

South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne  
Cambridge  
CB23 6EA

t: 03450 450 500  
f: 01954 713149  
dx: DX 729500 Cambridge 15  
minicom: 01480 376743  
[www.scambs.gov.uk](http://www.scambs.gov.uk)



27 October 2009

To: Chairman – Councillor Pippa Corney  
Vice-Chairman – Councillor Robert Turner  
All Members of the Planning Committee - Councillors Val Barrett, Trisha Bear,  
Brian Burling, Janice Guest, Sally Hatton, Sebastian Kindersley, Mervyn Loynes,  
Charles Nightingale, Deborah Roberts, Hazel Smith, Peter Topping and  
John Williams, and to Councillor Nick Wright (Planning Portfolio Holder)

Quorum: 4

Dear Councillor

You are invited to attend the next meeting of **PLANNING COMMITTEE**, which will be held in the **COUNCIL CHAMBER, FIRST FLOOR** at South Cambridgeshire Hall on **WEDNESDAY, 4 NOVEMBER 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

General declarations of interest should be made at this stage. Interests relating to specific items on the agenda should be declared immediately after the Chairman introduces those items 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 7 October 2009 as a correct record. The Minutes are attached to the electronic version of this agenda – on the Council's website.

**PLANNING APPLICATIONS AND OTHER DECISION ITEMS**

- |           |   |                |
|-----------|---|----------------|
| <b>4.</b> | <b>S/1071/09/F- Melbourn (Building 1 &amp; 2 Whiting Way)</b>                           | <b>3 - 12</b>  |
| <b>5.</b> | <b>C/6/9/1A - Histon &amp; Impington (Histon and Impington Bus Stops, Station Road)</b> | <b>13 - 16</b> |
| <b>6.</b> | <b>S/1173/09/F - Histon (Etheldred House, Clay Street)</b>                              | <b>17 - 24</b> |
| <b>7.</b> | <b>S/0621/08/RM - Orchard Park (Land North of Chieftain Way Adjoining A14)</b>          | <b>25 - 38</b> |
| <b>8.</b> | <b>S/1251/09/F - Longstanton (Land off High Street)</b>                                 | <b>39 - 44</b> |
| <b>9.</b> | <b>S/1109/09/F - Eltisley (55 The Green)</b>  | <b>45 - 50</b> |

**INFORMATION ITEMS**

The following items are included on the agenda for information and are, in the main, available in electronic format only (at [www.scambs.gov.uk/meetings](http://www.scambs.gov.uk/meetings) and in the Weekly Bulletin dated 28 October 2009). If Members have any comments or questions relating to issues raised therein, they should contact the appropriate officers prior to the meeting.

- |            |  |                |
|------------|--|----------------|
| <b>10.</b> | <b>Appeals against Planning Decisions and Enforcement Action</b>                           | <b>51 - 52</b> |
|            | Summaries of Decisions of interest attached.   |                |
|            | <b>Contact officers:</b>   |                |
|            | Gareth Jones, Corporate Manager (Planning and Sustainable Communities) – Tel: 01954 713155 |                |
|            | John Koch, Appeals Manager (Special Projects) – Tel: 01954 713268                          |                |
| <b>11.</b> | <b>Appeal Statistics</b>   |                |
|            | <b>Contact officers:</b>   |                |
|            | Gareth Jones, Corporate Manager (Planning and Sustainable Communities) – Tel: 01954 713155 |                |
|            | John Koch, Appeals Manager (Special Projects) – Tel: 01954 713268                          |                |

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

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

### **Increased hygiene at South Cambridgeshire Hall**

In light of the swine flu pandemic, we have intensified our usual cleaning routines in council buildings. We have also introduced hand gel dispensers throughout the offices, including public areas. When visiting South Cambridgeshire Hall you are encouraged to use these facilities if and when required to help limit the spread of flu.

### **Security**

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

### **Emergency and Evacuation**

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

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

### **First Aid**

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

### **Access for People with Disabilities**

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

### **Toilets**

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

### **Recording of Business**

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

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

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

### **Disturbance by Public**

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

### **Smoking**

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

### **Food and Drink**

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

### **Mobile Phones**

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

## **EXCLUSION OF PRESS AND PUBLIC**

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

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

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

### **Notes**

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

South Cambridgeshire District Council

Planning Committee – 4 November 2009 – Declaration of Interests

Councillor .....

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

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

Reason:

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

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

Reason:

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

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

Reason:

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

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

Reason:

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

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

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

**Reason:**

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

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

**Reason:**

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

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

**Reason:**

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

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

**Reason:**

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

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee 4<sup>th</sup> November 2009  
**AUTHOR/S:** Executive Director (Operational Services)/  
Corporate Manager (Planning and Sustainable Communities)

---

**S/1071/09/F - MELBOURN**

**Change of Use B1 (C) to B2 and Erection of Covered Cycle Stores  
at Building 1 and 2 Whiting Way, Melbourn for Miss Clare Nicholson**

**Recommendation: Delegated Approval subject to Conditions**

**Date for Determination: 2<sup>nd</sup> October 2009**

**Notes:**

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

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

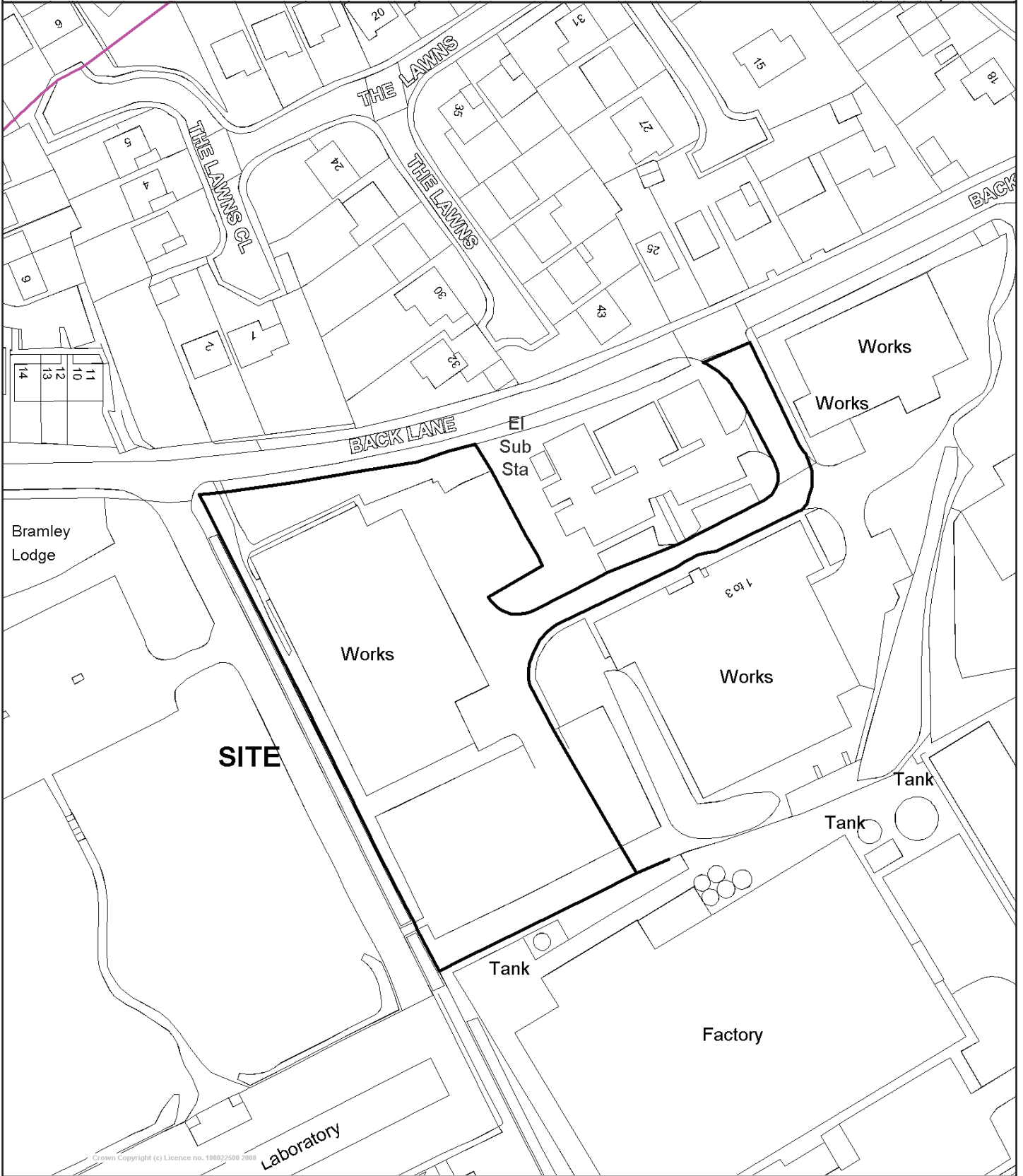
**Site and Proposal**

1. The application site comprises 0.7ha and is located in Melbourn on an existing employment site inside the village framework, as identified within the South Cambridgeshire Local Development Framework 2007. The site comprises an existing brick built building of 2117m<sup>2</sup> in floor area and 70 existing parking spaces. Access is achieved via an existing access off Back Lane and would be shared with other units on the same site.
2. The land to the north is an established residential area comprising modern detached dwellings in The Lawns and Lawns Close, which are cul-de-sacs. Back Lane and a band of trees and shrubs along the northern boundary divide these from the site. To the east, south and west are further industrial buildings, some currently vacant.
3. This full application, submitted on 27<sup>th</sup> July 2009, seeks consent to change the use of the site to allow for the manufacture of rotationally moulded plastic tanks and rainwater harvesting systems with ancillary storage and office use (B2) and covered cycle storage. The application contains a Design and Access Statement and a Noise Assessment.

**Planning History**

4. The site has a long planning history. From the first consent of the building itself the site has seen various applications, predominately and most recently for the company 'Plasmon' who occupied the site up until recently after the firm went into administration. The building has remained empty since this time (approximately 1 year). The majority of the planning history refers to temporary consents for temporary office buildings, which were renewed several times over. One occasion saw the refusal of a renewal and its permanent retention because an agreed planting scheme had partially failed and because the application was considered to be premature, after only 6 months of a two-year permission had elapsed and in advance of the establishment of the required planting.

S-1071-09-F



Crown Copyright (c) Licence no. 100022500 2008



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

Scale 1/1250 Date 19/10/2009

Centre = 538080 E 243953 N

November 2009 Planning Committee



5. An application for the redevelopment of the site was refused based on the proposed office building being visually detrimental and overbearing to neighbouring residents. This application under planning reference S/0455/00/F, was later revised and resubmitted in which the office building was completely removed and granted consent in June 2000.
6. This consent was heavily conditioned. These included a landscaping scheme to be submitted, a noise restriction of 38Db (A), details of power driven plant equipment for heating, ventilation and for the control or extraction of odour, dust or fumes, restriction on hours of construction work, drainage details, turning and parking layout, a restriction on its occupiers and exterior lighting.

### **Planning Policy**

7. Planning Policy Statements:
  1. **PPS1** (Delivering Sustainable Development)
  2. **PPG4** (Industrial commercial development and small firms)
  3. **PPS7** (Sustainable Development in Rural Areas)
  4. **PPS 23** (Planning and Pollution Control)
  5. **PPG24** (Planning and Noise)
8. **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.

### ***South Cambridgeshire Core Strategy 2007***

9. **ST/5 Minor Rural Centres** includes Melbourn.

### ***South Cambridgeshire Development Control Policies 2007***

10. **DP/1 Sustainable Development** only permits development where it is demonstrated that it is consistent with the principles of sustainable development. The policy lists the main considerations in assessing whether development meets this requirement.
11. **DP/2 Design of New Development** requires all new development to be of a high quality design and indicates the specific elements to be achieved where appropriate. It also sets out the requirements for Design and Access Statements.
12. **DP/3 Development Criteria** sets out what all new development should provide, as appropriate to its nature, scale and economic viability and clearly sets out circumstances where development will not be granted on grounds of an unacceptable adverse impact e.g. residential amenity and traffic generation.
13. **ET/1 Limitations on the Occupancy of New Premises in South Cambridgeshire** sets out the development criteria for employment uses in the District and floor space restrictions.
14. **ET/6 Loss of Rural Employment to Non-Employment** states in part that the conversion, change of use or re-development of existing employment sites to non employment uses within village frameworks should be resisted unless certain criterion are met.

