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28 September 2010

To: Chairman – Councillor Pippa Corney
Vice-Chairman – Councillor Robert Turner
All Members of the Planning Committee - Councillors Val Barrett, Trisha Bear,
Brian Burling, Lynda Harford, Sally Hatton, Sebastian Kindersley,
Mervyn Loynes, David McCraith, Charles Nightingale, Deborah Roberts,
Hazel Smith, John F Williams and Nick Wright, 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, 6 OCTOBER 2010** 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
JEAN HUNTER
Chief Executive

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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**
- 3. Minutes of Previous Meeting**
To authorise the Chairman to sign the Minutes of the meeting held on 1 September 2010 as a correct record. These minutes are

1 - 2

attached to the electronic version of the agenda, which can be accessed by following the links from www.scams.gov.uk/meetings

PLANNING APPLICATIONS AND OTHER DECISION ITEMS

- | | | |
|------------|---|------------------|
| 4. | Cambourne Drainage Update | 3 - 12 |
| 5. | S/0990/10/RM - Cambourne (Land Parcel UC01, Upper Cambourne) | 13 - 20 |
| 6. | S/0790/10/F - Great Shelford (49 Woollards Lane) | 21 - 40 |
| 7. | S/1099/10/F - Waterbeach (Waterbeach Lodge, Ely Road) | 41 - 54 |
| 8. | S/1081/10/F - Harston (Land to the South of 37 Church Street) | 55 - 62 |
| 9. | S/0920/10/F - Haslingfield (Land to the West of Grove Farm, Harlton Road) | 63 - 68 |
| 10. | S/1245/10/F - Histon (40 Station Road) | 69 - 76 |
| 11. | S/0233/10/RM - Meldreth (Land to the North of Chiswick End) | 77 - 86 |
| 12. | S/1101/10/F - Papworth Everard (Land West of Ermine Street South) | 87 - 100 |
| 13. | S/1190/10/F - Sawston (40A High Street) | 101 - 108 |
| 14. | S/0847/10/F - Swavesey (at Land to the West of 24 Taylors Lane) | 109 - 116 |
| 15. | S/1106/10/F - Great Abington (Barn Adjacent 44 North Road) | 117 - 128 |
| 16. | S/1199/10/F - Great Abington (1 & 2 Newhouse Farm Flats, Pampisford Road) | 129 - 136 |
| 17. | S/0457/10/F - Bassingbourn cum Kneesworth (155 The Causeway for NDR Contracting Ltd) | 137 - 144 |

INFORMATION ITEMS

- | | | |
|------------|--|------------------|
| 18. | Appeals against Planning Decisions and Enforcement Action
Summaries of Decisions of interest attached.
Contact officer:
Gareth Jones – Head of Planning – Tel: 01954 713155 | 145 - 150 |
| 19. | Enforcement Action - Current Cases | 151 - 162 |

OUR VISION

- We will make South Cambridgeshire a safe and healthy place where residents are proud to live and where there will be opportunities for employment, enterprise and world-leading innovation.
- We will be a listening Council, providing a voice for rural life and first-class services accessible to all.

OUR VALUES

We will demonstrate our corporate values in all our actions. These are:

- Trust
- Mutual respect
- A commitment to improving services
- Customer service

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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.

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and so on. In every case, the public interest in excluding the Press and Public from the meeting room must outweigh the public interest in having the information disclosed to them. The following statement will be proposed, seconded and voted upon.

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

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

Notes

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

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South Cambridgeshire District Council

Planning Committee – 6 October 2010 – Declaration of Interests

Councillor

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villiage:

Reason:

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Reason:

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

Personal / Personal and Prejudicial [delete as appropriate]

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 October 2010

AUTHOR/S: Executive Director (Operational Services) / Corporate Manager – Planning and New Communities

CAMBOURNE - DRAINAGE**Purpose and Background**

1. This matter is being reported to the Planning Committee
 - (a) at the request of the Planning Portfolio Holder, following assurances given to Full Council on 22 April 2010 that it would be kept under regular review by Members, and
 - (b) because at the last Planning Committee on 1 September 2010, and following the information that there had been fresh flooding problems during the week commencing 23 August, Members indicated they wanted to see a fuller report setting out what action is to be taken by the Developers to achieve an early and permanent resolution of the drainage issues. Members also requested that they should be advised of the legal measures available to the Council in seeking to ensure the early and permanent resolution. It is intended that if Members having received the latest update, wish to hear details of the legal measures which are available then this will be dealt with in closed session either at the meeting on 6 October or at the next Planning Committee in November.

