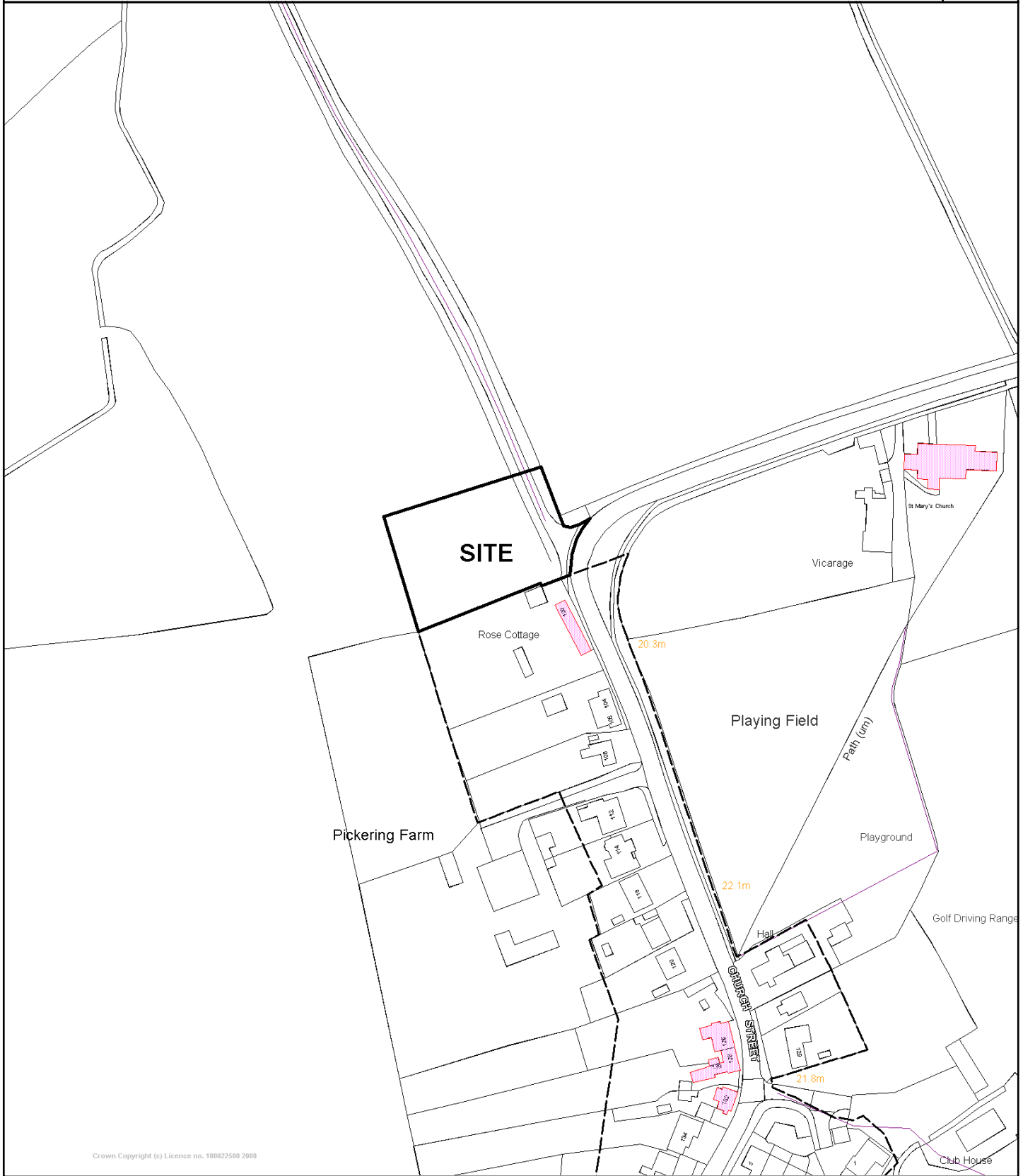
This Application has been reported to the Planning Committee for determination because it relates to an exceptions site for affordable housing.

Members will visit this site on Wednesday 2nd September 2009

Site and Proposal

1. This full application, received on 1st July 2009, proposes the erection of 8 affordable dwellings with associated landscaping and access, on a 0.28ha area of land located on the outside of a right-angle bend on the west side of Church Street. The site was formerly part of a larger area of agricultural land which is now separated from the larger field by a recently planted hedge.
2. The application site includes a section of the Harcamlow Way, a public bridleway which continues to the north of the site.
3. To the south of the site is Rose Cottage, a Grade II Listed Building fronting Church Street. There is some existing planting on part of the north boundary of Rose Cottage with the application site.
4. To the west, north and north west of the site is agricultural land. To the east of the site, on the opposite side of Church Street are the grounds of the Vicarage beyond which is St Mary's Church, a Grade I Listed Building.
5. The application proposes 5 two-bedroom and 3 three-bedroom houses, which take the form of three semi-detached pairs and two detached units. All 8 dwellings are to be for rent. Parking spaces are provided on plot for five of the houses.
6. The proposal involves a widening of the existing metalled carriageway on the outside of the bend in the road to provide a new access into the development incorporating part of the existing Harcamlow Way. There is a short section of adoptable roadway with turning head leading into the site, which is to be block paved. There is a private driveway leading off the new section of adoptable road which serves development in depth.

S/0851/09/F Whaddon



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7. Three of the plots are sited at the front of the site facing onto the Harcamlow Way, with the other five plots behind facing north and south. The height of the proposed dwellings ranges from 7.7m to 8.2m. A range of materials will be used including brick, render and weatherboarding with clay plain tile roof.
8. The development will comply with Code for Sustainable Homes 3.
9. The density of the scheme is 35 dph.
10. The site is outside the village framework however the south boundary abuts the edge of the framework.
11. The application is accompanied by a Design and Access Statement, Planning Statement, Heritage Statement, Affordable Housing Statement and Ecological Appraisal and Badger Survey.

Planning History

12. There is no relevant planning history for this site.

Planning Policy

13. **South Cambridgeshire Local Development Framework – Core Strategy – adopted January 2007:**

ST/7 – Infill Villages

14. **South Cambridgeshire District Council – 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 Development

DP/7 – Development Frameworks

HG/1 – Housing Density

HG/3 – Affordable Housing

HG/5 – Exceptions Sites for Affordable Housing

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

SF/11 – Open Space Standards

NE/1 – Energy Efficiency

NE/2 – Renewable Energy

NE/4 – Landscape Character Areas

NE/6 – Biodiversity

NE/9 – Water and Drainage Infrastructure

CH/3 – Listed Buildings

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

15. **Open Space in New Developments SPD** adopted January 2009 expands on open spaces policies in the adopted LDF and provides additional details on how they will be implemented.

Consultation

16. **Whaddon Parish Council** recommends approval.

“The Parish Council approve the planning application and ask for the following to be considered:-

1. Is the access to Harcamlow Way sufficient for large farm machinery e.g. combine harvesters? Could this be brought to the attention of the Highways Agency?
2. Plot 1 faces the road and may get headlights/taillights shining into their living accommodation. Could this be alleviated by rotating the property by a few degrees?
3. The proposed garden fencing is a little ‘urban’ in nature. Could an alternative type be considered?”

17. The **Conservation Manager** recommends that the application be refused due to the location, position, bulk, form, spacing, hierarchy, design, materials and potential loss of trees which would result in harm to the rural character and setting of listed buildings.

The submission says that the site is hidden from view by a slope of ground, however from the site the traffic on the A1198 can be seen and therefore the site would be visible from the road.

There are concerns about the cramped and urban nature of the development, which is at odds with the spacious siting of the existing buildings and the rural character of the countryside. Although the Heritage Statement notes that there was other development north of the listed building, Rose Cottage, which has now disappeared, the historic maps supplied with the application confirm that there was no development on this site or in the immediate setting north of Rose Cottage and that therefore its rural setting is historic.

Because of the curve in Church Street this site is very prominent in the streetscape and its open countryside character, modest rural access land and trees all contribute to the setting of the group of listed buildings. The proposed hardsurfacing and buildings extend over more than half of the site and the wide access and urban block paving contribute towards a hard character, at odds with its edge of village location. The existing trees are part of the rural character but because there are too many houses proposed for the site, the gardens are so small that those adjacent Rose Cottage will be dominated by the trees on the boundary. This would potentially lead to future demands for the loss of the trees, which are important to the rural character of the setting.

The application houses exceed the dimensions of Rose Cottage. They are up to a third deeper than the listed building and up to a quarter taller. Their designs are also vertical in proportion, whereas the listed building has a horizontal emphasis, increasing the apparent difference in height. The application notes that the proposed houses are set further back than the listed building to reduce the apparent height difference, but the effect this has is only relevant to certain positions. Viewing the group from other locations will show the difference in height and bulk.

The proposed houses are not characteristic of local development. For instance black weatherboarding is characteristic of barns and outbuildings, not of houses; half windows, half dormers are not traditional dormers nor traditional windows and result in numerous downpipes, more than indicated on the drawings; there should not be a mix of dormers and rooflights on a single pitch roof and the elevations give undue attention to the central rooflight; the mix of catslide dormers and pitched roof dormers is unconvincing; the pitched roof dormers have an overly large roof; there are too numerous rooflights facing Rose Cottage in rows; the chimney is too thin for most of its length; and the roof pitch of the attached garage is too slack for the use of plain tiles. The detached garage has a different roof form on plan and on elevation and that shown on elevation looks truncated as it has too short a ridge. The attached garage also has too short a ridge compared with its depth.

The fenestration looks too small in proportion to the walls and looks top-heavy because upper windows are larger than lower windows, contrary to traditional hierarchy, and there appears to be too much wall between upper and lower windows. The fenestration is partly symmetrical and partly not, making it appear inconsistent and unbalanced.

18. The **Local Highways Authority** objects to the application in its current format, although it comments that a minimal re-design would alleviate the concerns.

It has requested that the applicant provides drawing showing the visibility splays of a vehicle waiting to turn right into the site from Church Street.

It requests that the applicant designs the access so that agricultural vehicles that also use the access are able to overrun the new verge area as the proposed access would be too constrained for any large vehicles to negotiate. A change in surface material will be required as pavers are not appropriate for use by large farm machinery or equine use.

A footway should be shown on the submitted drawing to provide a pedestrian route from the proposed site to the centre of the village.

The Highway Authority comments that it would not seek to adopt the development and requests that the developer deposits a letter and drawing showing the site confirming that the site will not be offered for adoption now or in the future.

If permission is granted it requests that conditions be attached requiring the provision of visibility splays, drainage, temporary parking facilities during construction and maintenance of the footpath.

19. The **Countryside Access Team, Cambridgeshire County Council** comments that the proposed development directly affects Public Bridleway No.3 Whaddon and as such the Team has some concerns regarding the application, and points out that the effect of development on a public right of way is a material consideration in the determination of planning applications.

The block-paved spur running north-eastwards from the main site access, adjacent to the front garden of Plot 8, is partially within the width of the bridleway. The presence of this spur will encourage occupants/their visitors to park cars and other vehicles on the bridleway. The applicant is reminded that the public's right of way extends across the full width of the bridleway and that it is an offence under Section 137 of the Highways Act 1980 to obstruct a right of way.

The proposed surfacing of the south end of the bridleway is also a matter of concern. The applicant is reminded that no alteration of the bridleway's surface is permitted without prior consent. Block paving is an unsuitable surface material for use by horses. In addition, the block paving extends over only half the width of the bridleway and there is concern that the difference in surface material between this area and the rest of the bridleway might imply to members of the public that their right to pass and repass is only over the unpaved side of the route. The public right of way is actually across the full width of the bridleway, between any physical boundaries present on the ground.