15. **NE/1 Energy Efficiency** requires development to demonstrate that it would achieve a high degree of measures to increase the energy efficiency of new and converted buildings. Developers are encouraged to reduce the amount of CO<sub>2</sub>m<sup>3</sup> / year emitted by 10%.
16. **NE/6 Biodiversity** - New developments should aim to maintain, enhance, restore or add to biodiversity.
17. **NE/15 Noise Pollution** states in part that it does not support development that would have an adverse impact on indoor and outdoor acoustics environments that cannot be adequately controlled.
18. **TR/1 Planning for More Sustainable Travel** states that planning permission will not be granted for developments likely to give rise to a material increase in travel demands unless the site has (or will attain) a sufficient standard of accessibility to offer an appropriate choice of travel by public transport or other non-car travel mode(s).
19. **TR/2 Car and Cycle Parking Standards** identifies maximum parking standards to reduce over-reliance of the car and to promote more sustainable forms of transport. Cycle parking should be provided in accordance with minimum standards.
20. **TR/4 Non Motorised Modes** states that the District Council will use its planning powers by ensuring that all new developments are designed at the outset to facilitate and encourage short distance trips between home, work, schools and leisure.
21. **Appendix 1** of the LDFDCP 2007 states that within class B2 use, there should be a maximum of one parking space per 50m<sup>2</sup> of gross floor area.

### **Consultation**

22. **Melbourn Parish Council** recommends approval subject to SCDC enquiring as to whether the change of use will result in undue additional noise levels.
23. **Corporate Manager (Health and Environmental Services)** has no objections providing conditions are put in place to protect the neighbouring residents from potential noise and odour pollution from the new use.

### **Representations**

24. In addition to statutory publicity and the display of a site notice, direct notification was carried out to fifteen surrounding properties.
25. There have been 5 letters of objection to this application. The concerns are as follows:
  - (a) The application proposes unrestricted hours of operation and is unacceptable.
  - (b) Noise from fork lifts, heavy-duty traffic, power generators and air conditioners.
  - (c) Noise type (background pitch) is disturbing at night/in gardens.
  - (d) General chemical abatement not adequate for the manufacturing process in a residential area.
  - (e) Chemicals from the plastic moulding operations will be unpleasant and impact on the environment and generated 24 hours a day.

- (f) Justification of generating new production working jobs in a local area is enough to justify a significant change of use and subsequent impact on the local environment.
- (g) Objections raised on previous application that have not been addressed.
- (h) Not suitable for anything greater than light industrial use due to proximity of neighbouring residents.
- (i) Odour pollution from plastics.
- (j) Inaccuracy of Design and Access Statement (existing screening/job creation number/distance of dwellings from site).
- (k) Future use of the site and other neighbouring buildings for B2 use.

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

26. The key issues to consider in the determination of this application are whether the difference in the application floor space figure for ET/1 B2 is acceptable, the impact on neighbouring properties due to noise and odour and provision of car/cycle parking.

### ***Floor space Provision of ET/1 for B2 use***

27. ET/1 specifically refers to the change of use of buildings for employment uses. Criterion d. refers to '*other small-scale industries in use classes B1(c), B2 and B8 (up to 1850m<sup>2</sup>)*'. The proposed change of use is to an existing floor space of 2117m<sup>2</sup>, a 267m<sup>2</sup> difference in floor space to that in the said policy. It is the view of officers, that given the existing B1(c) use, which is covered in the same policy, the difference in floor area is negligible and would not harm the aims of the policy. It is for this reason that officers support the proposed change of use under the said policy and do not feel that it warrants a departure from the Local Development Framework Development Control Policies 2007.

### **Noise**

28. From the correspondence received to date it is clear that there have been problems of noise in the past on this site from the previous occupiers. The objections see the proposed change of use as having more harm to neighbouring properties as it is allowing for a heavier industrial use. The hours of operation proposed show as 'unrestricted' on the planning application and this has caused concern regarding the noise implications to nearby residents.
29. The scheme is not proposing any new installations by way of ventilation, heating or extraction; however, these may be needed in the future. The Environmental Health Team have been involved in the submission of a Noise Assessment from the applicants and have worked with the appointed noise consultants to ensure the correct information, insofar as is as reasonably practicable, has been submitted to enable the application can be assessed.
30. Environmental Health has included appropriately worded conditions in their comments to ensure there are no noise/odour implications in the future that cannot be adequately addressed. The monitoring of this site is also an important factor to ensure we do not fail where perhaps we have done in the past with the previous occupiers in meeting the requirements of the conditions put in place.

## ***Odour***

31. Odour nuisance is dealt with under Sections 79 & 80 of the Environmental Protection Act 1990. Odour from units, such as that proposed, would be investigated should Environmental Health Services receive complaints and action deemed justified.
32. It may be possible that odour from the manufacturing process could adversely impact those living in the nearby residential properties. For this reason it has been agreed that the applicant supply a scheme for the mitigation of odour.

## ***Car/Cycle Parking Provision***

33. The scheme has parking provision for up to 70 car parking spaces and the scheme proposes the construction of a covered cycle shed for 55 cycle spaces. The maximum requirement for this site under the B2 use is 42 spaces for cars and 52 spaces for cycles. The application has more than enough space for its proposed use and therefore the provision is acceptable in meeting the relevant policy requirements.

## **Recommendation**

34. Approval 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 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, NE/6 and NE/15 of the adopted Local Development Framework 2007.)
  3. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of 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, NE/6 and NE/15 of the adopted Local Development Framework 2007.)
  4. The use, hereby permitted, shall not commence until details of the proposed covered and secure cycle parking has been submitted and agreed in writing by the Local Planning Authority. The covered and secure cycle parking area shall be provided in accordance with the details. (Reason - To ensure the provision of

covered and secure cycle parking in accordance with Policy TR/2 of the adopted Local Development Framework 2007.)

5. Before the development/use hereby permitted is commenced, a scheme for the insulation of the building(s) and/or associated plant and or equipment in order to minimise the level of noise emanating from the said building(s) and/or plant/ equipment shall be submitted to and approved in writing by the local planning authority. The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall thereafter be maintained in strict accordance with the approved details in perpetuity and shall not be altered without the prior written approval of the Local Planning Authority.  
(Reason - To protect nearby residents from adverse levels of noise and disturbance, safeguard the amenity of nearby properties and limit any background noise increase in accordance, with policy NE/15 of the adopted Local Development Framework 2007.)
6. The use, hereby permitted, shall only operate from Monday to Saturday; the use shall not operate at any time on Sundays, Bank or Public holidays.  
(Reason - To limit the impact of vehicle movements on residential amenities in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
7. No operational activities associated with the permitted use shall be undertaken externally within the site between the hours of 1900hrs and 0700hrs.  
(Reason - To protect nearby residents from adverse levels of noise and disturbance and safeguard the amenity of nearby properties in accordance, with policy NE/15 of the adopted Local Development Framework 2007.)
8. Between the hours of 1900hrs and 0700hrs external doors and windows shall remain closed at all times except for immediate access/egress and in the case of an emergency.  
(Reason - To protect nearby residents from adverse levels of noise and disturbance and safeguard the amenity of nearby properties in accordance, with policy NE/15 of the adopted Local Development Framework 2007.)
9. No deliveries shall be taken at or despatched from the site outside the hours of 1900 hrs and 0700 hrs or at any time on Sundays, Bank or Public holidays.  
(Reason - To limit the impact of vehicle movements on residential amenities in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
10. Before the development/use hereby permitted is commenced, a scheme to protect the nearby existing residential premises from odour, fumes or other effluvia arising from the use (to include an odour assessment as necessary and details of equipment for the purpose of extraction and/or filtration and/or abatement of fumes and or odours), shall be submitted to and approved in writing by the local planning authority. The approved extraction/filtration/abatement scheme/s shall be installed before the use hereby permitted is commenced shall be retained thereafter in perpetuity. Any approved scheme / system shall not be altered without prior approval.  
(Reason – To protect the nearby residential premises from loss of amenity from odour in accordance with policy NE/16 of the Local Development Framework adopted 2007.)

## Informatives

1. To satisfy any noise insulation condition the noise level from the operational end use including building noise breakout, processes and all powered plant, vents and equipment, that may operate collectively and having regard to a worst case operational scenario (operating under full capacity / power / load), shall not increase / raise the existing concurrent lowest measured representative background level  $\text{dB } L_{A90,1\text{hr}} (L_{90})$  during the day between 0700 to 2300 hrs and the existing lowest background level  $\text{dB } L_{A90,5\text{mins}} (L_{90})$  during night time between 2300 to 0700 hrs, at the boundary of the premises subject to this application (or if not practicable at a measurement reference position / or positions in agreement with the LPA) by no more than 3dB and having particular regard to location of noise sensitive premises. Noticeable acoustic features and in particular tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional 5 dB (A) correction. This is to guard against any creeping background noise in the area and to protect the amenity of the area, preventing unreasonable noise disturbance to other premises.
2. To demonstrate this requirement it is recommended that the agent/applicant submits a noise assessment survey/report in accordance with the principles of BS4142: 1997 "Method for rating industrial noise affecting mixed residential and industrial areas" or similar. In addition, to validate / verify any measured noise rating levels, noise levels should be collectively predicted at the boundary of the site having regard to neighbouring residential premises.
3. Such a survey / report should include: a large scale plan of the site in relation to neighbouring noise sensitive premises; with noise sources and measurement / prediction points marked on plan; a list of noise sources; details of proposed noise sources / type of plant such as: number, location, sound power levels, noise frequency spectrums, noise directionality of plant, noise levels from duct intake or discharge points; potential building noise breakout, details of noise mitigation measures (attenuation details of any proposed noise insulation of building envelope, enclosures, silencers or barriers); description / details of full noise calculation procedures; noise levels at a representative sample of noise sensitive locations (background  $L_{90}$ ) and hours of operation. Any report shall include raw measurement data so that conclusions may be thoroughly evaluated and calculations checked. Any ventilation system with associated ducting should have anti vibration mountings.
4. Any approved fume filtration/extraction system installed, shall be regularly maintained in accordance with manufacturer specification to ensure its continued satisfactory operation to the satisfaction of the Local Planning Authority.

It is suggested that documentary evidence including receipts, invoices and copies of any service contracts in connection with the maintenance of the extraction equipment, is kept, preferably at the premises and is available for inspection by officers of the Local Planning Authority, to facilitate monitoring of compliance with this condition.



5. Further advice regarding the assessment and control of odour, is contained in the following guidance document:

**Technical Guidance Note Integrated Pollution Prevention and Control (IPPC) H4: Horizontal Guidance for Odour (DEFRA 2002)**

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

- South Cambridgeshire Local Development Framework Development Control Policies 2007
- South Cambridgeshire Core Strategy 2007
- PPS1
- PPG4
- PPS7
- PPG23
- PPG24

**Contact Officer:** Saffron Garner - Senior Planning Officer  
Telephone: (01954) 713256

This page is left blank intentionally.



**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee4<sup>th</sup> November 2009**AUTHOR/S:** Executive Director (Operational Services)/  
Corporate Manager (Planning and Sustainable Communities)

---

**C/6/9/1A – HISTON AND IMPINGTON  
Discharge of Condition 5 –  
Lighting at the Histon and Impington Bus Stops, Station Road  
For Cambridgeshire Guided Busway**

**Recommendation: Approval**

**Notes:**

**This submission has been reported to the Planning Committee for determination because the officer recommendation of approval is contrary to objections raised by Parish Councils.**

**Background**

1. On 21<sup>st</sup> December 2005, the Secretary of State for Transport directed that planning permission be deemed to be granted for the development included in the Cambridgeshire Guided Busway Order. Condition 5 reads:
  - (a) Details of the lighting system and switching arrangements proposed at all stops and along the off-highway sections of the route and to new and replacement footpaths, cycleways and bridleways shall be submitted to and approved in writing by the local planning authority before that part of the development is brought into operation;
  - (b) The works shall be carried out in accordance with the approval given by the local planning authority or, if that authority gives prior written approval to any amendment or alteration, subject to such amendment or alteration.

Reason: in the interests of safety of users and visual and residential amenity.