Update as at 23 September 2010

2. Officers have continued to liaise with representatives of The Cambourne Consortium, its Resident Engineer and Anglian Water and the Senior Planning Officer was present at a meeting on 3rd September at the offices of Anglian Water attended by representatives of both AW and the Engineers acting for the Consortium to review what had happened in the week of 23 August and to look in particular at the telemetry information held by Anglian Water.
3. The new Action plan was received by the Council on 21 September and a copy is attached as **Appendix A**. Various key passages from the Action Plan are set out below for ease of reference;

“.....During 26/27 August 2010 a large number of the manholes within the foul sewer system were inspected for leaks or high flows. These observations identified ‘hot spots’ and areas requiring further investigation some of which indicated the strong possibility of cross connections from garage areas and courtyards etc. within development sites....

....iv) Cross (rogue) connections

The possibility of cross connections from Surface Water pipework based on the identified ‘hot spots’ will form the core of the investigative work contained

in this Action Plan. The likelihood of cross connections is greatest on pipework and manholes or inspection chambers on the smaller upstream drainage networks.

These tend to be on private property or in communal areas and are not adoptable. Investigation of these networks will involve initial contact with the property owners and the use of teams equipped with bowsers and coloured tracing dye....

....The testing procedure involving bowsers of water and coloured dye would be undertaken by 4 teams with two operatives and an engineer to identify manholes etc to be checked and to maintain comprehensive records. Water and dye would be used to check the flow pattern through the drainage system and to confirm or otherwise whether water from surface water run-off areas eg roads footways, garage areas and courtyards or roof drainage pipework is connected correctly. Multi linked systems would use several colours of dye to identify these routes....

...Phase A1 Test sites are: Lower Cambourne- LC01, LC02, LC05, LC08, LC11,LC13, LC15.
Great Cambourne- GC12, GC14, GC17, GC23, CR01.

A2 Test sites are (if not eliminated following a rainfall observation survey)

Lower Cambourne- LC03, LC04, LC06, LC07, LC09, LC10, LC14, LC16.
Great Cambourne – GC06, GC08, GC13, GC14, GC15, GC16, GC19, GC20, GC21, GC22, GC24, GC25, GC27, GC28, GC29, GC30, GC31, CR03

A3 Test sites in Upper Cambourne (if other causes of 'High Flows' not discovered)

- UC01, UC02, UC03, UC04b, UC07, UC08.

Plus also (if not eliminated after a rain event) - UC05, UC06, UC10, UC12.

4. It is considered that the key difference in the work proposed under this latest Action Plan ,and the work previously carried out, is the recognition by the Engineers of the real prospect of what they refer to as "Cross (rogue) connections". This ,in effect ,is viewed as an acknowledgement that the continuing problems encountered in the week at the end of August are likely to be in part the result of "...water from surface water run-off areas eg roads footways, garage areas and courtyards or roof drainage pipework..." not being connected correctly. Previously, attention was focused on survey and repair work to the main sewers themselves and whilst the work that has been carried out has undoubtedly have been of benefit (as evidenced by the fact that individual properties were not flooded on this occasion and as has happened previously) there is further investigation and work required . It is clear therefore that there remains an underlying problem that ,to date, has not been tackled in terms of proper and sufficient investigation of "... water from

surface water run-off areas eg roads footways, garage areas and courtyards or roof drainage pipework.” The Council has been advised that the testing work to include these areas will commence on 4 October and is expected to take up to 6-8 weeks to complete. As indicated above the testing procedure will involve “... bowsers of water and coloured dye undertaken by 4 teams with two operatives and an engineer to identify manholes etc ..” The District Council has insisted that it should be able to have its own representative(s) present during any parts of the testing works and this has been agreed.

5. In the previous Updates, there was a note as follows:

“...it remains acknowledged both by MCA Developments and Anglian Water that ultimate success of the works will only be tested once there has been a prolonged period of rainfall...”

What the incident in late August has shown, however, is that the prolonged period of rainfall has demonstrated that the works carried out to date have only been part of the work necessary to provide the permanent solution. It appears the revised Action Plan has started to grapple with the fact that there is a more fundamental problem and that early testing is required to be able to move forward to the next step of further works.

6. Further updates as to the testing now proposed will be presented to the October and November meetings of the Planning Committee.

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

- (revised) Action Plan received from Maurice Gordon (WSP –Resident Engineer)

Contact Officer: Stephen Reid – Planning Lawyer
Telephone: (01954) 713195

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CAMBOURNE TERMINAL PUMPING STATION SURCHARGE - ACTION PLAN

Executive Summary

This action plan has been prepared to report on previous work undertaken, and identify future work needed to remedy surcharging within the foul water Terminal Pumping Station at Cambourne.

This problem currently remains the primary reason why Anglian Water will not adopt the foul sewer network. On completion of the works identified within this action plan a programme of remedial works will be implemented which will enable Anglian Water to progress towards adoption.