20. The **Housing Development and Enabling Manager** comments that 'officers at SCDC and officers at BPHA have been looking to try and secure a suitable exception site in Whaddon for some time now. This work indicates that this site is the most suitable site, which is available to meet the housing need.

"A Housing Needs Survey was completed in 2004 by Cambridgeshire ACRE, and it indicated a need for 11 affordable homes over the five year period. In addition to these findings we have also obtained some up to date results from our own Council waiting List and this also indicates a need for 11 affordable homes in Whaddon. All of these applicants meet the local connection criteria and would therefore satisfy the exception site rule in that only applicants with a local connection to Whaddon would be eligible to bid for these units when they are completed.

The property type and unit mix of 5x2 bed and 3x3 bed houses all for rent are acceptable.

The Housing Development and Strategy team fully supports this application. These units will be built in accordance with the Design and Quality Standards which are determined by the Homes and Communities Agency and in addition to this all these homes will meet Code Level 3 for Sustainable Homes."

21. **Cambridgeshire Archaeology, Cambridgeshire County Council** comments that its records indicate that the site lies in an area of high archaeological potential. It therefore recommends that the site should be subject to a programme of archaeological investigation, undertaken at the expense of the developer, which can be secured through the inclusion of a negative condition.
22. The **Architectural Liaison Officer, Cambridgeshire Constabulary** comments as follows:

Plot 1 – The use of an enclosed carport that has no means of surveillance from within the dwelling leads to a higher crime risk. There are no dwellings opposite that can effectively provide a natural surveillance into the carport. In addition the access gate to the rear garden is via the carport, such position allows criminals to attack this gate with little risk of being observed. A solution would be to enclose the carport with a garage door to the front or to remove the carport with car parking to the side of the dwelling. It would be necessary to include a window in the side gable wall (kitchen) to give the necessary surveillance of this space. A side window could not be accepted within the carport as this provides the same scenario as with the rear gate. A 1.8m high fence needs to be erected between the front corner of the carport securing the boundary of this plot with Rose Cottage, a gate could be included in this fence.

The railed fencing to the northern and western perimeters should be to a height of 1.5m, as the planting will not reach maturity for some years. The hedging will not deter casual permeability for a number of years.

A key issue with new developments is a lack of surveillance, in particular surveillance of car parking spaces. Of concern in this particular proposal is the use of rear parking courts for Plots 6,7 and 8 effectively shielded by the inclusion of an enclosed carport for Plot 8 and easily accessed not only from within the development but also via the field to the north. Ideally parking for Plot 6 should be similar to that for Plot 5, parking for plots 7 and 8 being achieved by extending the rear gardens for these properties and providing curtilage parking space with rear gardens.

23. The comments of the **Affordable Housing Panel** and the **Environment Operations Manager, Urban Design Team, Ecology Officer** and **Trees Officer** will be reported at the meeting.

Representations

24. The occupier of **Rose Cottage, 100 Church Street**, objects to the application. The letter states that the site is outside the village envelope and it is hard to believe that there are not more appropriate locations within the village for such housing. Surely it is more socially acceptable to integrate affordable housing rather than clump it together in the form of an estate and hide it away on the edge of the village. The need for the amount of development proposed is questioned and whether it can be guaranteed that it will be locals who benefit from it.

There is concern that the development and its access, being as it is on a notorious corner, would lead to potential safety hazards. On numerous occasions cars have come down Church Hill overshooting the corner and ending up where the proposed development is located. Add this to the amount of extra traffic that will be slowing down and waiting on the corner to gain access to the new estate along with large farm machinery looking to gain access to Shingay Lane (The Harcamlow Way) and there is likely to be problems.

The corner, being as it is at the bottom of two hills, has on numerous occasions been caused to flood during heavy rain. At present during such events the water escapes down Shingay Lane but this may not be the case after the road layout is changed.

The proposal in layout and location, both in itself and relation to the adjoining property, spaces and views, is inappropriate and unsympathetic to the appearance and character of the local environment.

The development, adjoining Rose Cottage as it does, will instantly give not one but four new neighbours, which will lead to a loss of privacy and certainly impact on the peaceful enjoyment of the house and garden.

In the application much has been made historically of the two cottages to the north of Rose Cottage, that were demolished some 50 years ago, but these were two small adjoining cottages, not an estate of eight dwellings and were at some distance with no common boundary and did not project beyond the building line.

25. The occupier of **Town Farm, 146 Church Street** comments that he has been living in the village for over forty years and is interested in its past, present and future, especially with regard to housing for the younger, local people who would like to continue to live in the village. With this in mind he finds it quite amazing for a site to be chosen that appears to clash with so many better positions.

The letter lists the objections to this site being that it is next to an extremely old listed house; the site is below the existing sewerage system, thereby necessitating sewage to be pumped up hill. The area has had a sewage overflow in the past; it is on a 90 degree bend on the road through the village; it will spoil the view from Church Road onto open farm land; there are several sites in the village which are more central and are owned by the Council or other land owners amenable to selling. These sites are on top of the sewerage system, therefore saving costs and access developments.

The letter includes a plan suggesting alternative sites.

26. The occupier of **19 Serby Avenue, Royston**, who states that he lived in the village for many years, objects to the application stating that the look and feel of the development is inappropriate for this location. There are more appropriate locations for such housing, which should be spread out rather than being in one location. Adding eight houses, each probably with several vehicles, to an already dangerous corner is hazardous without the use of a roundabout. This corner has flooded on many occasions so there is concern that the new development might contribute to this existing problem.

Planning Comments – Key Issues

27. The key issue for Members to consider in this case is whether the proposal accords with Policy HG/5, having taken into consideration the matters that have been raised during the consultation process, including the impact on the setting of Rose Cottage and highway safety.
28. Policy HG/5 accepts that, as an exception to the normal operation of the policies of the Development Plan, schemes of 100% affordable housing which are designed to meet identified local housing needs on small sites within or adjoining villages can be granted so long as five criteria are met.
29. The Housing Development and Enabling Manager has confirmed that the scheme accords with the local housing needs survey for Whaddon. Although this survey was conducted in 2004, and is therefore not as up to date as I would normally expect for this purpose, the need for 11 dwellings is supported by the Council's Housing Waiting List and it is confirmed that the applicants on that list meet the local connection criteria. The applicant has indicated a willingness to enter into a Section 106 Agreement which would ensure that all dwellings secured as affordable housing in perpetuity for those in housing need, and would give priority of allocation to qualifying persons from Whaddon.
30. I am therefore of the view that the proposal satisfies the first two criteria of Policy HG/5.
31. The third of the criteria requires the site to be well located to the built-up area of the village, and the scale of the scheme to be appropriate to the size and character of the village. Whaddon is classified as an infill village however schemes for 100% affordable housing of this scale have been consented in such villages and I am therefore of the view that the scale of the scheme is appropriate in this respect.
32. I am of the view however that, although the site abuts the village framework on its south boundary, it is not well related to the built-up area of the village. There is a very distinct edge to the village at this point and the entrance to Harcamlow Way represents an immediate transition from the built-up area of the village into the open countryside beyond. When approaching the site from the east along Church Street,

there is no awareness of built development until a point close to the bend in the road, when views of the listed building, Rose Cottage and its garage are obtained. The unrestricted views across countryside which are currently gained will be lost as a result of this development.

33. The fourth of the criteria requires the site to be well related to facilities and services within the village. The site is diagonally opposite the recreation ground and church and is a short walk from the village hall. I note the comment made by a local resident about the site being below the existing sewerage system which may result in a need to pump however I am of the view that the site fulfils this criterion.
34. The fifth of the criteria requires that the development does not damage the character of the village or the rural landscape. I have already commented on the impact that the development of this site would have on these matters. In addition to the potential adverse effect on the village character and rural landscape when viewed from Church Street, there will be a significant impact on the views afforded of the edge of the village on the approach from the north along the existing public right of way.
35. At present the view of the edge of the village from this approach is of the gable wall of the listed building, Rose Cottage, its garage and planted boundary, with a sharp transition between this and the countryside beyond. The proposed development will in my view be very alien to this existing character as it does not reflect any existing pattern of development and will have a significant adverse effect on the character of this part of the village and the rural landscape. Although landscaping is proposed on the north and west boundary, and a hedge has already been planted, I am of the view that this will not offset the visual harm which would be caused by the development of this site.
36. The Conservation Manager supports the above concerns and is also concerned about the direct impact the development will have on the setting of Rose Cottage, both in terms of the principle of the development and details of the scheme. Although the scheme has attempted to site the new dwellings so that they will not directly block the existing views of the listed building when approaching the village along the right of way, the development will still have an adverse impact of the wider setting of the listed building from this view, as well as from Church Street itself. The alterations to the existing access, introducing additional tarmac and paver surfacing will add to this impact.
37. The Local Highway Authority does not support the scheme as submitted and has requested revisions, however it states should be able to be achieved with a minimal resign. The comments include the concerns of the Countryside Access Team about the surface treatment of a section of the public bridleway, and the query raised by Whaddon Parish Council regarding the suitability of the access for use by large farm machinery.
38. Although the access to the site is on the outside of a right angled bend visibility for vehicles exiting the site are adequate however the Local Highway Authority has requested that the applicant provides a drawing which shows the visibility splays for a vehicle waiting to turn right into Church Street.
39. The comments of the Local Highway Authority have been passed to the applicant with a view to submitting revised drawings.
40. The application does not propose an area of open space within the site itself, however the applicant accepts that there is a need to comply with Policies SF/10 and SF/11 and has indicated a willingness to provide an off-site contribution. Given the restricted size

of the site available, the desire to maximise the number of affordable units provided, and the proximity of the existing recreation ground and the desire to provide open space, I am of the view that this is an appropriate way forward in this case.

41. In terms of neighbour amenity there is only one dwelling directly affected by the proposed development and again this is Rose Cottage, the listed building to the south. The letter received from the occupier of this property makes general points about the suitability of this site for development and the impact it will have, which have been commented on above.
42. A condition can be imposed on any consent requiring an archaeological investigation of the site. Surface water drainage issues can also be dealt with by condition. It is proposed to dispose of surface water by soakaways.
43. The comments of the Architectural Liaison Officer and Conservation Manager on the details of the scheme have been relayed to the applicant's agent.
44. The comments of outstanding consultees will be reported at the meeting.
45. The applicant comments that various alternative sites have been explored by the Parish Council, including a site to the west of Church Street at its southern end, which is also owned by Cambridgeshire County Council, however it states that none are available.
46. Given that Policy HG/5 allows for sites to be developed as an exception to the normal operation of policies of the development plan, and that exception sites are normally outside the framework of a settlement where development would not otherwise be permitted, it is not unusual that there will be a potential impact of such developments on the character of a village and the surrounding countryside. This impact, and the ability to assimilate any new development have to be balanced with the need to provide affordable for housing local people.
47. Having balanced these issues, whilst I would like to support the provision of affordable housing in Whaddon I find that I am unable to support the development of this particular site, which in my view will cause significant harm to the character of this part of the village and the rural landscape, and detract from the setting of the adjacent listed building.