2. Members will recall that at its meeting on the 7<sup>th</sup> October 2009 it resolved to not approve the scheme submitted for the lights at the Histon and Impington bus stops. The concerns expressed related to the impact on neighbouring amenity. A decision was not made in order to allow officers to continue to assess the impact of the light columns on neighbouring properties and to seek from the developer either a reduced number of columns or the use of full cut-off luminaires that meet Institution of Lighting Engineers standards or a combination of these and any other effective alternative.

**Site and Proposal**

3. The submission, attached to a letter dated 15<sup>th</sup> June 2009, proposes details of the lighting arrangements at bus stops on the Guided Busway. Technical electrical specifications have been submitted. In addition the following information has been provided:

“Street lighting lamps have lower half clear and upper half solid to ensure light emits downwards only.

Switching is by light sensors (PECU) for night-time illumination only (dusk to dawn).

Bus shelter lighting is switched in the same manner. Fittings are angled to cast light downwards and across platform avoiding upward lighting as much as practicable.

Details of Lighting installed at Bus Stops on the Cambridge Guided Busway:

Histon and Impington: 11 Lamp Columns.

There are no Lamp Columns on the proposed Maintenance Track or any Cycleway/Footpath on the Cambridge Guided Busway.”

4. At the time of writing this update Planning and Environmental Health Officers, accompanied by local Member, Councillor Mike Mason, have met on site with the developer to discuss possible alternatives. Subsequently, initial details of an alternative scheme has to be submitted by the developer, which will be the subject of further consultation with local Members and the two Parish Councils. This scheme includes the existing 8 metre high light columns, with light shields and timers to automatically cut of the lights when buses are not running. It has been agreed that the Environmental Health Officer will visit the site after dark and to view the lamps when illuminated from the bus stops and affected residential properties to gauge the effectiveness of these measures.

### **Consultations**

5. The Parish Councils of Impington and Histon and Environmental Health were consulted on the original scheme.
6. **Histon Parish Council** recommends refusal based on:

“Lights should cease operation when buses not operating (currently proposed to be illuminated dusk till dawn). To avoid over-illumination Council suggest provision of solar lighting.

Solar lights along maintenance/cycle track preferable - important it should have **some** lighting.

Plans of siting required and better specifications, including standards of lights to be provided in bus stop.”

7. **Impington Parish Council** recommends refusal based on:

“Lack of detail and specificity e.g. siting details, so difficult to comment on suitability.

Committee question the need for dusk to dawn lighting when service due until Midnight only, although acknowledging may be sensible to leave on at some key sites.

Disappointment that no lights on maintenance/cycle track, cyclists needing illumination support.”

8. The Parish Councils are to be consulted on revised schemes, once received. An update will be provided.

## Representations

9. The Parish Councils have forwarded comments from a resident of 13 Villa Place, Impington. Having experienced the column lights turned on at the St. Ives bound Histon/Impington bus stop for a period at the end of July, he objects to the unacceptable light sources shining into his back bedroom and living room and into his rear garden, causing a privacy and security problem. He requests that the height and number of lamps be reduced and the bulbs are shrouded to stop light escaping far from the platform.
10. In response to the above comments from Histon and Impington Parish Councils, the Project Manager states:
  1. "The Bus Stop Lighting is to remain on from Dusk to Dawn as a security measure in conjunction with the CCTV System to prevent vandalism to the ticket machines and other equipment.
  2. Solar Lighting at the stops has been investigated but there is currently no Solar Powered Equipment available to meet the operating requirements of the equipment installed at each stop.
  3. All practicable means have been taken in the design of the Bus Stop lighting to counter Light Pollution.
  4. The deemed Planning Condition for the approved scheme does not cover lighting of the cycleway.
  5. The specification supplied with the original submission was an abstract from the Contract Specification."
11. It has also been pointed out that the County Council's statement of case to the public inquiry said:

4.80. In order to reduce light pollution particularly in both rural and residential areas, lighting will not be included along the guideway or maintenance track between junctions."

Therefore it doesn't form part of the scheme considered at the Public Inquiry and by default is not covered by the planning permission.
12. In response to the comments from the occupier of 13 Villa Place, the County Guided Bus Team agreed it would check that the lighting levels meet the specification and would look into providing shielding. The specified levels of lighting are quite high at the stops and are based on Disability Discrimination Act requirements for railway stations.

## Planning Comments

13. The details of the design and external appearance of each of the bus stops have been approved and the relevant condition 3(a) discharged in regard to these. The approved details include the number and siting of lamp columns.
14. Lighting within the bus shelters is necessary for safety and security reasons. Each shelter has four lights wired, although only two will be in use and the level of illumination will be reduced from 250 to 120 lux. This is not considered to be unreasonable on security grounds or unacceptable for the shelters to be lit using photo-electric control units outside the hours of bus operation.

15. The St. Ives bound bus stop is very close to properties in Villa Place. As a consequence of the problems experienced by one of the residents, who clearly also writes on behalf of nearby residents, it is considered that the scheme must be revised.
16. Following a meeting on site, BAM Nuttall Ltd is to look again at the lighting proposals at this stop. It has ordered and will be installing shields to the lanterns and will provide automatic cut off switches so that lights turn off once the last bus has passed. Further BAM Nuttall has said it is willing to re-assess the number and height of the lighting columns, however it has advised that the 8 metre high columns provide a good spread of light. If it were required to provide fewer columns Bam Nuttall has advised that the height would have to increase to provide the necessary light spill area.
17. The impact on residential properties on Pepys Terrace from lights at the Cambridge bound bus stop is also to be considered. The Developer is open to including shields and cut off switches for these columns as well, if required to satisfy SCDC.
18. Members will be updated on progress. Due to the tight timeframes to which the developer is working in relation to the busway becoming operational it is considered expedient to bring the matter back to Planning Committee for Members' consideration at an early stage.

#### **Recommendation**

19. Subject to receipt of a revised lighting scheme that satisfactorily addresses the particular the problems experienced at the St. Ives bound Histon/Impington stop and no new material planning considerations arising through consultation with Environmental Health, the Parish Council and local Members on those details, it is recommended that **delegated approval** be granted to allow condition 5 to be discharged in regard to the details of the lighting system for the Histon and Impington.

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

- Planning File Ref: C/6/9/1A
- Documents referred to in the report including appendices on the website only and reports to previous meetings.

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

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee4<sup>th</sup> November 2009**AUTHOR/S:** Executive Director (Operational Services)/  
Corporate Manager (Planning and Sustainable Communities)

---

**S/1173/09/F - HISTON****Erection of Building to be Used for Staff Accommodation at Etheldred House,  
Clay Street for Excelcare****Recommendation: Approval****Date for Determination: 20<sup>th</sup> October 2009****Notes:**

**This Application has been reported to the Planning Committee at the request of the Local Member Cllr Mike Mason.**

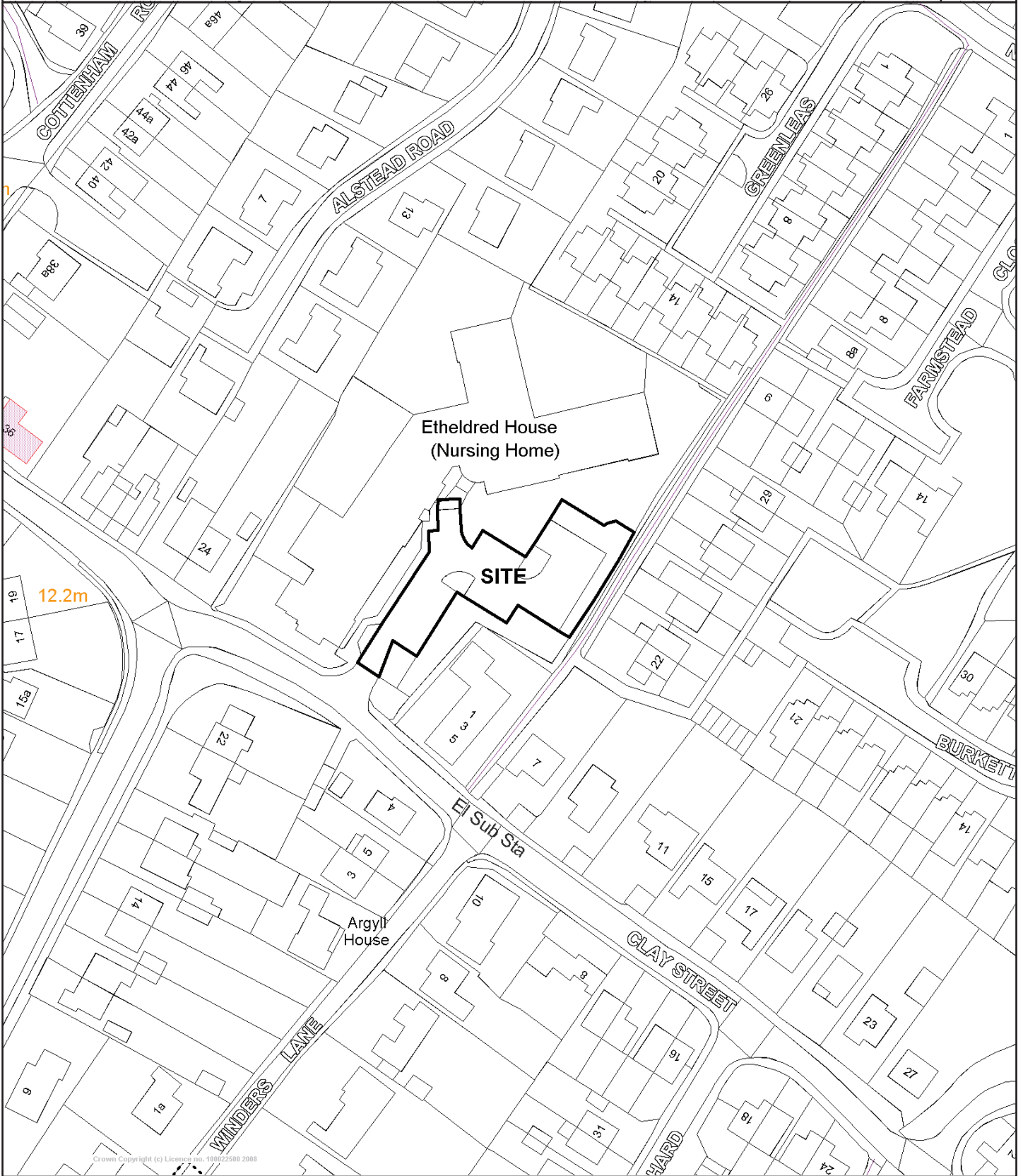
**Site and Proposal**

1. Etheldred House is a residential care home located within the Histon Development Framework. The application site measuring 0.12 hectares, relates to the southeast corner of the site, which is an area that currently comprises car parking and low level landscaping. The care home was approved in 2005 and comprises one and a half storey building built in buff brick and slate roof. It includes large dormer windows within its elevations. The original planning consent for the home did include the erection of a single storey district nurses centre within the southeast corner of the site. This building has not been built but could still be implemented under the original consent.
2. The application site is adjacent to a public footpath that lies between the eastern boundary of the site and rear property boundaries of 22 - 29 Burkitt Way and nos.1, 3 and 5 Clay Street. The rear gardens and elevations to these dwellings face the site. There is a pine tree, which sits within the application site and a mature tree within the curtilage of no.1 Clay Street.
3. This full planning application, received on 25<sup>th</sup> August 2009, proposes the erection of a one and a half storey building of a similar footprint to one that previously has approved for a district nurses centre. It consists of a hipped roof form with a ridge height approximately 1.7m higher (6.6m) than that of the original approval (4.9m). It would have an eaves height of 2.3 m matching the original approval. The building's use would facilitate staff accommodation for the care home and would provide 8 bedrooms, 2 bathrooms, a lounge and private garden.

**Planning History**

4. Planning application **S/0096/05/F** was approved for the erection of nursing home (85 Bed), district nurses centre and alterations to access following demolition of existing. This has been implemented, although the district nurses centre has not been built and remains extant.

S/1173/09/F - Histon



Crown Copyright (c) Licence no. 100025500 2008



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

Scale 1/1250 Date 19/10/2009

Centre = 543771 E 264171 N

November Planning Committee

## Planning Policy

East of England Plan 2008:

**SS1** Achieving Sustainable Development

South Cambridgeshire Local Development Framework Core Strategy, 2007:

**ST/4** Rural Centres

South Cambridgeshire Local Development Framework Development Control Policies DPD, 2007:

**DP/1** Sustainable Development

**DP/2** Design of New development

**DP/3** Development Criteria

**DP/7** Development Frameworks

**NE/6** Biodiversity

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

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

South Cambridgeshire Local Development Framework Biodiversity SPD, 2009.