The report identifies the likely causes of increased flows within the TPS as being ingress of water during and after periods of heavy rainfall and goes on to identify likely causes of this ingress.

This report also shows the progress that has been made to date on repairing manholes and drain runs and reports on how this improvement has been measured.

The action plan has been developed as a result of visual inspection during and after a recent intense rainfall event. WSP staff witnessed ingress of water to the foul network from a variety of sources including, surface water drainage runs laid by house builders within their respective development plots and leaking manholes.

The report includes a summary of observations made during recent heavy rain that indicate an ingress of surface water into a limited number of 'Developer' laid mains. A comprehensive method of testing the possibility of surface water entering the foul system by incorrectly connected surface water drainage is included in the Action Plan.

The report concludes with clear recommendations of how with 4 teams, using bowsers of water and coloured dye cross connections to the foul network will be identified.

Introduction

This action plan has been developed following a meeting between MCA Development Ltd and WSP in response to the surcharging incident at the Anglian Water Terminal Pumping Station (TPS) on 26/27 August 2010.

The event followed a period of heavy and prolonged rainfall during week commencing 22 August 2010.

The rainfall over this period was recorded at local observation weather stations at Royston and Cambridge University as 88mm and 89mm respectively. This was higher than that recorded during previous rainfall events which caused flooding to properties at Damson Way in August 2009 (60mm) and February 2010 (35mm) although this later event was contributed to by other problems at the TPS. No flooding to property was caused by the recent August 2010 event.

During 26/27 August 2010 a large number of the manholes within the foul sewer system were inspected for leaks or high flows. These observations identified 'hot spots' and areas requiring further investigation some of which indicated the strong possibility of cross connections from garage areas and courtyards etc. within development sites. Further investigation of these areas will require access onto private property.

This Action Plan provides an update on the ongoing remedial works and develops the strategy for carrying out further investigative work to locate remaining sources of infiltration during and after rainfall.

Current Status Of Strategy Plan

The strategy developed after previous surcharging / flooding at the Terminal Pump Station had ensured that all of the Primary (MCA) Infrastructure and Secondary (Developer) Infrastructure foul drainage networks had been CCTV surveyed by the end of July. Almost all the identified defects were addressed on the Primary network with a significant proportion of the Secondary. There were unfortunate delays with the completion of some of the remedial works contracts which are now progressing.

It had been anticipated that during the investigative period a process of monitoring the effectiveness of the study and the repairs undertaken would be achieved after rainfall. However the long dry spell between April and July meant little checking was possible, so although much work had been undertaken there had been no way of ensuring this was complete and the problem solved.

The week-end rainfall on 21/22 August caused no surcharging but the additional rain on 25/26 August did although the non-return valve and other works carried out at the Terminal Pump Station prevented any flooding of property.

The satellite pump station monitoring and tankering strategy also worked to reduce tankers at the TPS although some disturbance was caused overnight.

Anglian Water have undertaken some analysis of the all the Pump Station's records and conclude that improvements have been in evidence from reduced pump run times and the telemetry readings.

Summary Of The Results From Site Observations

The observations on site during and immediately after the rainfall overnight on 25/26 August and during 26 August were undertaken by two teams led by WSP staff.

The attached plan of Cambourne (Drg. No 138A) shows the extent of the inspection area and identifies the approximate location of the 'hot spots' ie leaks in manholes or observed high flows. A written record of manholes inspected and findings was maintained.

The 'high flows' observed were considered higher than might normally be expected during normal dry weather conditions in a foul sewer. The observations were carried out

between 9.00am and 4.00pm on both days, which is largely outside the diurnal peaks usually associated with foul sewer flows.

The types of leaks observed in the manholes included leaks through joints in the precast rings or locating 'eyes', through the concrete benching at the base, at joints between ring and base, joints in the pipework, from fixing bolts for the access ladders or from beneath the cover slab. There was also leakage between cover and frame particularly where the manholes were constructed in carriageways, footways or other hard surfaced areas eg car parks and yards and where they occur in low areas of open ground.

The reasons for the unusually high flows in the pipework as witnessed in the manholes at this time are considered to be due to:

- i) open or damaged pipework,
- ii) leaking manholes and redundant laterals not capped or sealed
- iii) land drainage connections
- iv) cross connections to the surface water pipework,

i). Pipework

Numerous geotechnical investigations undertaken at Cambourne have confirmed that the sub-soil is predominantly impervious clay. Almost all the sewer trenches beneath carriageways and footways are backfilled with granular material in accordance with highway and drainage adoption policies. These trenches together with a network of service company trenches with sand backfill can impound surface water run-off that has percolated below the paved level. Any open pipework or joint in such a location would allow a leak into the system, as would any weakness in the manhole construction. Water pressure would build up after heavy rainfall to expose these defects resulting in prolonged infiltration after the rain had ceased. In addition any remaining sections of the land drainage system or naturally occurring lenses of sand and gravel within the clay could also convey water towards the drainage trenches and manholes.