Recommendation

48. That the application is refused for the following reasons:
 1. Policy HG/5 of the South Cambridgeshire Local Development Framework adopted 2007 states that planning permission may be granted as an exception to the normal operation of the policies of the plan for schemes of 100% affordable housing designed to meet the identified local housing needs on small sites within or adjoining villages, subject to those sites satisfying specified criteria. This site fails to satisfy the criteria set out on Policy HG/5 c. and HG/5 e. in that the site is not well related to the built-up area of the village and development will damage the character of the village and the rural landscape, particularly when viewed from Church Street and the Harcamlow Way.
 2. The proposed development of this site will have a significant adverse effect on the setting of the adjacent Grade II listed building, Rose Cottage, 100 Church Street by reason of its location, bulk, form, design and the development is therefore contrary to the aims of Policy CH/4 of the South Cambridgeshire Local Development Framework adopted 2007.

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

- South Cambridgeshire Local Development Framework adopted 2007
- Planning File Ref: S/0851/09/F

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

Presented to the Planning Committee by: Paul Sexton

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 2nd September 2009
AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0746/09/F - BOURN
Extension to Existing Car Park – Bourn Hall, High Street for Bourn Hall Ltd

Recommendation: Approval

Date for Determination: 22nd September 2009

Notes:

This Application has been reported to the Planning Committee for determination because the Parish Council has recommended refusal in a Conservation Area, contrary to Officer recommendation.

Conservation Area

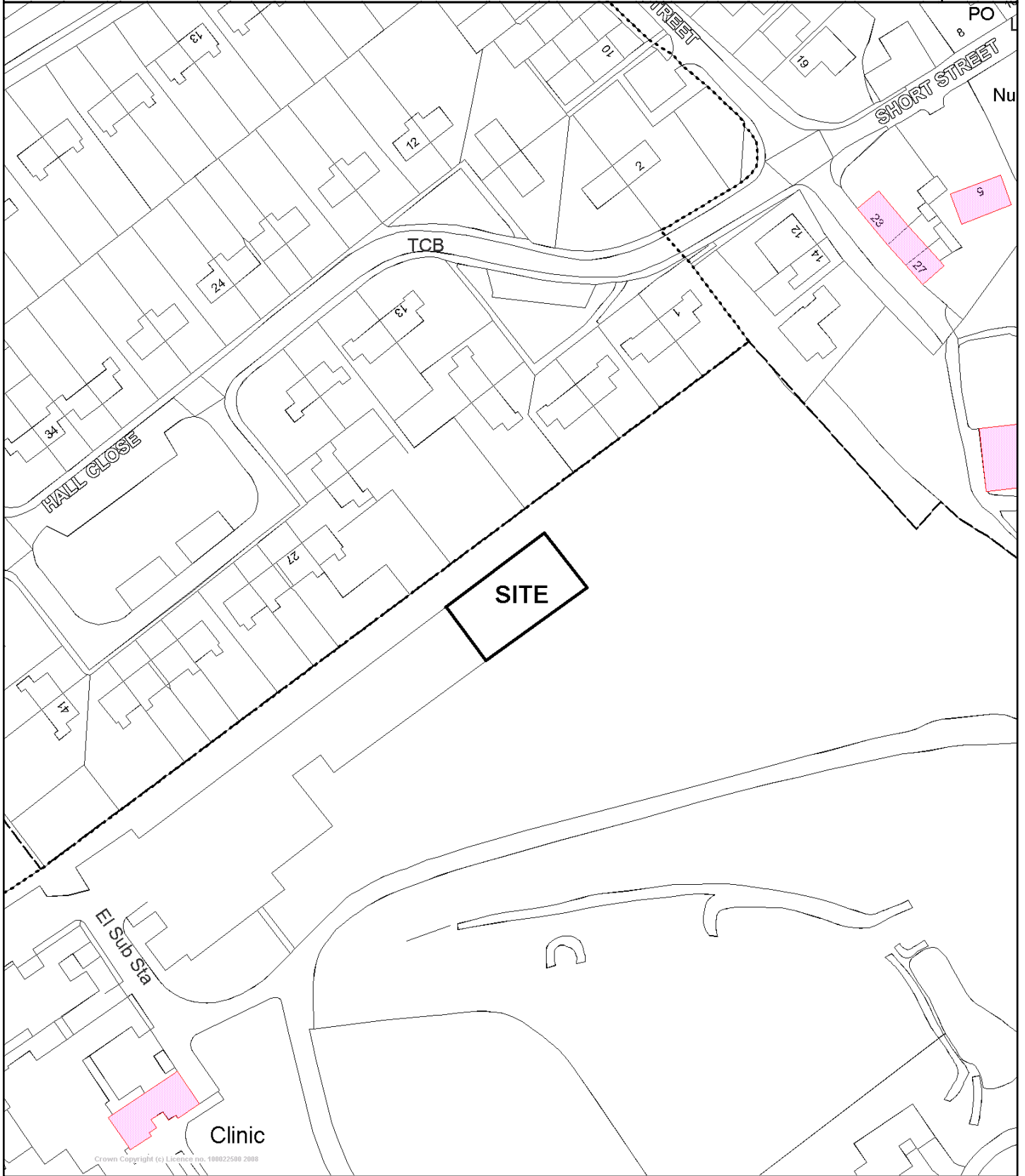
Site and Proposal

1. The full application, received on 12th June 2009 and amended on 28th July 2009, seeks a permanent extension to the existing car park at Bourn Hall. The site lies adjacent to the Bourn village framework, and is within the grounds of Bourn Hall, a grade II* listed building. The former stable block on site is grade II listed. The site is also within an Historic Park and the Bourn Conservation Area. The application follows a previously approved scheme for a temporary car park, which has yet to be implemented.
2. The existing car park is set to the front of the Hall, and has capacity for approximately 132 cars. The car park is surrounded by green open space, planted with some trees. The more mature trees are by the main access road, whilst there are younger trees set around the grounds. On the northwest boundary of the car park is a row of trees, providing a good barrier to the dwellings beyond.
3. The original application sought the car park to be sited to the southeast of an existing bay at the site. The revised scheme moves the proposed parking area to the northeast side of the original area, stretching the parking area across the northwest boundary of the site.

Planning History

4. Application **S/1028/07/F** sought the extension of a current car park and the siting of a temporary building for office use and was approved on 2nd August 2007. Condition 3 sought a tree protection scheme for the laying of any surface material for the car park area, and condition 5 sought the temporary car park to be ceased and agreed material removed from the site on or before 31st August 2010. The car park element has yet to be implemented.

S/0746/09/F Bourn



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5. A retrospective application **S/0192/01/F** was approved dated 28th February 2001 for an extension to the car park. The Hall has a long planning history, although no further applications are deemed relevant to the determination of this application.

Planning Policy

6. Local Development Framework Development Control Policies 2007:
DP/2 – Design of New Development, **DP/3** – Development Criteria, **NE/6** – Biodiversity, **DP/7** – Development Frameworks, **CH/1**- Historic Landscapes, **CH/4** – Development Within the Curtilage or Setting of a Listed Building, **CH/5** – Conservation Areas, and **NE/6** - Biodiversity
7. **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

Consultation

8. **Bourn Parish Council** recommends refusal of the original location on grounds of a lack of tree survey, concerns about the volumes of traffic travelling at high speed in the vicinity and wishes to see traffic calming measures in place before approval is given. The application form states that the applicants have consulted locally. This has not been done. Parish Council requests that the applicant does so. Any comments about the amended siting will be reported verbally to the Committee.
9. **English Heritage** does not object. It recommends the application should be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist conservation advice.
10. When commenting on the original plans, the **Landscape Officer** notes cars are parked on the grass outside designated zones, and there is clearly a shortfall of spaces. The best system would be a grass reinforcement material so the site would be green where cars are absent. She asks for further planting between any extension and the road. The Landscape Officer would also like to see other trees on site examined due to early damage and replaced where necessary, potentially in a tree management plan for the area. Any comments about the amended siting will be reported verbally to the Committee.
11. The **Conservation Officer** wishes to see the parking discrete on site rather than in the middle of the parkland, and requested the amendment. The amended scheme is supported with appropriate conditions.

Representations

12. The occupiers of nos. 9, 23 and 25 Hall Close have been consulted regarding the amended location, and any comments will be reported verbally to the Committee.

Planning Comments – Key Issues

13. The applicant has stated that the Bourn Hall Clinic has recently been successful in bidding to become one of only a few centres to provide NHS funded IVF treatment, and is the only centre based in East Anglian to gain such status. There has also been an increase in activity at the Clinical Research Unit, meaning patient numbers are therefore expected to increase. The key issues regarding the scheme are the impact

upon the setting of the listed building and the Conservation Area, highway safety, the impact upon the amenity of the occupiers of adjacent properties, and the impact upon the trees on site.

Impact Upon the Setting of the Listed Building and the Conservation Area

14. Following site visits by various officers, there appears to be vehicles parked on the grass verges on regular occasions. Application S/1028/07/F gave consent for a temporary parking area. However, given the increased use of the site, the applicant wishes for a permanent solution to the parking issues on site. I note the comments from the Conservation Officer and English Heritage. The original plan, although considered acceptable on a temporary nature, is not considered appropriate for a permanent parking area. By extending the existing parking along the northwest boundary, the scheme is not considered to harm the setting of the listed building, and the use of sensible materials and replanting would see a neutral affect upon the Conservation Area. The Landscape Officer would like a green material, whereas the Conservation Officer has implied materials could match the existing hardstanding. A condition can ensure a suitable agreed material is used.

Highway Safety

15. The construction of the car park would not increase vehicle movements to the site as a direct result. It is rather a solution to an existing problem of parking on site caused by an increase in demand for the Hall's services. I note concerns by the Parish Council in regard to the volume of traffic travelling at high speed in the vicinity. However, there is traffic calming along the access road into the site, which reduces vehicle speed. I do not consider the application would require any contribution to any further calming outside of the site.

Impact Upon the Amenity of the Occupiers of Adjacent Properties

16. The siting for the car park along the northwest boundary would bring it closer to the dwellings along Hall Close. The shared boundary between the site and these dwellings is a line of trees, creating a very good screen from the cars. The parking spaces will be set at least 4m from the boundary, and given the good screening, it is not considered to cause any serious loss of amenity to the occupiers of these dwellings.

Impact Upon Trees on the Site

17. The grounds of the hall are grassed, with a number of individual trees spread out across the site. The original location required the removal of three trees. The revised location would only require the removal of two. The trees themselves are young and are not worthy of individual protection orders. That said, the trees on the site as a whole do play an important part in the setting of the listed building and Conservation Area. A landscaping condition can be added to ensure that the trees are replaced elsewhere on site.
18. A condition is also considered necessary to protect the boundary trees during the construction of the new parking area. These trees create a green edge around the site and are a good screen to the neighbouring dwellings. Their retention is considered important as part of the scheme. Although application S/1028/07/F is still extant, the car park extension has a limited period consent to 31 August 2010, after which the use has to cease.

19. I note the further comments from the Landscape Officer regarding a tree management plan and survey for the site as a whole. As only two trees would be affected by this proposal, I do not consider it reasonable in line with Circular 11/95 to insist on such a plan. However, the details can be passed on through an informative

Recommendation

20. Approval (as amended the location plan date stamped 28th July 2009)

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. No development shall take place until details of the materials to be used in the construction of the car park hereby permitted have been submitted to and approved in writing by the Local Planning Authority. No development shall be carried out other than in accordance with the approved details.
(Reason - To ensure the development preserves the character and appearance of the Conservation Area and to ensure the wider setting of the grade II* Listed Building is preserved in accordance with Policies DP/2, CH/4 and CH/5 of the adopted Local Development Framework 2007.)
3. 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, and to ensure the wider setting of the grade II* Listed Building is preserved in accordance with Policies DP/2, CH/4 and NE/6 of the adopted Local Development Framework 2007.)
4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity, and to ensure the wider setting of the grade II* Listed Building is preserved in accordance with Policies DP/2, CH/4 and NE/6 of the adopted Local Development Framework 2007.)