South Cambridgeshire Local Development Framework Open Space in New Developments, 2009.

South Cambridgeshire Local Development Framework Trees and Developments Sites, 2009.

5. 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.
6. Circular 05/2005 - Planning Obligations: Advises 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.

## Consultation

7. **Histon Parish Council** – Recommends refusal on the following grounds:
  - (a) Domination and massing;
  - (b) Concerns that parking may not be consistent with planning guidelines for the area taking into account this proposed property and the existing built form nursing home.
  - (c) Support neighbour's objections;
8. **Primary Care Trust** – NHS Cambridge have no objections to this application. The proposed development would not accommodate additional residents to the care home and would therefore have no significant impact on the provision of the primary care services in Histon.
9. **Landscape Design** – I should like to see a landscape plan to include a paved area with seating within one half of the staff garden. I suspect that the spruce tree in the corner may suffer due to the change in conditions. If this occurs I should like to see a

replacement tree of a smaller scale for this space. I suggest a holly. Other trees around the proposed building have died or have been significantly cut back. I am happy that the stumps are retained in their ivy covered form but I should like to see a replacement tree for the dead tree in the area of the angle of the car parking spaces 11 and 12 and some additional trees planted to the NE side along the fenced boundary. The additional re-arranged parking intrudes into the ornamental garden space. If we have scope to reduce the parking I should like this opportunity to be taken.

10. **Trees & Landscaping** – No objections, the Norwegian spruce is a poor specimen and can be either retained or removed. The Ash tree in the neighbouring garden will not be compromised by the development as there is existing car parking, which will provide ground protection.
11. **Environmental Health** – The building would come under the definition of a house in multiple occupation, and the housing, health and safety-rating system (HHSRS) under the Housing Act 2004 would also apply. In general the proposed development is extremely compact with small rooms, bathroom and kitchen and is deficient in the following respects:
  - (a) Each bedroom should have a washbasin with hot and cold water.
  - (b) The minimum bedroom size should be 8 sq m unless there is a dining area in which case it could be reduced to 6.5 sq m.
  - (c) For every 5 persons (or part) two refrigerators and one wall unit (or equivalent storage) and one cooker/hob/oven would be required.
  - (d) Sufficient mechanical ventilation to the shower room, kitchen and bathroom and W.C
  - (e) Fire safety should meet the requirements for a 2 storey bedsit type HMO i.e. grade D L2 interlinked mains wired smoke alarm with battery back up throughout the escape route and in each bedsit and lounge plus interlinked heat alarm in the communal kitchen. Emergency lighting also required for escape route.
  - (f) Simple multi purpose extinguishers on each floor.
  - (g) Conditions are recommended requiring details of any power driven plant or equipment to be submitted and approved; restrictions on the hours power operated machinery can be used during the construction phase; pile foundation details to be agreed; and details to be agreed for any external lighting including flood lighting. An informative relating to bonfires during construction is also requested if approved.
12. **Local Highway Authority** – No significant adverse effect upon the public highway should result from this proposal, should it gain the benefit from planning permission.

### **Representations**

13. 3 letters of objection have been received from neighbouring properties, the material planning considerations raised are summarised below:
  - (a) The building and its black roof would be visible from the garden of nos. 22, 23 and 24 Burkett Way;
  - (b) The use of the building would be 24 hour within close proximity to residential dwellings and could cause possible noise issues at unsociable hours;
  - (c) The building's height will block natural daylight to the rear of nos. 22, 23 and 24 Burkett Way creating a shadow from the sun during the afternoon;
  - (d) The existing fence line and hedgerow would not provide adequate screening for a building 6.6m high. The existing trees are semi-mature and would not cover the extent of the building;



- (e) The building would dominate the rear gardens of nos. 22, 23 and 24 Burkett Way by virtue of its bulk and height, resulting in an unduly overbearing affect on the amenities currently enjoyed by residents;
- (f) There is a concern that possible security lighting would be required and any such lighting may impact upon neighbouring amenity;
- (g) During construction the footpath should not be impeded;
- (h) The proposed garden areas are within close proximity to no. 24 Burkett Way and staff using it space would impact upon the amenity of this property; and
- (i) A tree line along the boundary of the footpath was never implemented.
- (j) Conditions are recommended requiring details of any power driven plant or equipment to be submitted and approved; restrictions on the hours power operated machinery can be used during the constriction phase; pile foundation details to be agree; and details to be agreed for any external lighting including flood lighting. An informative relating to bonfires during construction is also requested if approved.

## **Planning Comments – Key Issues**

- 14. The material considerations in the determination of this planning application are the impact that the development would have upon the public realm, neighbour amenity, highway safety and public open space provision.
- 15. The proposed building would replicate that of the existing care home and previously approved district nurse's centre through its hipped slate roof, buff facing brick elevations and dormer windows. The building would only be visible from the public footpath that runs along the site's eastern boundary and this would mainly involve views of the side and rear of the building comprising of its roof. The proposal would be 1.7m higher than the original approved structure and involve dormer windows facing into the site but it is considered that these alterations would not be detrimental upon the public realm due to the limited views of it.
- 16. The original planning approval contained 29 car parking spaces. This proposal would not reduce the number of car parking spaces but would involve a use whereby up to 8 members of staff would be located on-site over night. The previous building did not provide accommodation, as it was a meeting and consultation centre. Nevertheless, given the site's central location within the village and that the accommodation would be for staff based at the adjacent care home it is not considered that the proposal would require any additional car parking. As staff occupying the building would be working within the adjacent site the proposal would not be considered to have any adverse impact upon highway safety.
- 17. The proposal comprises of a building within the same footprint of that previously approved. However, the proposal would involve first floor accommodation, with the building being 1.7m higher than that originally approved. Furthermore, the building would provide accommodation with staff occupying the structure throughout the day. Despite the building's increase in height the structure would be located approximately 16m away from the rear elevations of properties within Burkett Way. This distance would adhere to the South Cambridgeshire Design Guide Draft SPD, 2005, which states that a 12m distance is an acceptable distance from a blank wall onto neighbouring rooms. In addition, the building would be separated from the adjacent neighbouring properties by a public footpath, with fence lines on opposite sides of the path, along with existing landscaping. The proposal is therefore considered to have no significant impact upon the amenities currently enjoyed by the neighbouring properties.

18. The applicant has confirmed that the Primary Care Trust (PCT) changed their strategy for nursing service within Cambridge from a centralised approach to a decentralised approach. The PCT declined to use the application site for a district nurses centre and instead moved their nurse group to Seymour Street, Sawston and Toft. This would appear to be supported by the PCT who state they have no objection to the alternative proposals for staff accommodation at this site.
19. The proposed scheme is not considered to require a contribution to affordable housing. This is based on the principle that any residential development involving individual units of self contained residential accommodation, with their own front doors will be regarded as residential and Policy HG/3 will apply, including sheltered or age restricted accommodation where it provides self contained accommodation, even if there is a warden or administrator on site some or all of the time. However, if the residential accommodation has shared facilities and is not therefore self contained, as proposed in this case, it is regarded as an institutional use and Policy HG/3 will not apply.
20. As the proposal will result in an increase in residential accommodation, a financial contribution towards public open space is required in order to deliver open space to meet the needs of the development. A sum of £5, 950.56 (index-linked) is to be sought. An update will be given.

### **Recommendation**

21. The occupation of the building will be tied to the care home's employees, as the building could be occupied as a multiple occupancy home (use class sui generis) without the need for planning permission to change the use. The development is not appropriate for such a use due to the lack of dedicated car parking which could lead to an increase in an street car parking and potential for noise car parking to the detriment of highway safety and Clay Street and disturbance if occupants were not associated with the main use due to the likelihood that other occupiers would have different habits e.g. more likely to come and do in the evenings.
22. Approve

### **Conditions**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission. (Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
3. The building, hereby permitted, shall not be occupied until covered and secure cycle parking has been provided within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. (Reason - To ensure the provision of covered and secure cycle parking in accordance with Policy TR/2 of the adopted Local Development Framework 2007.)

4. 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.)
5. No external lighting shall be provided or installed within the site other than in accordance with a scheme, which has been submitted to and approved in writing by the Local Planning Authority. (Reason -To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/14 of the adopted Local Development Framework 2007.)
6. No development shall take place until a scheme for the siting and design of the screened storage of refuse has been submitted to and approved in writing by the Local Planning Authority. The screened refuse storage shall be completed before the building is occupied in accordance with the approved scheme and shall thereafter be retained. (Reason - To provide for the screened storage of refuse in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
7. 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 Policies SF/10 and SF/11 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 Policies SF/10 and SF/11 and Policy DP/4 of the adopted Local Development Framework 2007.)
8. The building, hereby permitted, shall be limited to occupation by persons solely or mainly working at St Etheldred House, Clay Street, Histon  
(Reason - To dwelling is not suitable for separate occupation due to the provision of car parking and potential for noise and due to the disturbance by occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

## **Informatives**

1. See attached Environment Agency advice regarding soakaways.
2. Should pile driven foundations be proposed, then before works convene, a statement of the method for consultation of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.

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

- East of England Plan 2008:
- South Cambridgeshire Local Development Framework Core Strategy DPD (adopted January 2007)

- South Cambridgeshire Local Planning Framework Development Control Policies DPD (adopted 2007)
  - DP/1 Sustainable Development
  - DP/2 Design of New development
  - DP/3 Development Criteria
  - DP/7 Development Frameworks
  - NE/6 Biodiversity
  - TR/1 Planning for More Sustainable Travel
  - TR/2 Car and Cycle Parking Standards
- Circular 11/1995
- Circular 05/2005
- Planning application refs S/0096/05/F and S/1173/09/F

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

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee 4<sup>th</sup> November 2009  
**AUTHOR/S:** Executive Director (Operational Services)/  
Corporate Manager (Planning and Sustainable Communities)

---

**S/0621/08/RM – ORCHARD PARK**

**Erection of Commercial Units (B1 Use 5142 sqm, amended 6<sup>th</sup> October 2009 to 4180 sqm) with Associated Parking and Infrastructure. Land North of Chieftain Way Adjoining A14 for Gallagher Estates and Lands Improvement**

**Recommendation: Approval**

**Date for Determination: 30<sup>th</sup> June 2008**

**Notes:**

**This Application has been reported to the Planning Committee for determination because Impington Parish Council objected to the application prior to the October 2009 amendments. During the life of the application, the new Orchard Park Community Council has been created, and is now the authority responsible for commenting on applications on this site. The Community Council has no objections in principle to the amended plans**

**Background**

1. There are a small number of key sites at Orchard Park that do not have the benefit of full/reserved matters planning consent. They are highly visible, being along the northern edge adjacent the A14, and on the corner of Histon Road and Kings Hedges Road. The LDF Inspectors' report has confirmed Members policy decision to look to providing an additional 220 dwellings in addition to the 900 permitted through the outline planning consent. Approval of this application for Commercial purposes will not compromise this additional housing provision.

**Site and Proposal**

2. The site lies north of Chieftain Way and immediately south of the A14 which, at this point along the northern boundary, is elevated above the level of the site by an embankment and separated by an acoustic fence (a mixture of close boarded fencing and glass screens). To the west and fronting Chieftain Way is affordable housing in the form of a four-storey apartment block (parcel E2) and to the rear of this a vacant parcel of land which recently received Committee approval (August 2009) for a local centre. To the east is land formerly proposed for commercial uses and now part of the land that may bring forward some of the additional 220 dwellings supported by the LDF process. To the south are two completed and occupied blocks of two/three storey affordable housing (F1 and F2) with additional housing approved but not yet started to the south-eastern side.
3. The application, received on 31<sup>st</sup> March 2008 and amended on 6<sup>th</sup> October 2009, proposes 8 commercial blocks of similar sizes (total of 4180 sqm gross) with 5 positioned close to the back of the pavement with Chieftain Way and the remaining 3 located in the rear area behind the housing on E2. All units have a similar curved mono pitched roof with a height ranging from 6.5m-9m front to back. The lower 6.5m eaves



S/0621/08/RM Orchard Park



Crown Copyright. Licence no. 100020012/001



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

Scale 1/5000 Date 26/10/2009

Centre = 544884 E 261773 N

November Planning Committee 2009

height will front Chieftain Way, except where abutting the housing at E2, in which case the block is positioned end on rising to a height of 9m.