5. No development shall commence until details of a scheme of tree protection during the laying out of the car park area has been submitted to and approved in writing by the Local Planning Authority. No development shall be carried out other than in accordance with the approved details.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity, and to ensure the wider setting of the grade II* Listed Building is preserved in accordance with Policies DP/2, CH/4 and NE/6 of the adopted Local Development Framework 2007.)

Informative

Given some mower damage caused to some of the trees on the site, the Council's Landscape Officer would be happy to discuss a tree management plan on the site to examine the trees and replace them where necessary, subject to required consents. Such a scheme could then be used by future staff at the Hall to maintain the green entrance into the site.

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/0746/09/F, S/1028/07F and S/0192/01/F

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 2nd September 2009
AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/1004/09/F- BOURN
Erection for 8 Affordable Homes to Form Extension to the Existing Development of 9 Affordable Homes
At Rockery Farm House, Rockery Farm for Mrs CW Ward

Recommendation: Delegated Refusal

Date for Determination: 8th September 2009

Notes:

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

Members will visit the site on 2nd September 2009.

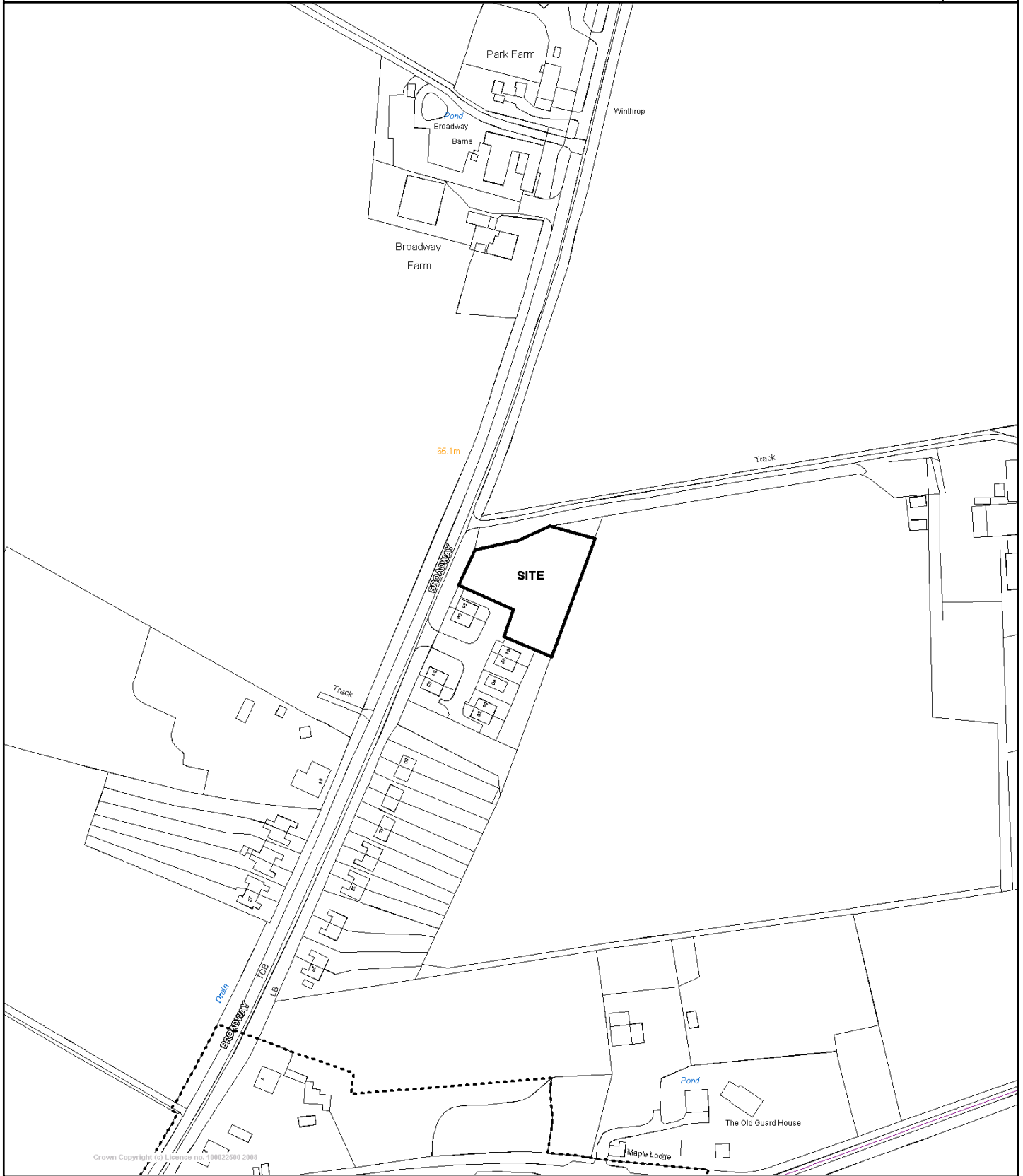
Site and Proposal

1. The application site, which extends to approximately 0.22 hectares in size, is adjacent to Broadway and forms an area of scrub land located adjacent an existing estate of 9 2 storey detached and semi-detached affordable homes and in front of an area of paddock. Immediately to its north is an access road serving Rockery Farm, which has a landscape fringe on its northern edge. The parcel of land is broadly triangular in shape and enclosed by a post and rail fence. It is located to the north of the village of Bourn, approximately 1000 metres outside the village framework.
2. This full application, received on 14th July 2009, seeks consent for the erection of 8 affordable dwellings, to be constructed as two-storey, semi-detached pairs, arranged in two rows. Two dwellings would front onto the Broadway, adjacent to 68 Broadway, with a further 6 dwellings located to their rear, adjacent to 64 Broadway. The dwellings would be accessed via an extension to the existing estate road serving 9 existing affordable dwellings. The application is accompanied by:
 - (a) Design and Access Statement, including assessments upon transport, flood risk, sustainability, biodiversity, renewable energy, play space, open space, noise impact, air quality, health impact and water consumption.
 - (b) Analysis of possible development sites in Bourn, dated March 2009 compiled by Gawn Associates
 - (c) Housing Needs Survey for Bourn, dated May 2009 compiled by Cambridgeshire ACRE

The development would equate to the erection of approximately 36 dwellings per hectare.

3. The mix comprises 2 four bed, 4 three bed and 2 two bed houses.

S/1004/09/F Bourn



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Scale 1/2500 Date 18/8/2009

Centre = 533065 E 257873 N

September Planning Committee 2009

Planning History

4. **S/1400/02/O** – Outline application for the erection of 9 Affordable Dwellings (on land adjacent). Approved at Planning Committee 2nd October 2002.
5. **S/0652/04/RM** – approval of reserved matters for 9 affordable dwellings on land adjacent to the site.

Planning Policy

Planning Policy Statements:

6. **PPS1** (Delivering Sustainable Development)
PPS3 (Housing)
PPS 7 (Sustainable Development in Rural Areas)
7. **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
8. ***South Cambridgeshire Local Development Framework Development Control Policies 2007***

DP/1 (Sustainable Development)
DP/2 (Design of New Development)
DP/3 (Development Criteria)
DP/4 (Infrastructure and New Developments)
DP/5 (Cumulative Development)
DP/7 (Development Frameworks)
HG/1 (Housing Density)
HG/3 (Affordable Housing)
HG/5 (Exception Sites for Affordable Housing)
NE/1 (Energy Efficiency)
NE/2 (Renewable Energy)
NE/6 (Biodiversity)
NE/9 (Water and Drainage Infrastructure)
SF/10 (Outdoor Play Space, 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)

Consultations

9. **Bourn Parish Council** – comments are awaited at the time of compiling this report. Members will be updated verbally at the Committee meeting.
10. **Local Highway Authority** – comments are awaited at the time of compiling this report. Members will be updated verbally at the Committee meeting.
11. **Housing Enabling Manager** – comments are awaited at the time of compiling this report. Members will be updated verbally at the Committee meeting.
12. **Ecology Officer** – comments are awaited at the time of compiling this report. Members will be updated verbally at the Committee meeting.

13. **Waste Management Officer** – comments are awaited at the time of compiling this report. Members will be updated verbally at the committee meeting.
14. **Affordable Housing Panel** – currently scheduled for 27th August 2009. Members will be updated verbally of the outcome/comments at the committee meeting.

Representations

15. No representations have been received at present. A site notice has been posted on the site and adjoining neighbours notified. Any comments received will be reported to members verbally at the Committee meeting.

Planning Comments – Key Issues

16. Local Development Framework ('LDF') Policy HG/5 supports exceptionally, in principle, the development of schemes of 100% affordable housing to meet identified local housing need on small sites within or adjoining villages, where general housing would not be acceptable.
17. The applicants, through their submissions, have sought to demonstrate that a need for additional affordable housing exists within Bourn, through the Needs Survey compiled by Cambridgeshire ACRE. This report highlights a need for 11 additional affordable units in the village. SCDC's own housing needs survey, conducted in May 2005 highlighted a need for 10 additional units within the following 2-5 years. Therefore, although the comments of the Housing Enabling Manager are awaited, there would appear to be a need for affordable homes in the village.
18. However, the policy requires that affordable housing exception sites must be well related to the built-up area of the settlement and that the scale of the scheme should be appropriate to the size and character of the village. Additionally it requires that the site should be well related to facilities and services within the village and ensures that development does not harm the character of the village or rural landscape. This is to ensure that the visual amenity of the countryside is protected, local services and facilities are conveniently available for the occupiers of the dwellings (especially those without a car) and to reduce dependence on the car (for those that do have access to a car). Policy TR/1 of the LDF supports this view, stating that permission will not be granted for developments likely to give rise to a material increase in travel demands unless the site has (or will attain) a sufficient standard of accessibility to offer an appropriate choice of travel by public travel or other non-car travel mode(s).
19. The application site under consideration, although adjacent to a ribbon of development, is over 1000 metres away from the village framework and significantly further from village services (such as village school - 1.7km), rendering it unlikely that many potential residents would walk or cycle to access local facilities such as shops, schools etc, located in Bourn or Cambourne. The nearest bus stop is approximately 125 metres from the site. Although the Authority considered the previous scheme to be acceptable in this regard, it must be noted that Policy DP/5 of the LDF seeks to resist development that would result in a piecemeal, unsatisfactory form of development.
20. Given that the development would result in not just an increase of 'in-depth' development in the countryside, which is alien to the character of the street scene in this location, where development is typically linear frontage housing except for the previous affordable housing site, but also almost doubling the number of residents within the estate that would be dependent on cars and other motorised transport to

access services and facilities, the development of this site is considered to be unsustainable given the likely dependency it would place upon the car and harmful to the visual character of the rural landscape.

21. In coming to the view expressed above and the following recommendation, I have given careful consideration to the contents of the supporting statements submitted with the application, but consider the harm of the proposals, in terms of its impact on the countryside and distance from the village, outweigh the benefits of providing additional housing on this site.

Recommendation

22. Subject to the nature of issues raised in response to the consultation process. Refuse for the following reasons:
1. The proposed development is located over 1 kilometre from Bourn village framework as defined on inset no. 11 of the adopted Proposals Map, February 2008, and even further from facilities and services, particularly the school, within the village. The proposal does not therefore comply with Policy HG/5 of the Local Development Framework Development Control Policies (LDFDCP) adopted July 2007, which requires affordable housing to be Well Related to the built up area of the settlement and to facilities and services within the village or Policy TR1 of the LDFDCP adopted 2007, which resists developments likely to give rise to a material increase in travel by car.
 2. The proposed expansion of the existing site and the layout of the proposal would not be in keeping with the predominant pattern of frontage development along Broadway. It would therefore damage the character of the rural landscape and would consequently be contrary to Policies HG/5 and DP/3 of the LDFDCP adopted 2007.

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

- Circular 11/1995: The use of conditions in Planning Permissions.
- Local Development Framework Development Control Policies 2007.
- Planning Files Ref: S/1004/09/F, S/1400/02/O and S/0652/04/RM.

Contact Officer: Michael Osbourn – Senior Planning Officer
Telephone: (01954) 713375

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 2nd September 2009
AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0698/09/F - LITTLE GRANSDEN
Change of Use of Existing Double Garage and Extension to Form Annexe, and Relocation of Existing Shed at 84 Main Road for Ms Jane Holland

Recommendation: Approval

Date for Determination: 23rd July 2009

Notes:

This Application has been reported to the Planning Committee for determination because the Parish Council has recommended refusal in a Conservation Area, contrary to Officer recommendation.

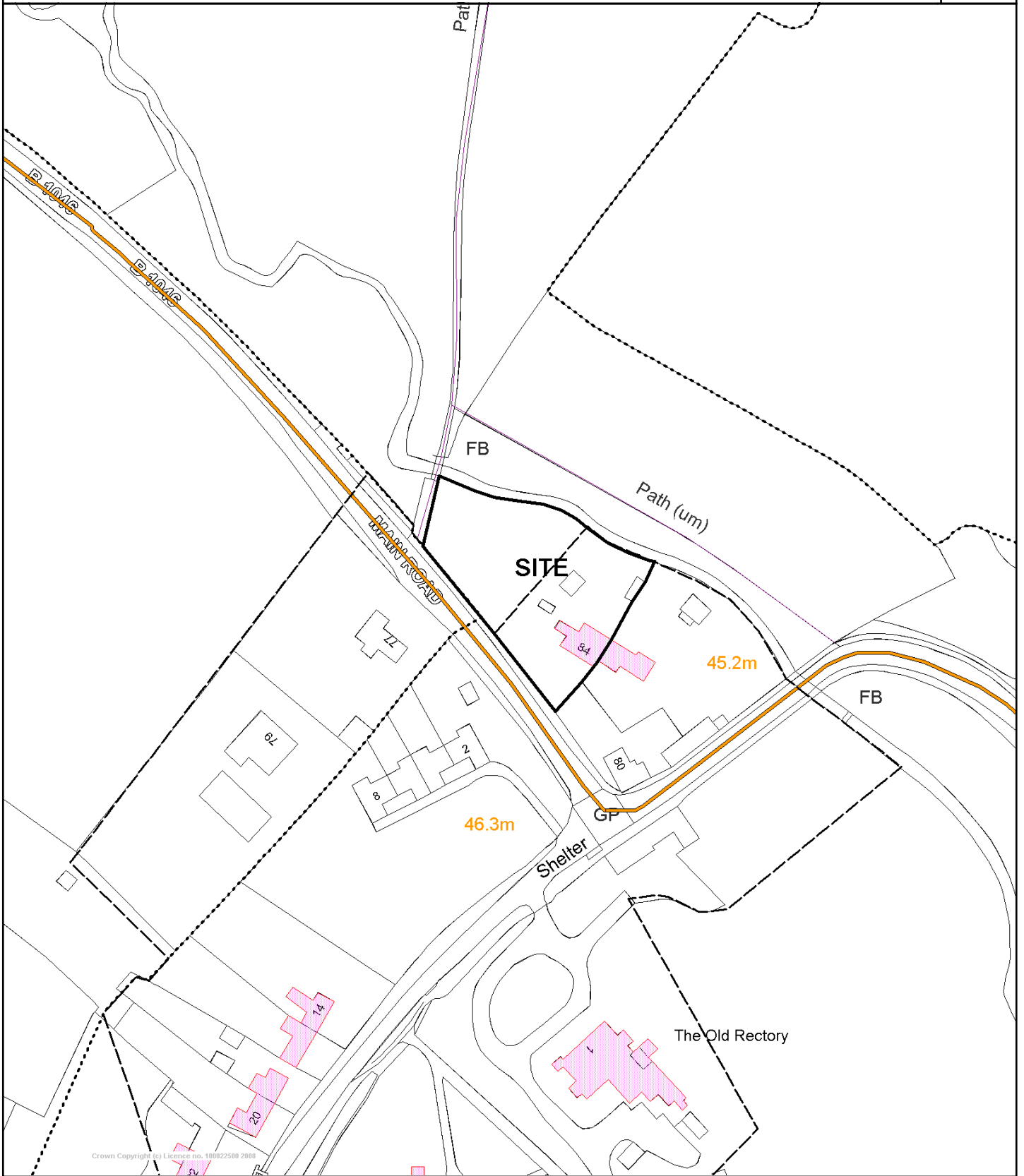
Members will visit this site on 2nd September 2009

Conservation Area

Site and Proposal

1. Members will recall deferring this application for a site visit at the August meeting. The full application, received on 19th May 2009, relates to a grade II listed dwelling, located within the Little Gransden Conservation Area. It previously formed one dwelling with no. 82 Main Road. The cottages are two storey and timber framed with a roughcast render finish all under a steeply pitched roof that is now covered in asbestos cement slates. The village framework runs through the garden of no. 84 to the northwest of the dwelling. There are numerous outbuildings within the garden.
2. The proposal seeks the extension and conversion of the existing flat roofed double garage on the site. The extension would be to the northeast section of the building, and a pitched roof would be added. Internally, the garage would create two bedrooms and a toilet/shower room. Although classified as an annexe, users would have to rely upon facilities in the main dwelling. An existing shed to the front of the site would be relocated behind the annexe building, whilst an iron-clad building will be removed.
3. The site lies in Flood Zones 2 and 3, due to the presence of a drain that runs across the northeast of the site. To the southeast is no. 82 Main Road, which is also grade II listed. The properties are set at a lower level than the road. The frontage boundary to no. 84 is an attractive set of black railings, cited as a "positive fence" in the Little Gransden Conservation Area Appraisal 2006.
4. The application is accompanied by a Design and Access Statement, Heritage Statement and a Flood Risk Assessment.

S/0698/09/F Little Gransden



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Scale 1/1250 Date 18/8/2009

Centre = 527098 E 255321 N

September Planning Committee 2009

Planning History

5. Application **S/1695/08/F** sought the extension and change of use of the double garage to form a holiday let. This was refused on grounds of highway safety concerns, dated 8th December 2008. The design of the building was very similar to that currently being considered, although the internal arrangements are different. The exterior of the proposed building has not changed.
6. Application **S/1692/08/F** sought the erection of a new double garage towards the rear of the garden at 84 Main Road. This was refused on impacts upon the listed building and Conservation Area, dated 8th December 2008. This application is currently at appeal.

Planning Policy

7. Local Development Framework Development Control Policies 2007:
DP/2 – Design of New Development, **DP/3** – Development Criteria, **DP/7** – Development Frameworks, **CH/4** – Development Within the Curtilage of a Listed Building, **CH/5** – Conservation Areas, and **NE/11** – Flood Risk
8. **Little Gransden Conservation Area Appraisal adopted 2006.**
9. **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

Consultation

10. **Little Gransden Parish Council** recommends refusal on grounds of loss of amenity, overdevelopment of the site, the dangerous exit onto Main Road and the risk of flooding.
11. The **Conservation Officer** states there is no objection to the relocation of the iron clad shed, or the removal of the metal clad shed. On the previous application, no objections were raised to the extension of the garage. The works would have no significant impact upon the setting of the listed building.

Representations

12. The occupiers of no. 82 Main Road have strong objections to the proposal. This is on grounds of the loss of residential amenity by way of noise and disturbance, loss of sunlight and by being overbearing, the manoeuvring of vehicles alongside the shared boundary, highway safety regarding the access, flooding, and the impact upon the setting of the listed building and Conservation Area.

Planning Comments – Key Issues

13. The key issues regarding the scheme are the impact upon the setting of the listed building and the Conservation Area, the impact upon the amenity of the occupiers of no. 82 Main Road, highway safety, and flooding.

Impact upon the listed building and Conservation Area

14. The existing building is a flat roof structure with a white painted pebbledash exterior. It is not considered to be of any architectural merit. However, it is set within a very sensitive location. The addition of a pitched roof is a more traditional style of design and would be beneficial to the character of the area. The building is to be extended away from the road. Given the change in levels on the site and the nature of the frontage boundary, the building will clearly be visible from Main Road. I note the comments from the Conservation Officer. With appropriate roof materials and joinery, the proposal would not have any significant impact on the setting of the listed building, would preserve the character of the Conservation Area. Members should note the previous scheme (S1695/08/F) that had an identical exterior finish, was not refused on such grounds.
15. The removal of one shed and relocation of another is not considered to cause any harm to the setting of the listed building or the Conservation Area. The shed to be re-sited will be partially hidden behind vegetation and the proposed garage, and therefore its impact upon the street scene will be reduced.

Impact upon the amenity of the occupiers of no. 82 Main Road

16. The existing structure is set behind the building line of the dwellings at no. 82 and 84 Main Road. The extension would increase its length by 3.6m, and would add a pitched roof, increasing the height from 2.9m to 4.5m. Given the orientation to the northwest of the properties, no serious loss of light would occur to the occupiers of either property.
17. The building would be visible from the rear garden of no. 82 Main Road, and is set 12m from the shared boundary. Whilst I appreciate the extension and increase in height would add bulk to the building, given the distance and pitch of the roof, I do not consider the structure would seriously harm the amenities of the occupiers of no. 82 Main Road. The facing window in the southeast elevation serves a toilet, and a condition could ensure it is obscure glazed to prevent potential overlooking, with a further condition preventing any further windows in this elevation. I also do not consider that any noise associated with the use would create any serious disturbance to no. 82 Main Road. With regard to noise from vehicles, there is a gravel drive at the site. Whilst cars will not be able to park in the garage if it is converted, they could still park on the gravelled areas to the side and rear of the dwelling. Any impact has the potential to occur now, and I do not consider the granting of the application would cause a serious increase in vehicle noise and related disturbance. Members should again note that the previous scheme was not refused on these grounds.

Highway safety

18. The previous application for a holiday let was refused on grounds of highway safety. The access has 3m wide gates onto Main Road, which would not allow two vehicles to pass. This gives potential for vehicles to have to wait on Main Road before entering the site, leading to potential highway safety issues. By changing the holiday let to an annexe, its use can be tied to the occupation of no. 84 by condition. Journeys to the site are more associated with the existing dwelling, and therefore there should be no intensification in the use of the access. The Local Highways Authority concur with this assessment. Members should note the applicant has stated the annexe is needed due to her disabled daughter, who is registered disabled, drives an adapted car, and cannot climb the staircase in the main dwelling.

Flooding

19. The site lies within Flood Zones 2 and 3. Environment Agency advice requires details regarding floor levels and flood proofing. No details are provided within the Flood Risk Assessment submitted. However, a condition will ensure the impact upon flooding is kept within the required standards.