4. In this amended scheme the floor space and car parking numbers have been reduced to provide 116 spaces (of which 6 will be disabled bays), which creates a ratio of approx 1 space to 36 sqm floorspace. It is also proposed to provide 180 covered cycle spaces.
5. The application seeks approval of all reserved matters of Access, Appearance, Landscaping, Layout and Scale. The scheme submission was accompanied by:
  - (a) A Design and Access Statement
  - (b) A Transport Report
  - (c) A Noise Impact Assessment
  - (d) A Landscape Statement

## **Planning History**

6. Outline planning consent **S/2379/01/O** granted permission for a mixed use development comprising 900 dwellings (on up to 16.48 hectares), up to 18,000m<sup>2</sup> B1 gross floorspace (on up to 3.32 hectares), up to 1.21 hectares of education facilities, 4.86 hectares of open space, up to 0.56 hectares of local centre facilities (A1, A2, A3, A4, A5 and D1 uses), up to 2.07 hectares of public transport infrastructure corridor and mixed uses on up to 2.87 hectares in five areas to include B1, C1, C2, C3, D1, D2 uses and car showroom.
7. Condition 25 limits the occupation of all B1 units above 300sqm to a local Cambridge Sub Area user, and the use to Research and Development.
8. Condition 27 limits the total quantum of B1 uses to no more than 18000sqm, as directed by the Highways Agency to ensure the A14/Histon Road junction can accommodate the traffic associated with the development. This application, together with that approved, as part of the Local Centre does not go beyond these limitations.
9. Condition 5 limits submission of reserved matters to 3 years, i.e. before 14<sup>th</sup> June 2008. After the determination of this application there are no outstanding reserved matter applications for Orchard Park. All further applications will either require a new outline application or a full application.

## **Planning Policy**

10. **East of England Plan 2008:**  
**ENV7** (Quality in the Built Environment)  
**SS1** (Achieving Sustainable development)
11. **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007:**
12. **South Cambridgeshire Local Development Framework Site Specific Policies DPD (January 2006):**  
**Policy SP/1** will replace **CNF1** (Cambridge Northern Fringe).



13. **South Cambridgeshire Local Development Framework Development Control Polices DPD (July 2007):**

**DP/1** sets principles for Sustainable Development;  
**DP/2** requires high quality Design of New Development;  
**DP/3** sets Development Criteria for the provision of facilities and consideration of impact;  
**DP/6** requires Construction Methods to minimise impact;  
**ET/1** imposes Limitations on the Occupancy of New Premises to local businesses;  
**SF/6** requires Public Art in developments over 1000sq.m. floorspace;  
**NE/1** requires the application to demonstrate Energy Efficiency;  
**NE/3** requires the use of Renewable Energy Technologies to provide at least 10% of predicted energy requirements;  
**NE/6** requires Biodiversity mitigation and enhancement;  
**NE/9** requires Water and Drainage Infrastructure to be in place;  
**NE14** requires Lighting Proposals to be the minimum required for safety and security, and not impact on amenity or highway safety;  
**NE/15** requires that permission should not be granted for development which would be subject to unacceptable Noise Pollution;  
**TR/1** requires Planning for more Sustainable Travel by ensuring a choice of non-car modes, the integration of travel modes, and measures to increase accessibility;  
**TR/2** sets standards for Car and Cycle Parking, car parking being a maximum, to be reduced where there is good accessibility to facilities and services and high quality public transport;  
**TR/3** requires Mitigation of Travel Impact through Travel Plans and improved transport infrastructure.

14. **Circular 11/99 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**

15. **Impington Parish Council** was consulted on the original application, as it pre-dated the setting up of the Orchard Park Community Council. They recommended refusal of the original application for 5142sqm of commercial floorspace. The reasons being:

- (a) Noise Report important (day and night), as nearby residencies, but not supplied;
- (b) Concern over contiguous stretch of car parking and suggestion of a barrier to break it up and inclusive of a security control system or traffic calming measures, to minimise night time use for leisure activity or rat running;
- (c) Alternative suggestion of reconfiguration to place units to rear and bring car parking forward, especially in view of the loss of the noise barrier integrity along the boundary with the A14 and the Air Quality Management area, and if possible this could allow the doubling up of the commercial parking (which could be forward and bordering the road) as out of hours parking for residents;
- (d) Police liaison Officers comments requested;
- (e) Concern over lack of green space and areas to sit at lunch time for the occupants of the commercial premises.

They also commented by email 5<sup>th</sup> June 2008 that, at a subsequent meeting, Members had noted Page 3 item 1.13 of the Consultation draft on Open Space in New Developments SPD stated; "In addition to the standards detailed above, additional informal open space provision will be sought as part of business park, retail



and large-scale commercial developments; this is for the benefit and well being of the workforce and also visitors to the site. The space will be negotiated with the Council having regard to the nature and location of the development, and will be in addition to the 2.8 hectares standard above”.

Further to their comments already made on the 2 applications (S/0621/08/RM and S/0622/08/RM) the Committee note that the consultation document on Open Space provision makes reference to the requirements that are expected by SCDC and would therefore anticipate these requirements to be made in any revision of the plan.”

16. **Orchard Park Community Council** is now the administrative Parish for the application site. They had no objection to the amended plans but raised concerns regarding the need to address rat runs, security issues, the need for a lighting scheme and servicing.
17. **The Local Highway Authority** commented on the original scheme that details of the proposed cycle parking for the commercial units must be provided to ensure suggested capacity could be achieved. They also requested manoeuvring diagrams to demonstrate that the layout would accommodate the largest vehicles likely to be generated. Such tracking diagrams should be for at the very least a 10 metre ridged delivery vehicle, preferably an articulated vehicle should be provided showing turning into and out of the site, and at the internal corners.

Cycle parking is now included in the amended scheme and tracking diagrams have been submitted and the LHA has confirmed that they are acceptable.

18. **The Environment Agency** – commented on the original application that insufficient information was submitted in respect of surface water drainage and pollution control. Confirmation from the applicant has been sought that the impermeable footprint (m<sup>2</sup>) of the development parcel does not exceed that originally proposed for the parcel. Requested from the applicant and waiting confirmation.

In addition comments were made regarding design details for surface water drainage and foul sewage or trade effluent.

19. **Corporate Manager (Health and Environmental Services)** – has no objections in principle to the amended plans but has asked for the following to be carefully controlled by condition.
  - (a) Demolition/Construction Phase: Noise/dirt.
  - (b) Noise Impact of A14 Traffic Noise on proposed Commercial use.
  - (c) Noise Impact of proposed Commercial on existing residential premises.
  - (d) Operational Odour Generation & Control.
  - (e) Air Quality (further information has been requested regarding the implementation of 10% renewables, the fuel sources and its impact on the AQMA).
  - (f) Artificial Lighting.
  - (g) Waste and Recycling Provision.

20. **The Arbury Camp Design Review Panel** – met on 21<sup>st</sup> July to consider the submitted application.

“SCDC commissioned Savilles to look at possible suggested design solutions. This work centred on looking at design solutions, control mechanisms, creating a park like setting by clarifying landscape objectives and aim to rationalise floor space in terms of design guide.

Concerns were raised about security of the proposed area of parking at the back of the site. The proposed buildings would be constructed of steel and glass to breem very good standards. The RSL expressed concerns about the glazing suggested.

Suggested alternative approaches to car parking i.e. multi-storey car parking. Developers were concerned that this would need controlled access, would be difficult to manage and very expensive to implement. Queries were raised about whether it would be to serve this area only or in light of the Barrant's appeal aim to service a larger area of the development. There would also be various ownership/management questions that would need to be addressed.

A query was raised about whether the local centre and off site landscaping could be altered. It was suggested that the blocks could be broken up more.

Concerns about the noise reflection were expressed particularly in relation to noise attenuation. Further checks with noise acoustics officers to be made.

Discussed whether the block form provided an acoustic barrier with regard to the buildings with or without the fence and how the computer models would reflect this.

The Parish Council who are also represented on the task and finish group expressed concerns about the lack of clarity regarding the barrier. The issue about whether to remove the barrier or not needs to be urgently resolved. Current residents are concerned about the acoustic performance particularly as the EU/Planning regulations differ in targets.

The land has been passed into Highways Agency ownership therefore developers cannot remove barrier. Any agreement on the removal of barrier would need to be discussed with the Highways Agency. There is also an S278 agreement with a covenant regarding removing barrier if detrimental to residents.

Solutions re acoustic performance and quality of area are urgently needed.”

The Panel has subsequently been superseded by the Joint Urban Design Team, whose comments are represented below under SCDC Urban Design.

21. **Police Architectural Liaison Officer** made a number of comments on the original application (reproduced here) but is no longer available to comment on the revised scheme.

“The proposed layout of Blocks N, O and P present few opportunities for natural surveillance over the highway and across the junction opposite Block N.

Virtually all of the car parking spaces, with the exception of those space to front of units Q – S, are out of view of the highway and has the potential to be vulnerable to crime and anti social behaviour, particularly late at night when it is not to be unexpected that a number of the units will be closed.

To enhance natural surveillance, thought could be given to placing Blocks N – P along the Boundary with the A14 with the parking to the front and visible from the highway.

I would also be concerned if there was an intention to link the car park to the front of Unit B1 to neighbouring development of the Local Centre as this would create

excessive permeability in an area which may become attractive to youths driving cars or motor cycles in an inappropriate manner. Additionally it would increase the crime risk by providing offenders with the anonymity they seek together with additional access and escape routes.

If the layout does remain unaltered it is recommended that the spaces between the Blocks are closed off with fencing such as weldmesh or railings (2m high Min), to enhance views into the site but to restrict unauthorised access.

The car parking areas should be lit by means of column mounted white down lighters to BS 5489 Code of practice for outdoor lighting.

Consideration should also be given at the design stage to the provision of CCTV to cover the exterior of the units together with the parking areas.

Care should be taken with the provision of planting associated with the development, which should not have the potential to create hiding places and should facilitate natural surveillance. Further tree and shrub planting should not inhibit the effects of lighting or CCTV. Planting next to car parking areas should be of a low growing thorny species not capable of exceeding 0.9m in height with tree canopies not allowed to fall below 2.2m above ground level thereby maintaining a clear visibility splay.”

22. **SCDC Urban Design Officer** - recommended that the original application be amended: Commenting on the revised plans:

- (a) They acknowledge that an attempt has been made to try to break up the car parking areas with landscaping but this is still consider this to be too thin and lacking at the western end.
- (b) Proximity of cycle parking to the units poor in places.
- (c) Entrances to the side of each unit rather than the preferred front access to benefit the street scene.
- (d) Construction design detail of the units should meet noise requirements.
- (e) Suggested addition of green roofs (sedum).

In conclusion they acknowledged the chances have been made in response to the previous comments but also pointed out that they would like to have received a single plan, which addresses the boundaries with neighbours. They requested a 3D massing model. The applicants have previously indicated that they are unwilling to provide such matters.

23. **Local Disability Forum** - commented on the original application:

- (a) Toilets - no toilets on first floor, toilet needs to be centre of wall with pull down bar on either side and space for carer.
- (b) Parking – all disabled parking bays need to be 1.5 spaces wide and space to rear/front for wheelchair access, no kerb adjacent to disabled bays to ease access to and from vehicles, there should be a minimum of 1 disabled space per unit.
- (c) Lifts - none in commercial buildings therefore prevents access to first floor and/or access to toilets on the ground floor for those working up stairs.
- (d) Access statement wrong in terms of parking and employment opportunities e.g. first floor and no lifts/toilets.

24. **Landscape Officer** – has commented on the amended plans noting that the scheme runs up to the steepest section of the A14 embankment, where there is little space for screening .The major difficulties are:
- (a) Total loss of green landscape between the northern boundaries of housing parcel E and this scheme.
  - (b) Space for tree planting to the west of parcel E is squeezed to 30% of previous schemes, and to an extent that the proposed trees will be unlikely to survive.
  - (c) Uninterrupted long views to the A14 embankment from within and outside of the development.
  - (d) Public spaces concentrated along the foot of the embankment with little separation from it are not likely to be attractive or well used.
  - (e) No screening or separation at all from the embankment - apart from a line of fastigate trees - behind the three units to the east of the development.
  - (f) Bike storage is unevenly spaced across the site and clutters vistas and public spaces.
  - (g) Central public space is very hard with little separation from roads, parking areas, bikes or pathways.