Recommendation

20. Recommend approval (with additional plan 09/LG/05 date stamped 22nd June 2009).

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission. (Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development which have not been acted upon.)
2. No development shall take place until details of the joinery and the materials to be used in the construction of the roof of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (Reason - To ensure the appearance of the development does not harm the setting of the listed building or character of the Conservation Area, in accordance with Policies DP/2, CH/4 and CH/5 of the adopted Local Development Framework 2007.)
3. The building hereby permitted, shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 84 Main Road. (Reason - To protect the amenities of adjoining residents and to safeguard highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
4. No development shall take place until details of flood alleviation and protection measures for the building, hereby permitted, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details before the use, hereby permitted, commences. (Reason - To prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the southeast elevation of the annexe building unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf. (Reason - To safeguard the privacy of the adjoining occupier in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
6. The toilet window in the southeast elevation of the annexe building, hereby permitted, shall be fitted and permanently glazed with obscure glass. (Reason - To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

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)
- Little Gransden Conservation Area Appraisal adopted March 2006
- Planning Files Ref: S/0698/09/F, S/1695/08/F and S/1692/08/F

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 2nd September 2009
AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0629/08/F – LITTLE EVERSDEN
Erection of 10 Affordable Dwellings Together with New Access
Land adj 52 Harlton Road for Beechdale Homes

Recommendation: No change to existing Section 106 Agreement

Date for Determination: Not applicable

Background

1. In November 2008 planning consent was granted for the erection of 10 affordable dwellings together with new access on land adj 52 Harlton Road, Little Eversden.
2. The application was considered by Members at the July 2008 meeting (Item 8). Prior to the issuing of planning consent the applicant entered into a Section 106, which amongst other elements, secured the provision of the affordable housing in line with Local Development Framework policy.
3. The wording of the Section 106 Agreement gives priority of allocation to qualifying persons from Little Eversden before qualifying persons from neighbouring parishes.

Representation

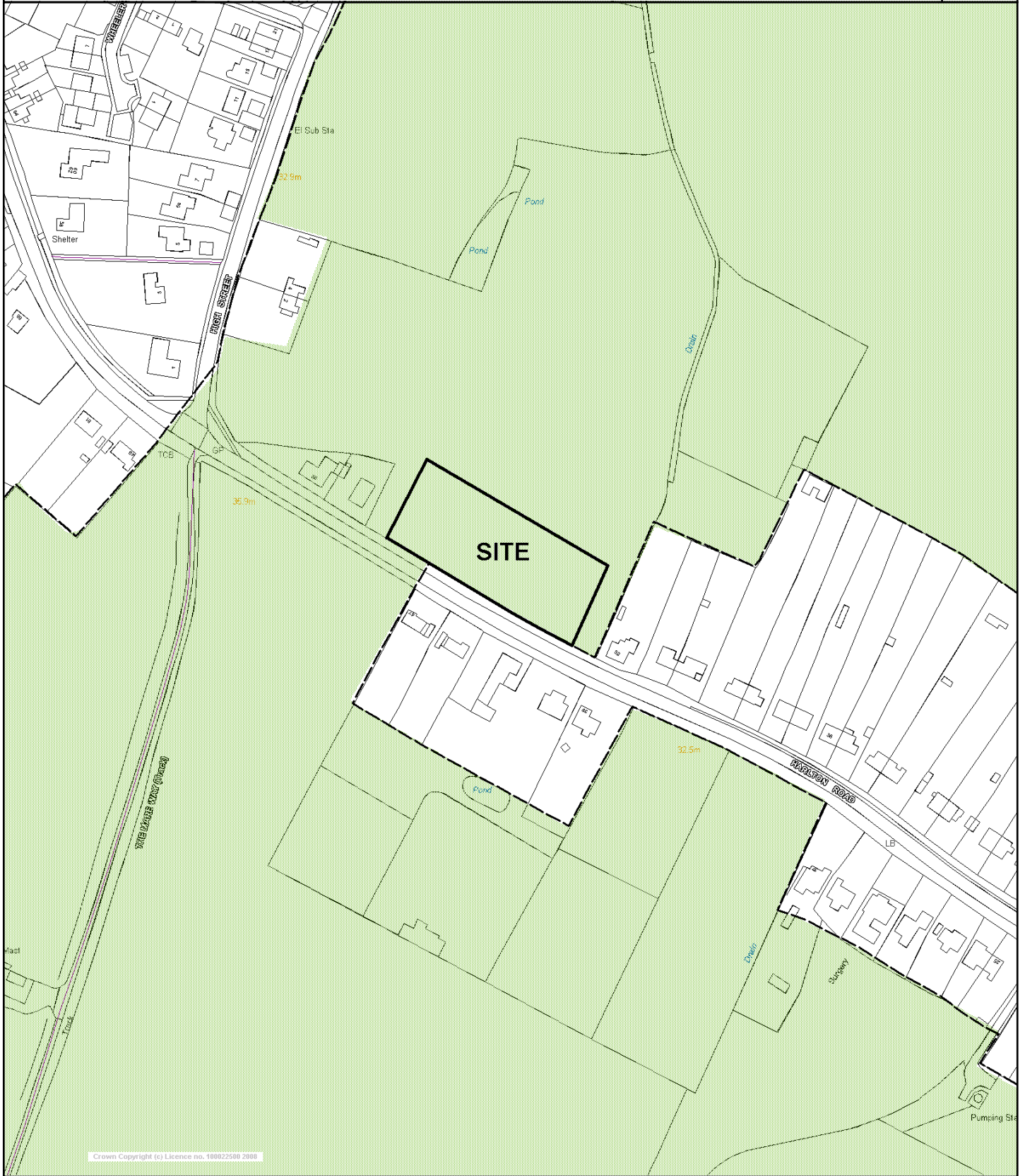
4. I have received representations from Great and Little Eversden Parish Council which requests an amendment to the wording of the Section 106 Agreement so that qualifying persons from both Great and Little Eversden are given priority of allocation.

The full content of these representations are attached as appendices.

Planning Comments – Key Issues

5. The wording of the existing Section 106 Agreement does not preclude occupation of the permitted dwellings by qualifying persons from Great Eversden, but does give priority of allocation to qualifying persons from Little Eversden before those of neighbouring Parishes, and it is the standard agreement.
6. Policy HG/5 of the adopted Local Development Framework states that schemes for 100% affordable housing may be granted as an exception to the normal operation of the development of the plan, where such schemes are designed to meet identified local housing needs. The text of the policy states that the needs of a particular village must be carefully surveyed and assessed before a scheme is progressed.
7. The issues to be considered here is whether the Great and Little Eversden can be considered as one village for the purposes of Policy HG/5, and if not, are there any other overriding considerations.

S/0629/08/F Little Eversden



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September Planning Committee 2009

8. The Policy Core Strategy lists Great Eversden and Little Eversden as separate villages and each has its own village framework. This site is not located between the two village frameworks and is visually part of Little Eversden
9. There are separate housing needs surveys for both villages. The application was assessed against the housing needs survey for Little Eversden, in May 2005, which demonstrated a need for 12 units. The need for a development to be assessed against the needs of a particular village is mentioned in Policy HG/5
10. In the Design and Access Statement accompanying the planning application, although reference was made to the housing needs survey of both Little Eversden and Great Eversden, it was stated that the Housing Society 'would like to develop this site in response to the current need for new dwellings in Little Eversden as identified by the District Council Housing Department.
11. In the report to Planning Committee officers addressed a representation that had been received suggesting a site in Great Eversden, owned by the District Council, should be used to meet the housing needs of both villages. Officers commented that this site was also in the Green Belt and that it was the officers view that it was quite appropriate for a site to be found in Little Eversden to meet its housing needs.
12. Policy HG/5 accepts that consent for exception sites can be granted in the Green Belt but states that the District Council will implement this policy with caution.
13. In 1997 planning consent was granted for a scheme of 6 affordable dwellings in High Street, Great Eversden. The Section 106 Agreement that accompanied that gives priority of allocation to qualifying persons from Great Eversden. Little Eversden is not referred to.
14. Great and Little Eversden Parish Council states that it has had a joint Parish Council since 1945, and that during the course of informal discussions leading up to the submission of this application no mention was made of any scheme in Little Eversden being limited to persons from that village. It also comments that it was not consulted on the wording of the Section 106 Agreement.
15. The views of the Legal Officer and Housing Enabling and Development Manager have been sought and will be reported to the meeting.
16. I have sympathy for the views of the Parish Council in this case, and it is clear that the housing needs from both parishes will not be met by this scheme. Nevertheless, in coming to a recommendation officers have to have regard to the policy context and the way that this has been implemented in other cases. The fact that this site is within the Cambridge Green Belt means that a strict interpretation and consistency of approach is necessary.
17. Having balanced the issues and noting that the application attracted several letters of objection to the principle development from local residents, I am able to recommend to Members that the wording of the Agreement be changed, on the basis that if other sites exist, and come forward, they can help meet the overall unmet need.

Recommendation

18. My recommendation to Members is that the wording of the Section 106 Agreement is changed in this instance.

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

- South Cambridgeshire Local Development Framework – adopted 2007
- Planning File Refs: S/0629/08/F and S/0026/97/F
- Letters from Little Eversden Parish Council

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

Presented to the Planning Committee by: Paul Sexton

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 2nd September 2009
AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/1970/08/F – HISTON
Variation of Condition 5 of Planning Permission S/1895/07/F to Allow One Commercial Vehicle Over 3.5 Tonnes to be Stationed/Parked or Stored on Plot 4, Moor Drove, for Mr D Pryce

Recommendation: Refusal

Date for Determination: 9th September 2009

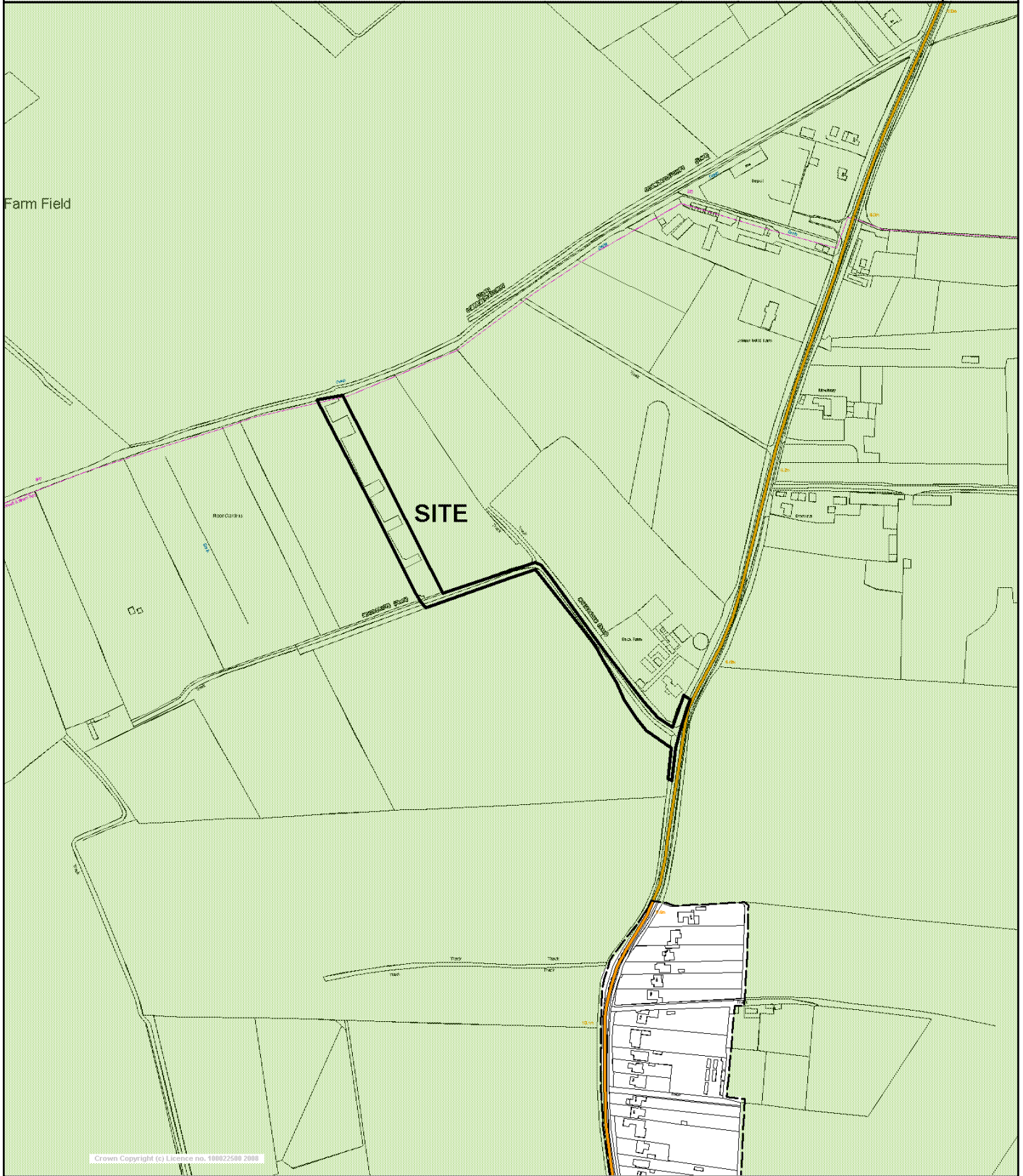
Notes:

This Application has been reported to the Planning Committee on the request of the local member Cllr Mike Mason.