The whole area is visually dominated by car parking, and connects with similar areas to the west and south to create a sea of cars.

Some further suggestions for improving the plan have been made. Any response from the applicant will be reported verbally.

25. **SCDC Commercial (Refuse Collection)** - has not commented on this application but in commenting on the application for the Local Centre that was made at the same time the following general comments were made relating to the commercial units.

“The maximum distance for carrying of refuse is 30m, the width of the access doors to all refuse stores is only 1.2m wide, it needs to be at least 1.6m wide for a 1100 litre bin. The refuse stores for all units are too small, they need to be enlarged to a minimum 2.2m wide by 2.2m depth to accommodate 1 x 1100 litre bin plus recycling space. Unit B bin refuse store needs to be minimum 4.4m wide by 2.2m depth (as whole unit is larger than other units). For all units the refuse stores are not in the ideal position as the refuse vehicle has to stop in the parking areas and large bins wheeled out between parked cars.” Any additional comments from the Environmental operations manager will be reported verbally (see comments below).

26. **SCDC Arts Officer** commented on the original applications for the Commercial area and the Local Centre requesting further details of the previously discussed 'Trial Ground', art work designed for the central square around the Local Centre by Gallagher's lead artist, Patricia Mackinnon Day in 2005. As far as the current application is concerned it was suggested that the applicant contact the Local Group formed to deliver arts “the Park Arts Group”.

27. The following were consulted on the original plans and have not commented:  
**The Highways Agency, Cambridge City Council, SCDC Community Services, SCDC Ecologist, SCDC Commercial Officer** and the **SCDC Sustainability Officer**.

The applicants responded to Impington Parish Councils comments. (Note the plans have since been amended).

“Again I trust a copy of the PLO comments will be sent to the Parish Council. (done)

With reference to the layout of this development and the suggestion that the blocks on the West side of the site could be located nearer to the A14, it should be noted that this particular matter was raised and discussed by the applicant, Gallagher's at a meeting attended by Peter Studdert the chairman of the Design Review Panel and Wayne Campbell, Planning officer for SCDC among others on the 27<sup>th</sup> February 2008. Mr Studdert felt that in urban design terms this layout offers the best balance between maintaining the integrity of the street scene and providing visual interest in turning the corner. This is consistent with the Arbury Camp Design Brief.

The other matters raised by the PLO are as noted for the local centre and our comments equally apply. As all units in this section of the development are B1 an opportunity does exist to install control barriers / fencing as suggested in the PLO's report.

## **Representations**

28. Two site notices were posted on Chieftain Way and neighbours notified and re-notified of the amended plans. No representations have been received to date.

## **Planning Comments – Key Issues**

29. This is an important proposal in that it will provide employment within Orchard Park helping meet the original aspiration of a mixed use development. It will also complete a key section of the development and will help provide an enhanced acoustic barrier of built development for residential properties to the south. The application raises the following issues:

- (a) Compliance with the outline planning consent. Floorspace.
- (b) Design, appearance, built form, scale and massing.
- (c) Layout, Access and Highway and servicing requirements.
- (d) Car and Cycle parking provision.
- (e) Refuse collection.
- (f) Noise Attenuation.
- (g) Air Quality.
- (h) Landscaping.
- (i) Security and Surveillance.
- (j) Disability issues.
- (k) Sustainability issues.
- (l) Public Arts.

## ***Compliance with the outline planning consent. Floorspace.***

30. Condition 27 of the outline planning consent S/2379/01/O limited B1 uses to 18000sqm. This application for 4180sqm of B1 floorspace, together with the 3836sqm office/B1 floorspace approved in August 2009 as part of the proposed local centre, would create a total of 8016sqm B1 floorspace, which would clearly fall well within the limitations of this condition.
31. Condition 25 of the outline planning consent S/2379/01/O limited occupation of units over 300sqm to a local user and Research and Development. Whilst the floor space of these 8 blocks each total between 520/525 sqm, the plans show subdivisions below the 300sqm level so this condition will not apply other than to prevent an amalgamation of units by an outside user.

***Design, appearance, built form, scale and massing***

32. The application has been amended following the advise of the Urban Designers and the units have been repositioned to follow the Street pattern to provide a more visually pleasing street scene .The suggestion from the former Parish Council (Impington) that some of the buildings should be set to the back of the site - to allow the car parking area at the front to be shared with residents - was considered but the visual advantage of positioning the buildings adjacent the street and footpath were considered to be of greater advantage.
33. The approved Design Guide for the estate development sought 15m high buildings along the northern parcels of the site adjacent to the A14. It is disappointing that with this proposal the acoustic fence must remain as the 15m building barrier which would have provided the necessary acoustic attenuation has not been achievable for economic reasons. Nevertheless, the proposed development is considered visually acceptable in height terms since the frontage elements create a strong street scene in Chieftain Way. In the absence of any further approved Design Guidance this application is found acceptable (A Design Guide for the northern section of Orchard Park, prepared by Savills, is currently being reviewed by the Urban Design Team but is not at a stage that can usefully assist in determination of this application).
34. The clean contemporary design fits well with the design of the neighbouring residential block E2 and the Local Centre designed by the same architect.

***Layout, access, highway and servicing requirements***

35. The units would receive vehicular access from the rear. Individual servicing areas are not provided or have been required by the Local Highway Authority. In order to avoid a dead frontage and ensure best practice 'secure by design' principles are met, the Urban Designers identified a need to promote pedestrian access from the street. The amended proposals, in part, meet their concerns, by providing the building entrances to the sides rather than the rear of the buildings fronting Chieftain Way.
36. In commenting on this and the Local Centre application the Police advice was to avoid an unhindered vehicular link around the rear of the site to the Local Centre. To avoid security issues a planning condition is suggested to provide site wide security surveillance and allow the possibility of some form of night time security barrier between the Local Centre and the application site to avoid rat running.

***Car and cycle parking provision***

37. The total parking provision has been reduced from 179 to 116 spaces, which equates to 1 space per 36sqm of floorspace. The Council's adopted car parking standards require a **maximum provision of 1 space per 30sqm for B1 uses (schemes of over 2500sqm). However, it is considered that this slightly reduced provision should be supported in this case as it provides an opportunity to break up the large areas of hardstanding by increasing the areas of soft landscaping (to create landscaping zones in the areas where there will be breaks the built frontages and to help accommodate enhanced landscaping to the northern boundary to the A14 embankment) and will help support Employer Travel to Work initiatives, by making personal car usage less attractive.** In support of this latter initiative, the cycle parking has increased from 170 to 180 spaces with all spaces being part covered.



38. The Section 106 Agreement attached to the original outline planning permission includes a requirement for 'Travel for work plans' "...so long as at least 8 persons shall be employed on any part of the Site used as a separate planning unit." The planning units proposed by this application are of such a small size that there is a strong possibility that they would fall below this threshold. However, as the total car parking numbers have been reduced below the adopted standard it considered appropriate to ensure that travel plans are provided and for this reason an additional condition should be applied to address this matter.

***Refuse collection***

39. The plans detail each unit having refuse storage areas of 2 x (2.2 x 2.2m) each with door widths of 1.65m so that is 4.84sqm x 2 = 9.68sqm in total internal storage for each 520/525sqm unit. The street widths are 6.1m. This meets the standards in the Waste Management Design Guide.

***Noise Attenuation***

40. The application relies on retaining the acoustic barrier alongside the A14. The noise attenuation strategy agreed under condition 10 of the outline planning consent sought the removal of the fence only where the desired commercial buildings would offer the necessary noise attenuation. The fence is under the control of the Highways Agency, and is intended to be retained, albeit in a different position and/or to a different design as a result of the current proposals to widen the A14, currently out to consultation. Additional conditions are suggested to control the impact of noise on adjoining residents and occupiers of the commercial units.

***Air Quality***

41. This proposal does not include any residential units so air quality issues relate solely to the amount of traffic that would be generated by the development. The floorspace is reduced and lower overall than the outline permission granted. The potential for reducing NO2 levels lies in schedule 7 of the S106 agreement requiring the preparation of Travel to Work Plans (for any separate planning unit having at least 8 employees) As stated above, under car parking, to ensure these are provided an additional condition is suggested.

***Landscaping***

42. Amendments to the application include revised landscaping proposals, which provide enhanced landscaping to the northern boundary and enlarged soft landscape belts where there are gaps in the built frontage, to create a better visual buffer to A14 embankment.
43. The precise details of the planting schedule and landscaping approach is not considered acceptable to the Council's Landscape Officer. However, it is considered that these can be further refined and dealt with through the discharge of planning conditions.

***Security and surveillance***

44. CCTV positions and operation will depend on the Commercial centre developer and their management regime. A condition requiring these details to be agreed and implemented prior to any use/occupation is appropriate.

***Disability issues***

45. The applicant has confirm that the offices are designed to allow the installation of a lift to access the first floor in all 8 units from a point adjacent to the accesses. However, since such matters are dealt with under Building Regulations, no further planning consideration is necessary.

***Sustainability issues***

46. As with the proposed Local Centre the applicant has responded to the question as to how the proposal will meet the policy requirement of providing 10% renewables, by proposing a mini CHP scheme together with heat pump systems capable of heating and cooling simultaneously similar to that provided at the recently opened hotel. Since the technology involved is constantly being refined the applicant has not found it possible to give details of the exact type of installation at this stage, but has confirmed that this proposal will not require the provision of any above ground structures on the site, and ventilation requirements will be no more onerous than for any traditional system. It is therefore recommended that a condition be attached to agree details of the system, including the design implications and that 10% of the energy required by the development will be genuinely achieved by renewables. The technology to be used needs to ensure it does not adversely impact on the AQMA.

***Public Arts***

47. Discussions were had with the applicant to encourage the provision of Arts within the scheme, possible at the entrances to each unit .In the time available since the submission of the amended plans the applicant has not furthered this. It will require the involvement of the Locally formed Park Arts Group and for this reason this aspect needs to be conditioned .

**Recommendation**

48. APPROVE details of reserved matters of access, appearance, landscaping (principals of), layout and scale, as amended by plans stamped 6<sup>th</sup> October 2009, subject to additional conditions addressing the following matters:

**Additional Conditions**

1. Details of landscaping to include hard and soft landscaping.
2. Design details of covered cycle parking.
3. Implementation of parking and cycle parking.
4. Phasing scheme for construction and occupation.
5. Scheme of CCTV and lighting.
6. Scheme of public art.
7. Implementation of refuse stores.
8. Scheme for provision of at least 10% of predicted energy requirements by renewable energy.
9. Signage strategy.
10. Hours of construction.
11. Noise and vibration control for any piling of foundations.
12. Construction dust control.
13. Noise insulation scheme or mitigating measures to protect the commercial units from A14 Traffic noise.
14. Hours for refuse/recycling collections.
15. Hours for deliveries.



16. Opening times for commercial premises.
17. Odour abstraction / filtration / abatement scheme.
18. Air quality protection scheme.
19. Lighting scheme.
20. Requirement for Travel plans for all units.
21. Night time barrier details to Local Centre.

**Informatives**

1. Condition 13 of **S/2379/01/O** requires a scheme for the location and provision of fire hydrants prior to development commencing.
2. Add in informative with respect to landscaping recommendations.
3. Informative regarding requirements of Food and Health and Safety team.
4. Informative regarding noise protection measures.

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- Planning Files Ref: S/0621/08/RM and S/2379/01/O

**Case Officer:** John Pym – Senior Planning Officer (Major Developments)  
Telephone: (01954) 713166

**Presented to the Planning Committee by:** John Pym

This page is left blank intentionally.

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee 4<sup>th</sup> November 2009  
**AUTHOR/S:** Executive Director (Operational Services)/  
Corporate Manager (Planning and Sustainable Communities)

---

**S/1251/09/F - LONGSTANTON**  
**Landscape Works, Phase 3A, Land off High Street for West Longstanton Ltd**

**Recommendation: Delegated Approval**

**Date for Determination: 27<sup>th</sup> November 2009**

**Notes:**

**This Application has been reported to the Planning Committee for determination because the application is a major development and the officer recommendation conflicts with representations that have been received.**

**Major Development**

**Site and Proposal**

1. This full application, received on 28<sup>th</sup> August 2009, proposes landscaping for Phase 3A of the Home Farm development off High Street, Longstanton.
2. The development comprises 87 plots.
3. Reserved matters approval exists for the layout of the site (see history below), however details of landscaping within the site did not form part of that consent.