Site and Proposal

1. The application site lies outside of the village framework of Histon within the open countryside and Green Belt. The surrounding landscape is generally flat and mostly in agricultural use. The site comprises a long narrow piece of land divided into six plots used as a travellers site approved upon appeal. Access to each plot is by a driveway along the eastern boundary of the site. Access to the site is off Cottenham Road (B1049) via a long winding narrow track. This has been widened around its entrance with the public highway and hard surfaced for a short section. Moor Drove is not a public right of way but is occasionally used by walkers and horse riders as well as other landowners with land accessed off Moor Drove.
2. Plot 4 is the last but one plot to the northwest boundary of the site. It is here that the vehicle in question is currently parked. The vehicle would appear to be in excess of 7 tonnes and is stored on the site for reasons of security. There is no evidence that the site is currently used for commercial activity such as scrap metal processing. Beck Farm is the nearest residential dwelling to the application site. This property lies adjacent to, and is accessed from, Moor Drove.
3. This application proposes to vary condition 5 of Planning Permission S/1895/07/F to allow only one vehicle above 3.5 tonnes to be parked, stored or stationed upon Plot 4 Moor Drove. The applicant states that he is the only occupier of Moor Drove who requires the use of a vehicle above the weight limit of 3.5 tonnes and for reasons of security wishes to store his vehicle upon the site. The applicant has a scrap metal business and has nowhere to store the vehicle over night other than plot 4. It would not be required to load or unload the vehicle within the site or indeed within the surroundings of the site.

S/1970/08/F Histon



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Scale 1/5000 Date 18/8/2009

Centre = 543998 E 265354 N

September Planning Committee 2009

Planning History

4. Planning Application **S/1895/07/F** was refused for the siting of 12 caravans. This application was subsequently allowed upon appeal dated 3rd September 2008. Condition 5 of this decision is worded as follows: No commercial vehicles over 3.5 tonnes shall be stationed, parked or stored on this site.
5. Planning Application **S/1968/08/F** was approved for a utility dayroom for Plot 4, Moor Drove.
6. Planning Application **S/2035/08/F** was refused for the use of land north of Moor Drove for the use of land for the siting of a residential touring caravan.

Planning Policy

7. **Planning Policy Guidance 2: Green Belts** - identifies a general presumption against inappropriate development in the Green Belt. Paragraphs 1.4 and 1.5 in regard to openness and purpose of including land in the Green Belt are relevant. The key aim of Green Belt Policy is stated as being 'to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness....'
8. *South Cambridgeshire Local Development Framework (LDF) Development Control Policies, DPD, adopted July 2007:*
 - DP/1** Sustainable Development
 - DP/2** Design of New development
 - DP/3** Development Criteria
 - DP/7** Development Frameworks
 - GB/1** Green Belt
 - GB/2** Mitigating the Impact of Development in the Green Belt
 - NE/15** Noise Pollution
9. **Circular 11/95** – The Use of Conditions in Planning Permissions: Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

Consultations

10. **Histon Parish Council** – Recommends refusal asking that the District Council take cognizance of the conditions imposed by the Inspector and the circumstances in which these conditions were agreed. Furthermore the continued impact upon the human rights of those living adjacent should be taken into consideration.
11. **Environmental Health Officer** – No comments have been received.
12. **Local Highways Authority** – No comments have been received.
13. **Traveller Liaison Officer** – No objections.

Representations

14. Cllr Mike Mason has made the request in writing that this application be determined by the Planning Committee, the reasons for this request are summarised below:
- (a) The removal of this condition would exacerbate the acknowledged ongoing harm to nearby residents at Beck Farm.
 - (b) The continued use of the site for business purposes is contrary to Condition 4 of the appeal decision,
 - (c) The use of the site for the transporting of a commercial vehicle in excess of 3.5 tonnes has been drawn to the attention of enforcement officers. Whilst the applicant may have a licence to transport scrap metal, the site itself has no licence for waste transfer or scrap metal processing.
 - (d) I am led to believe that scrap metal has been processed on site contrary to the planning approval and Green Belt Policy.
 - (e) The vehicular access has always been unsafe and a number of minor accidents have occurred. In the Parish of Cottenham further along the B1049 a motorcyclist was recently killed when in collision with a HGV turning out of the premises on the same side of the road.
 - (f) Site ownership is a material consideration in the determination of this planning application as the recent application for a day room at plot 4 (S/1968/08/F) was under the name Lynne Pryce, whereas this application for the same plot is under the name Drewy Pryce.
 - (g) Various applications for this site have been subject to investigation by the Local Government Ombudsman. A further complaint is pending Members should be aware of all issues raised which have now become material in planning terms.
15. One letter of objection has been received from the occupier of Beck Farm, the contents of which are summarised below:
- (a) A commercial vehicle over 3.5 tonnes in weight has been used at this site since 2004. The current vehicle is in excess of 7.5 tonnes and no information about the vehicle has been submitted as part of this planning application.
 - (b) The entrance to Moor Drove has been altered in order to obtain residential planning permission. However, Moor Drove is a narrow rural roadway used by other people with a right of access.
 - (c) The height of the lorry adds to the existing loss of privacy for the domestic garden to Beck Farm. The lorry causes distress to animals grazing within the hedge running 200m along the side of the access road due to noise from the lorry and its scrap metal contents.
 - (d) The residential planning permission was given for named personnel and resident dependants. The applicants name is unknown.

- (e) At the August 2006 public inquiry, the Planning Inspector stated “I consider it material that the human rights of the occupants of Beck Farm have been adversely affected” due to noise and general disturbance the second inquiry, the condition was imposed “to protect the visual amenities of the area and the living conditions of the occupants of Beck Farm”.
- (f) Since 2004 the continuing and prolonged use of a lorry in excess of 3.5 tonnes for the collection of scrap metal for a business is in contravention of the occupiers’ human rights.

Planning Comments – Key Issues

- 16. It is the opinion of officers that the present and lawful use of Plot 4 is residential and that no commercial activity or business use is currently taking place. The material considerations in the determination of this application are the impact that the variation of Condition 5 to allow a vehicle above 3.5 tonnes to be parked within the site would have upon highway safety and the amenities of local residents.

Highway Safety

- 17. It is unfortunate not to be in receipt of comments from the Local Highway Authority. Nevertheless given the appeal decision over riding the objections of the Local Highway Authority upon the use of land for twelve traveller pitches, the evidence assessed within the appeal statement has been used to determine whether this proposal would have an adverse impact upon highway safety.
- 18. Paragraph 20 of appeal decision letter 3rd September 2008 states that on the evidence provided there is sufficient visibility to the north of the junction to justify the use of the site for twelve traveller pitches and their associated traffic. In terms of acceptable visibility to the south paragraph 21 states that improvement works to the bell mouth of the junction with Cottenham Road would improve the use and safety of the access. Such works have since been carried out and within paragraph 24 the Inspector considered the junction under any of the four options for proposed improvements to be demonstrably safe.
- 19. Within paragraph 25 of the same decision the Inspector noted that the accident record upon Cottenham Road within the vicinity of Moor Drove did not involve vehicles using the Moor Drove Cottenham Road Junction. In light of this the Inspector came to the conclusion that such instances did not indicate that the junction was unsafe. Nevertheless, it is acknowledged that since this decision (3rd September 2008) accidents may have taken place involving vehicles from Moor Drove.
- 20. Based on the above I am of the opinion that the current access to Moor Drove (a right angled junction to Cottenham Road) is acceptable to accommodate the trips of a single vehicle over 3.5 tonnes.

Neighbour Amenity

- 21. It is stated within Paragraph 31 of appeal decision that the use of the land for twelve traveller pitches would impact upon the amenities of the occupiers of Beck Farm. This is by virtue of the associated vehicle movements to and from the site which would result in noise and disturbance upon this property. Nevertheless, the Inspector noted

the good condition of the surface of the road and the background noise of Cottenham Road. He did not consider the degree of harm to warrant a refusal of planning permission. In addition it was concluded that any permission could be suitably conditioned prohibiting the commercial use of the site or indeed the stationing/parking of large commercial vehicles.

22. Conditions 4 and 5 were imposed in order to protect the visual amenities of the area as well as the living conditions of the occupiers of Beck Farm. The vehicle in question is significantly in excess of the 3.5 tonne limit restricted by Condition 5. Furthermore the vehicles contents (scrap metal) will add further detriment to the resultant noise of the traffic movements. The only information submitted to justify the variation of Condition 5 is that the vehicle requires close surveillance due to the security of its contents. Notwithstanding this, insufficient justification has been provided to outweigh the identified harm upon the amenity of the occupiers of Beck Farm by reason of noise and disturbance.

Recommendation

Refuse

1. The variation of Condition 5 of appeal decision (APP/W0530/A/08/2067087) to allow a vehicle over 3.5 tonnes to be stationed or parked upon Plot 4 of Moor Drove would result in adverse noise and disturbance upon the amenities of the occupier of Beck Farm. The associated vehicle movements of a vehicle in excess of 3.5 tonnes containing a scrap metal load back and forth within close proximity to the boundary of Beck Farm would be contrary to Policy DP/3 2j) and NE/15 of the South Cambridgeshire Local Development Framework, Development Control Policies DPD, adopted 2007, which state that Planning permission will not be granted where the proposed development would have an unacceptable adverse impact on residential amenity or countryside areas.