**Planning History**

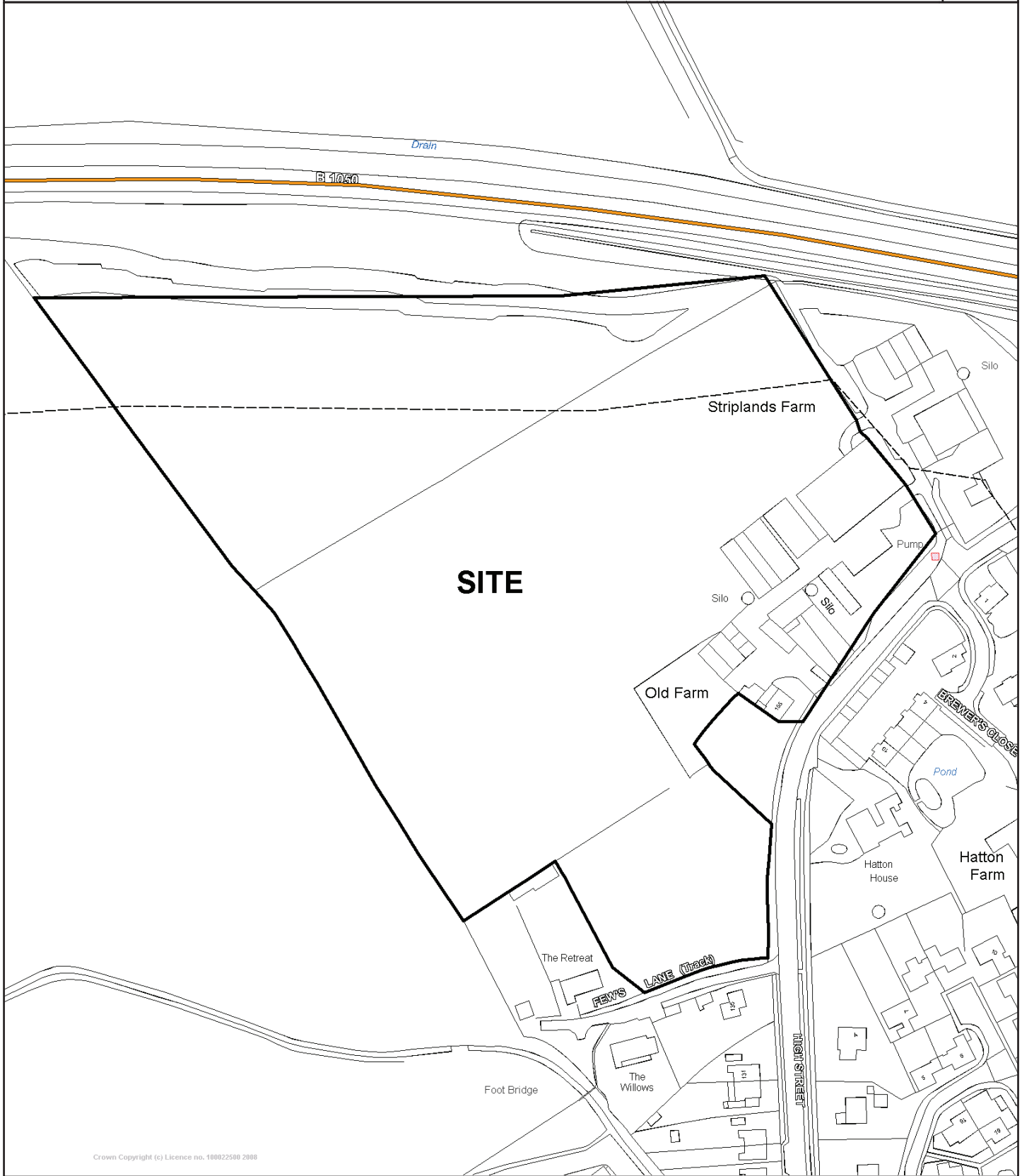
4. Outline planning consent was granted for the Home Farm development in October 2000. Applications for approval of reserved matters were to be submitted within 7 years of the date of the permission.
5. In April 2007 reserved matters approval for the siting, design, means of access and landscape structure only was given for Phase 3A (87 plots) (**Ref: S/0625/06/RM**).
6. Details of landscaping within the site were not submitted within the 7-year period allowed.

**Planning Policy**

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

**DP/1** – Sustainable Development  
**DP/2** – Design of New Development  
**DP/3** – Development Criteria

S-1251-09-F



Crown Copyright (c) Licence no. 100022500 2008



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

Scale 1/2000 Date 21/10/2009

Centre = 539410 E 267377 N

November 2009 Planning Committee

8. Trees and Development Sites SPD adopted January 2009.
9. Open Space in New Developments adopted January 2009.

### Consultation

10. **Longstanton Parish Council** comments, “we are supplied with the application form and a drawing. There is little detail (such as on the types of hedging, etc.). We suspect that the application had more details that were not copied to the PC (it references a covering letter, for example).

Based on the drawing, we recommend approval, subject to clarification.

The drawing indicates one large open space, three smaller open spaces, and numerous bits of hedge (verges etc).

- A. On the main space:
  1. Overall, we recommend lawn grass amongst trees.
  2. There is a play area to be maintained “until installation of play equipment by others”.

We need:

    - (a) Clarity on the type of play equipment (and that the manufacturer is the same as for other sites to make the PC’s maintenance jobs easier in the future).
    - (b) Clarity on who the “others” are.
    - (c) Clarity on what the trigger point is that stops maintenance.
    - (d) Clarity on what happens to the play equipment and underlying landscaping once it is no longer maintained.
- B. On the 3 smaller spaces:
  1. No particular comment, other than the lawn grass rather than meadow.
- C. On the bits and pieces:
  1. Overall the grass and hedge layout seems fine.
  2. There must be clarity at this stage on the ownership of each area. It makes sense for the larger hedges to be community property. Small grass verges should be part of the associated dwellings; there is little value in the PC maintaining them. If there are small hedges that make sense to put under home owner control, then deeds must reflect requirements on their maintenance (ie, they provide softening of the landscape; home owners should not have the option to remove them without deed modification or seeking similar approval. This must be formalised now and encoded in the deeds to avoid confusion we are having with Phase 1.”

11. The comments of the **Landscape Officer** and **Ecology Officer** will be reported at the meeting.

### **Representations**

12. The occupier of **The Retreat, Fews Lane** comments that the large willow tree may need to be removed in view of the proximity to the proposed dwelling. Why should the tree have to be felled in view to make room for the dwelling as the tree was there long before the house.

Many mature trees were felled on Home Farm Phase 2 to accommodate dwellings and they have not been replaced. There are also three chestnut trees marked for felling as well as two silver birches and a cherry. Longstanton has suffered the loss of a great majority of its trees due to development projects on the village and it is time for this to end. It takes many years for these trees to grow and develop plus a great deal of wildlife is lost each time it happens.

The hedgerow between The Retreat and Plot 3 of the development site is an ancient hedgerow and should be preserved. The applicant seems to be claiming it as part of the development site but this is disputed, as it is a boundary hedge that should be retained and preserved and not ripped out. There is also an ancient right of passage through the hedge to draw water from the well sited on the development site.

The hedgerow alongside Fews Lane plots 1 and 2 seems to be excluded from the site. This is the boundary hedge for the land and ditch which runs along Fews lane and has always formed part of Old Farm.

There is an objection to Plot 16 having its frontage overlooking the front garden of The Retreat and intruding on privacy.

There is concern that the application form is incorrect as the 'no' box is ticked to the questions concerning pedestrian and vehicle access, roads and public rights of way. There is also concern that the applicant did not engage in pre-application discussions with adjoining neighbours.

13. The occupier of **Striplands Farm** draws attention to a very important habitat that has been created following the excavation of an ancient well by the archaeologists. For the last two years it has been successfully breeding large numbers of Broad bodied chaser dragonflies along with ruddy darter dragonflies and damselflies. Also present during the summer months are a large number of newts.

If this pond could be enlarged and turned into a feature in one of the open green spaces it would be an enormous natural habitat in an otherwise built up area.

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

14. The site benefits from a reserved matters approval for the siting, design, means of access and landscape structure. The layout of the site is therefore not something that Members can consider with this application, which should be determined purely on the merits of the landscaping scheme proposed. This matter would normally have been dealt with by way of the submission of a landscaping scheme as one of the reserved matters under the original outline consent. As the time allowed for the submission of reserved matters has expired the landscaping details have been submitted as a full planning application.

15. The detailed comments of the Landscape Officer will be reported at the meeting. The submission follows discussions between the applicants landscape consultant and the Landscape Officer.
16. The submitted drawing does show the removal of some existing trees within the site which were shown as being retained on the layout drawing approved as part of the 2006 reserved matters consent for Phase 3A. These include the Willow (Plot 75), three Chestnuts (Plot 69 and open space between Plots 53 and 58), two Silver birches (Plot 83) and the Cherry (Plot 83) which are referred to in the representation from occupier of The Retreat.
17. I have passed on the comments of the Parish Council regarding the areas of public open space. The laying out, equipping and subsequent management of these areas was dealt with by a condition on the original outline consent, and not under the landscaping scheme. I am aware however that there are ongoing discussions about this issue and will report the comments of the applicant regarding the Parish Councils' comments. It may be that the details of the landscaping of the area of open space should be excluded from any consent, until such time as final agreement is obtained to the overall layout of the space.
18. In response to the Parish Council's comments I will ask the applicant to indicate the areas of landscaping which are not proposed to be transferred to individual property owners. As this is a full application it may be appropriate to require the submission of a scheme for the management of areas of landscaping which are not to be transferred to individual properties.
19. I have passed on the comments from the occupier of Striplands Farm concerning the issue of the ancient well and its ecological value to the Ecology Officer and will report his comments at the meeting.
20. Issues of overlooking due to the position of houses within the site were addressed in the reserved matters consent for the layout of the site. I am of the view that the application form is correctly completed as this application relates to landscaping only and not the formation of the roadway/access etc.
21. I will report the response to outstanding consultations at the meeting and any further comments received from the applicant. The views of the Landscape Officer will be central to my recommendation.

### **Recommendation**

22. Subject to the satisfactory response to outstanding consultations, and no objection being raised by the Landscape Officer that consent is granted.

### **Conditions**

1. Submission of scheme for management of areas of landscaping not transferred to individual properties.
2. Exclusion of areas of formal play space from consent.
3. SC6 Landscape Implementation



**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/1251/09/F; S/0625/06/F & S/

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

**Presented to the Planning Committee by:** Paul Sexton

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee4<sup>th</sup> November 2009**AUTHOR/S:** Executive Director (Operational Services)/  
Corporate Manager (Planning and Sustainable Communities)

---

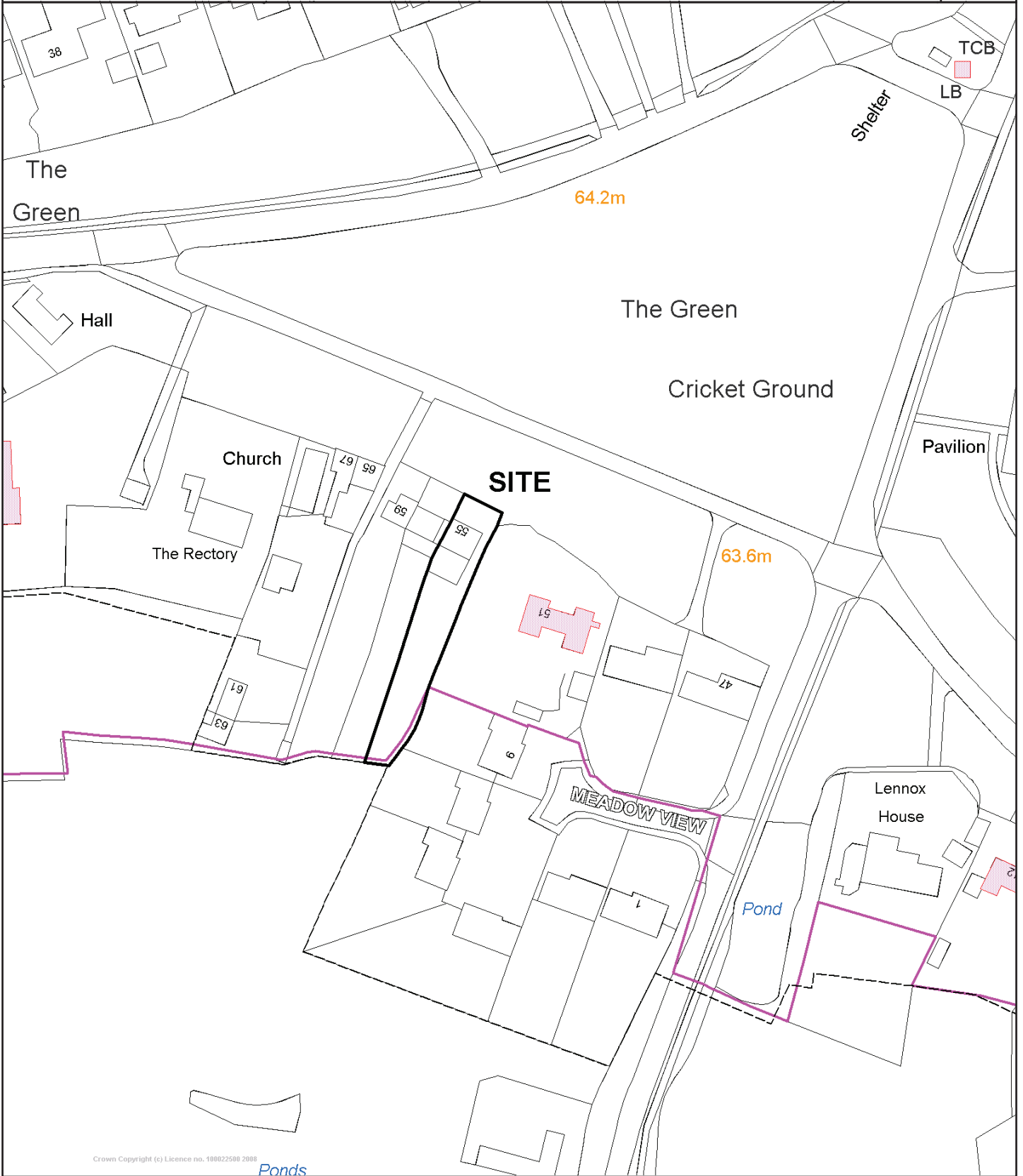
**S/1109/09/F - ELTISLEY**  
**Extension, 55 The Green for Mrs Hazel Crawley****Recommendation: Approval****Date for Determination: 8<sup>th</sup> October 2008****Notes: This Application has been reported to the Planning Committee for determination because the planning application is within a Conservation Area.****Site and Proposal**

1. The site measures approximately 0.06 hectares. The end terrace dwelling resides within the village framework and Conservation Area. The dwelling also faces onto the Public Green (Cricket Ground) and is adjacent to a Grade II Listed Building. The building of No.55 is a one and a half storey dwelling, with a hipped roof and chimney. The dwelling is constructed with buff colour bricks, dark reddish/brown tiles and wooden fenestrations.
2. The dwelling is set approximately 18 metres away from the road and is attached to No.57. The Grade II Listed Building is detached and the boundary treatment between the two dwellings is made up of mature trees and bushes. The existing dwelling (not including the conservatory) measures approximately 13.8 metres x 6.2 metres, with a height of 7.7 metres (excluding chimney).
3. The proposed side extension measures approximately 6.6 metres x 2.5 metres, with a height of 3.7 metres. The proposed materials will match those on the existing dwelling.
4. The proposed development has been amended on 20th October 2009, this has changed the development from a wrap around extension with a hip roof to a more simple lean-to extension.

**Planning History**

5. **S/0409/89/F** – The proposed two storey extension was refused on overbearing and loss of light grounds to No.57.
6. **S/0594/90/F** – The proposed two storey rear extension was approved. This extension formed a new living room and bedroom space.
7. **S/0139/04/F** – The proposed conservatory on the east elevation of the dwelling was approved. The conservatory was to be constructed out of wood, buff brick and glass.

s-1109-09-F



Crown Copyright (c) Licence no. 100022500 2008

Ponds



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

Scale 1/1250 Date 19/10/2009

Centre = 527087 E 259628 N

November 2009 Planning Committee

8. **S/2007/06/F** - 59 The Green, Eltisley had a two storey extension approved. This extension was for a new garage and a new master bedroom, walk in wardrobe and a bathroom.

#### **Planning Policy**

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

**DP/2** – Design of New Development

**DP/3** – Development Criteria

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

**CH/5** – Conservation Areas

10. South Cambridgeshire Local Development Framework (LDF), Development Affecting Conservation Areas (Supplementary Planning Document), adopted January 2009.

#### **Consultation**

11. **Eltisley Parish Council** – Recommends refusal. It states that the applicant should re-design the front elevation to be less obtrusive. The Parish has no objection in principle but does not approve of this design.
12. **Conservation Manager** – States that the proposal mentions an extension permitted on the opposite end of the row of houses, however, the scheme put forward is nothing like this previous development. It is also pointed out that each development is considered on its own merits. The previous comments still apply from the pre-application stage. The design, bulk, mass and complexity are unfortunate, the hipped roof is inappropriate, and the fact that the extension wraps around the front of the building and comes forward is inappropriate, as it should sit behind the front of the building. This should be simple to do, as the room is the utility room. The neighbour's design is very different, it is simpler, there is no hip, and it is a catslide roof structure, which is more traditional. The Conservation team recommend refusal as the proposal neither preserves nor enhances the Conservation Area and would result in harm due to poor design. The impact to the setting and character on the adjacent listed building is minimal as it is well screened.

Following negotiations the applicants have agreed to change the design to a lean-to. The Conservation Manager approved off the removal of the wrap around part of the extension and the creation of a lean-to extension. He stated that while this was a significant improvement the roof overhang should be removed and suggested that the rooflights be changed to a long thin shape.

Following submission of formal amendments (see paragraph 17), the Conservation Manager recommended approval for the amended plans.

#### **Representations**

13. No representations have been received on the 15<sup>th</sup> October 2009.

**Planning Comments**

14. The main planning considerations for this development are does it preserve or enhance the Conservation Area, impact upon adjacent Listed Building and does it have a detrimental impact upon neighbours.

***Impact upon the Conservation Area***

15. The dwelling of No.55 faces the Public Green, which is a large open space with a few mature trees in the central part of the Green with more trees around the edge. This space by being open allows for long distance views across the open space of over 100 metres. There are several Grade II Listed Buildings around the Green.
16. The property of No.59 is the other end terrace property in the row. This property has had a one and a half storey extension placed on the northwest side elevation, which projects both to the rear and to the front of the property. The development was carefully designed in order that the roof over the extension will match the pitch on the original dwelling. The catslide roof on this extension faces forwards, with the hip part of the roof facing to the side. The materials of the proposed extension will match those of the existing building.
17. The proposed extension has been amended after comments were received from the Parish Council and Conservation Officer. The amendments are based upon the advice given by the Conservation Officer. These amendments changed the extension from a wrap around extension to a simple lean-to extension. The amendment has also indented the extension, so that it no longer projects in front of the dwelling and is set in by approximately 0.2 metres. The proposed extension has also changed the rooflights from square windows to long thin windows.
18. The proposed development is considered to be of an appropriate design, as it is subservient to the original dwelling by being set back and having a simple design. The amended rooflights are better proportioned and give better space either side of the 1st floor side window. The extensions subservience and simple design means that the extension will have little impact upon the Conservation Area. It is also considered that the amended plans have made the front elevation less obtrusive, as requested by the Parish Council. The Parish Council has been consulted again and any further comments made by the Parish will be given during the Committee.
19. It is considered that the proposed development preserves the character and appearance of the Conservation Area and is, therefore, in accordance with Policy CH/5.

***Impact upon the Adjacent Grade II Listed Building***

20. The Grade II Listed Building is a detached dwelling located approximately 15 metres to the east of No.55. The Listed Building used to be a Manor Farmhouse and was constructed sometime between the 1400s –1500s, it was listed in 1962. The Listed Building has a tile roof with timber frame render and red brick. The Conservation Officer notes the importance of the boundary treatment between the Listed Building and No.55, most of the trees are on the Listed Building side and therefore no condition could be placed to ensure they are protected. However, these trees are within the Conservation Area and due to this they are protected and any tree removal will require the authorisation of the Trees and Landscape Officer.

21. The proposed single storey development will have no impact upon this Listed Building, as the existing boundary of bushes and mature trees will prevent the extension from being seen from the grounds of the Listed Building. The proposal is, therefore, in accordance with Policy CH/4.

***Impact upon Neighbours Amenity***

22. The proposed development is a single storey extension, connected onto a two-storey wall. The proposed development will have no impact upon the attached neighbour of No.57, as the existing dwelling sits between the extension and the neighbour.
23. The proposed extension, due to it being single storey and the existing high boundary treatment, will cause no loss of light or increase in overbearing upon the Grade II Listed Building. The kitchen window will not cause any loss of privacy to the occupiers of the Listed Building; this is again due to the existing mature vegetation between the two properties. The proposed development is considered to have no detrimental impact upon amenity of the adjacent neighbours and therefore complies with Policy DP/3.

**Recommendation**

24. Approve as amended on the 20<sup>th</sup> October 2009, subject to the following conditions
1. SC1 Full Planning Permission, Time Limit (3 years)  
The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development that have not been acted upon.)

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

- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Planning File Ref: S/1109/09/F

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

This page is left blank intentionally.



**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee 4<sup>th</sup> November 2009  
**AUTHOR/S:** Executive Director (Operational Services)/Corporate  
Manager (Planning and 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**

**Rowe Build & Development Ltd – Single-storey dwelling – Land r/o 9-17 Grange Road, Ickleton – Appeal allowed.**

2. This application followed an earlier proposal for a larger dwelling that was refused planning permission and dismissed at appeal. The main issue was the effect of the proposal on the character and appearance of this part of the village. The appeal was conducted by way of a hearing attended by a representative of the Parish Council. Cllr Williams attended the inspector's site visit
3. The inspector noted that the height, width and depth of the building had been significantly reduced. He found that the site has an overall enclosed appearance being bounded on all sides by close-boarded fences, hedges and trees. While the development along Grange Road is linear in form with an absence of development in depth, he saw that the proposal would be barely visible from any public viewpoint. Given its low height, it would only be clearly seen at eaves level and above from the first floor bedroom windows of the frontage cottages.
4. As such, it would be sensitive to its surroundings, whilst not significantly reducing the open nature of the landscape that contributes to the rural character of this edge of village location.
5. Other concerns raised by local residents and the parish councillor included the narrow width of the access road, especially with regard to emergency vehicles. In the absence of any contrary evidence from the Council or the local highway authority, the access was considered appropriate.
6. The appeal was allowed subject to the payment of an open space contribution and conditions regarding external materials, restricting pd rights to protect the character of the area, landscaping, provision of a turning area and ecological matters.

**Mr & Mrs Sharpe – Erection of dwelling and reconfiguration of existing car parking area – Land adjacent to 1 Church Street, Little Shelford – Appeal dismissed**

7. The appeal site forms part of a car park connected with an existing restaurant. Planning permission for a different scheme had previously been refused and dismissed at appeal. The main issues in this appeal were the impact on the village conservation area and the provision of open space infrastructure.
8. The inspector found that the proposal would be of a design quality and materials sympathetic to its conservation area setting. It would be compatible with neighbouring buildings. While it would result in the loss of a gap in the street scene, the existing attractive landscaped area would be retained. The inspector acknowledged her view on the importance of the gap conflicted with the views of an earlier inspector, but she was satisfied that the new dwelling would not be an unwelcome or dominant intrusion. The proposal was therefore acceptable on this basis.
9. The inspector accepted the need for an open space contribution. Nonetheless, she had concerns about the wording of the proposed unilateral undertaking and had not been provided with an authenticated and sealed copy. She therefore considered there was an insufficient mechanism for securing the contribution. The appeal was dismissed on this basis.
10. The Council's Legal officer has noted the disputed wording of the undertaking and has agreed it can be changed to provide certainty and prevent a reoccurrence in the future. The appellant is likely to resubmit the application with an appropriate legal undertaking.