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

- South Cambridgeshire Local Development Framework Development Control Policies DPD (adopted July 2007)
- Appeal Decision APP/W0530/A/08/2067087
- Planning Policy Guidance 2: Green Belts
- Circular 11/95: The use of conditions in Planning Permission
- Planning Application File References: S/1970/08/F, S/1895/07/F, S/1968/08/F and S/2035/08/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 2 September 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

Fulbourn LLP – Erection of 5 houses and 4 flats, garages and refuse store for people of retirement age without complying with a condition limiting occupation to certain persons – Hall Farm, School Lane, Fulbourn - Appeal allowed. Appellant's application for costs against the Council dismissed

2. In May 2007, planning permission was granted for a development of nine dwellings in the centre of Fulbourn. Permission was granted subject to a condition which, in summary, states that with the exception of the wardens'/relief warden's accommodation, the development shall not be occupied other than where at least one household member is of retirement age or is registered as disabled. The restriction shall not apply to a surviving spouse who is not of retirement age or not so registered where he/she continues to occupy the dwelling after the death of the other spouse who was of retirement age or registered as disabled. The condition was imposed because the car parking and refuse storage provision was not considered suitable for any other form of residential development.
3. English Courtyards had proposed to build and manage the scheme. The company went into liquidation and a developer wishing to build out the scheme entirely for market housing purchased the site. The Planning Committee refused the application to remove the condition on the basis that the scheme should now make provision for affordable housing.
4. The main issue was the extent to which the condition met the relevant tests set out in Circular 11/95 having regard to car parking, refuse storage and affordable housing.
5. Amended drawings had been submitted with the application to remove the condition. The Council was satisfied these provided suitable arrangements for car parking and the storage of refuse. However, the Council was unable to show that these arrangements were materially different than those previously approved. The inspector therefore concluded that the original condition had been unnecessary. Neither was there any wardens' accommodation in the approved scheme. The phrase "retirement age" was found to be imprecise and this would make it difficult to enforce.
6. As the reason for the original condition had been overcome and didn't meet the

relevant tests, the inspector concluded there was no reason to seek a contribution towards affordable housing. Both main parties had produced evidence on the viability of providing affordable housing but this was found to be unnecessary given the inspector's main conclusion.

7. The appeal was therefore allowed, subject to a single condition regarding cycle storage. The Council did request an off-site capital contribution towards open space and the developer provided a unilateral undertaking to this effect. The inspector accepted the need for the contribution was justified. The County Council had requested an education contribution, but as it had not justified the need for it, the inspector did not consider it should be required in order for the appeal to be allowed.
8. The appellant applied for a partial award of costs. He argued that the Council had asked for a financial appraisal in respect of affordable housing provision in a particular form, even though this was inappropriate. The appraisal had still been provided and showed it would be unviable to provide affordable housing. The planning officer accepted this. The Committee then decided, without any evidence, not to accept it. The appellant then had to obtain a further appraisal for the hearing. This amounted to unreasonable behaviour.
9. In reply, The Council argued that while it asked for an appraisal in a particular form, the appellant had not offered any alternative. The Council's approach was compliant with PPS3 and is the appropriate method to use. Furthermore, certain figures requested by the Council had not been provided. The submitted appraisal was received very shortly before the Committee meeting and should not have been accepted as sound. The appellant had now undertaken the work that was originally requested and this should have been done in the first place. No additional and unnecessary work had been undertaken.
10. The inspector agreed that the appellant's initial appraisal was flawed and that the later appraisal should have been done at application stage. The request for the appraisal was consistent with Policy HG/3 and was a necessary part of the proposal. The Council had not behaved unreasonably and an award of costs was unjustified.

Walker Residential Ltd – Change of use of former egg production buildings and alterations/extensions for light industrial and warehouse use without complying with a condition limiting occupation of a nearby bungalow – Mereway Farm, Butt Lane, Impington – Appeal allowed

11. In August 2006, planning permission was granted for a change of use to industrial and warehouse development. Permission was granted subject to a condition that the existing bungalow on the frontage of the site should only be occupied by a person(s) employed by the site owners or connected with one of the companies on the site. The reason for the condition was that its close proximity to the main commercial part of the site could lead to noise disturbance.
12. The main issue was the extent to which the condition met the relevant tests set out in Circular 11/95.
13. The bungalow lies with its side to the road on a relatively large plot, which is screened from the road, the industrial site to the rear and the new access to the industrial site by tall conifer hedging. The bungalow was originally the subject of an agricultural occupancy condition associated with the use of the adjoining site as an egg farm. However, the functional link between the building and the uses behind it has ceased with the change of use and the redevelopment of the land to the rear. At the time of

the inspector's visit, the development of the site was in its early stages and it was not clear whether any of the units were in use. It is therefore not known what businesses will occupy the site and there was no evidence to suggest that any of them will need an employee to occupy the bungalow.

14. The inspector saw that the access to the site runs around the perimeter of the site so that vehicles leaving the site would pass the rear of the bungalow at a distance of about 25-30m. There would be potential for some disturbance to occupants of the bungalow and that, in the absence of restrictions on the hours of use of the site, such disturbance could be during the night or at weekends. However, whatever the degree of disturbance, it would be experienced by the occupants of the bungalow whether or not they work on the site. There would be no reason why this should be more acceptable to an employee of one of the businesses on the site. The potential for noise and disturbance arose when the permission for the change of use was granted and the potential for such disturbance to be harmful is not changed by the condition restricting the occupancy of the bungalow.
15. While the dwelling would not have been permitted in this location had it not been for the connection with the agricultural use, that connection has gone. There is no longer a functional need for the dwelling to be occupied by an employee of a business on the site. The inspector was therefore satisfied there is no demonstrable need to retain the condition. A consequence of effective enforcement may be that the bungalow would remain empty for significant periods. It would be unreasonable to impose such a condition, which is likely to lead to it remaining vacant for long periods. This view is supported by guidance in PPG2 "Green Belts" and PPG7.
16. The condition was therefore no longer necessary or reasonable. The appeal was allowed.

Miss E Loveridge – Change of use of land to site mobile home and amenity portacabin – 3 Cadwin fields, Schole Road, Willingham – Appeal allowed. Appellant's application for costs against the Council allowed in part

17. The Planning Committee refused this application in February 2009. The substantive reason was that it would result in at least two children of school age being introduced into a village where the local primary school is currently at capacity and unable to service its existing catchment population. The proposal would therefore place a further unsustainable strain on the local school, contrary to government policy for gypsies and travellers, which seeks to enable access to services.
18. Following the submission of the appeal, the Headteacher confirmed on 8 May 2009 that the school was still oversubscribed in four of the year groups and that it was impossible for the school to take more children. However, in a letter dated 19 June 2009, the Headteacher confirmed that places had now been offered to the two children at Willingham Primary School. They had both started on Monday 15 June 2009. On 6 July 2009, the Council advised the appellant that this amounted to a material change in circumstances so far as the Council's objections were concerned. The Council no longer wished to pursue the reasons for refusal. The appellant was invited to withdraw the appeal and resubmit the application on the understanding that a re-submission would be approved. This would be on the basis of a temporary planning permission consistent with other decisions in the village.
19. This invitation was declined. The appellant pursued the appeal at a hearing and sought a permanent planning permission based on the family's individual needs. Cllrs Manning and Wright attended and spoke at the hearing.

20. The inspector considered the main issue was whether the educational needs of the appellant's children can be met without unsustainable strain on local educational services. In view of places now being available at Willingham Primary School for all the children, the inspector found no harm from the development in respect of placing undue pressure on local infrastructure and considered the appeal should be allowed. It was, however, necessary to consider whether permanent or temporary planning permission is justified.
21. The Council placed considerable weight on the need for the emerging Gypsy and Traveller DPD to be considered in the light of the proposed consultation process and the representations to be received. A permanent approval would seriously undermine this process. While the 6 plots in Cadwin Fields are included for permanent pitches, this does not mean that the sites will be in the adopted DPD. A temporary planning permission for three years was appropriate.
22. Due to its early stage in the adoption process, the inspector afforded the emerging DPD very limited weight. However, from the timetable given, the provision of 69 new permanent pitches by 2011 would seem not to be possible within the framework of an adopted Site Allocations DPD. The Council has provided gypsy and traveller sites in the past and the inspector was satisfied that it is likely sites will be allocated as part of the DPD process. Having regard to the transitional provisions within ODPM Circular 01/2006 and in the light of the emerging DPD, planning permission should only be for a temporary period to enable a proper evaluation of all potential sites through the DPD process. This would allow the most suitable sites to be allocated to meet the identified need. Taking all factors into account, a temporary planning permission should be granted. There could be slippage in the DPD timetable and to allow time for the identified sites to be established, a three year period would be reasonable.
23. Temporary permission was therefore granted subject to a range of conditions normally applied to gypsy sites.
24. The appellant submitted a detailed application for a full award of costs. She argued there were no reasonable grounds to take a decision contrary to Officer's advice and there was no substantive evidence to support the decision. The first reason for refusal is a statement of fact and does not include a precise reason for refusal nor cite relevant development plan policy or Government Circulars. Policy DP/4 is cited in the reason for refusal yet was not considered in the Officer's report. Members chose to ignore the particular circumstances of the appellant's family. It is not unusual for siblings to attend different schools for a variety of reasons, often due to parental choice or the relative ages of the children. The Council has failed to identify harm of any kind. The application was not considered in the same way as an application for a permanent dwelling, therefore there was discrimination. The decision to refuse planning permission, combined with the Council's decision to activate an injunction made in November 2006 to prevent gypsies settling on the site effectively made the family homeless.
25. In reply, the Council argued it had had regard to the development plan, insofar as it is material, and to any other material considerations. Planning authorities are not bound to adopt the professional or technical advice of their officers. There is no evidence that members of the Planning Committee simply chose to ignore the appellant's personal circumstances. The Council knew these, but the weight to be attached to them is a matter for the Council. Committee members are experienced and fully aware of the difficulties facing gypsies and travellers. The first reason for refusal was in effect a description of what was proposed and a statement of facts. This was made clear in the Council's statement and there was no substantive evidence from the

appellant on this aspect. The second reason for refusal identified the perceived harm based on development plan policy. While this was not covered in the Officer's report, this does not make it unreasonable. There is a requirement for the development plan to be considered as a whole. The Council was able to substantiate its second reason for refusal in its statement and in evidence at the hearing.

26. The inspector considered that the first reason for refusal was not a reason and, in this respect, she found unreasonable behaviour that may have resulted in unnecessary expense. Nevertheless, the appellant's case in respect of the first reason for refusal was minimal and there was no substantive evidence or a prolonging/extending of the hearing as a result. She therefore saw no justification for an award of costs in this respect.
27. It was acknowledged that the Council approached the appellant with a view to the grant of temporary planning permission on a new application when the Council became aware that all the children had places at Willingham Primary School. By declining to follow the route of withdrawing the appeal, it being at a very late stage for holding in abeyance, the appellant chose to have the matter considered through the hearing process. By the time the Council's offer was made, all statements and final comments had been exchanged. Nevertheless, the appellant could have withdrawn the appeal and the costs incurred in attending the hearing could have been avoided. There was no unreasonable behaviour on behalf of the Council in respect of the costs incurred after 6 July 2009 including attending the hearing.
28. Nonetheless, the inspector concluded that members had failed to take into account the advice in Circular 01/2006 or the Officer's considered opinion that there would be no increase in demand for services or infrastructure. Two of the appellant's children were in school in Willingham and the other two children had places at Over. Although the latter were not taken up because of concerns over transport arrangements, at the time the application was considered the children were all accommodated within the existing education system and therefore planning permission would not have placed any increased demands on the infrastructure. It is not ideal for siblings to be at different primary schools but this is not a unique situation and family difficulties as a result of children being in two different schools would not justify the refusal of planning permission.
29. Reasonable planning grounds for taking a decision contrary to Officer's advice were not substantiated and unreasonable behaviour resulting in unnecessary expense has been demonstrated. An award of partial costs is justified in respect of those expenses incurred in making the appeal but excluding those expenses incurred after 6 July 2009 including attending the hearing.
30. Finally, the inspector accepted the Council's evidence that it has not considered any applications for housing development since the appeal case was determined without taking account of educational concerns. She had heard nothing to make her take a different view. There had been no unreasonable behaviour in respect of human rights and neither had there been discrimination against the appellants.

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