Open or damaged pipework issues have already been identified from the complete CCTV survey undertaken for all the adoptable foul sewers ie the Primary (MCA) Infrastructure network and Secondary (Developer) Infrastructure network. The whole of these networks have already been CCTV surveyed and defects identified. There is some confidence that the problems of infiltration within the major network's pipework has been addressed. Most of the remedial works required have been completed or are scheduled for completion soon.

ii) Manholes

A number of leaking manholes on the Primary Infrastructure and leaking redundant laterals from development sites had been identified from the original CCTV and visual inspections and these have been dealt with already. The inspections prompted by the recent rainfall have revealed some further work is required to these manholes and fresh leaks were found in other manholes. The remedial works to these manholes will be undertaken as part of this Action Plan.

iii) Land Drains

A study of old farm and site records to establish potential Land Drainage connections has been made and confirms that most have been severed by the construction work for

the development. However these records will be rechecked to see whether these may still be contributing to the piped drainage system.

iv) Cross (rogue) connections

The possibility of cross connections from Surface Water pipework based on the identified 'hot spots' will form the core of the investigative work contained in this Action Plan. The likelihood of cross connections is greatest on pipework and manholes or inspection chambers on the smaller upstream drainage networks. These tend to be on private property or in communal areas and are not adoptable. Investigation of these networks will involve initial contact with the property owners and the use of teams equipped with bowsers and coloured tracing dye.

Action Plan

Four phases of work are identified below.

Phase A which is in two distinct parts involves site work to test the connectivity of drains in development site areas identified in the investigations described above where High Flows were observed after rainfall.

Part 1 of Phase A would tackle the known 'Hot Spots' whereas Part 2 would rely on further observations after rainfall to identify other specific target areas from the remainder of the site. If no rainfall observations were possible during part 1 of the Phase A work, then the connectivity tests would be extended to all remaining areas.

These remaining areas would be prioritised according to the potential risk of finding a cross connection. Ultimately all areas would be assessed for site testing.

Part 3 of this phase would cover Upper Cambourne which although it is of more recent construction some high flows observed recently need to be further investigated.

The testing procedure involving bowsers of water and coloured dye would be undertaken by 4 teams with two operatives and an engineer to identify manholes etc to be checked and to maintain comprehensive records. Water and dye would be used to check the flow pattern through the drainage system and to confirm or otherwise whether water from surface water run-off areas eg roads footways, garage areas and courtyards or roof drainage pipework is connected correctly. Multi linked systems would use several colours of dye to identify these routes.

A letter or leaflet drop would need to be carried out in advance to advise residents of the need to enter communal areas and if necessary their property to carry out these water tests.

Phase A1 Test sites are: Lower Cambourne- LC01, LC02, LC05, LC08, LC11, LC12, LC13, LC15.
Great Cambourne- GC12, GC14, GC17, GC23, CR01.

A2 Test sites are (if not eliminated following a rainfall observation survey)

Lower Cambourne- LC03, LC04, LC06, LC07, LC09, LC10, LC14, LC16.

Great Cambourne – GC06, GC08, GC13, GC14, GC15,
GC16,
GC19, GC20, GC21, GC22, GC24,
GC25,
GC27, GC28, GC29, GC30, GC31,
CR03

A3 Test sites in Upper Cambourne (if other causes of 'High Flows' not discovered)
- UC01, UC02, UC03, UC04b, UC07,
UC08.

Plus also (if not eliminated after a rain event) - UC05, UC06, UC10, UC12.

- Note :
1. Detailed as-built record drawings would be obtained from developers to identify the routes of drain runs and manholes
 2. Sites GC01, GC02, GC03 and CR05 are all connected to an adopted sewer system and not included in this testing programme.

Phase B This will involve agreeing appropriate remedial works with Anglian Water and instructing and monitoring the repairs to the defects. This work has already begun and would be extended to incorporate the results of the testing regime outline in phase A.

The areas of initial work include sewers in: Western Valley, Hub Car Park, Brace Dein, Sterling Way and Lancaster Gate, plus those in the Eastern Valley alongside the SE boundary of Cambourne.

Phase C Contact would be made with non- MCA developers where results of the tests or observations show the need for remedial work. Progress would be monitored to ensure cooperation.

Phase D Inspections of the Primary and Secondary Infrastructure would continue after rainfall to complete the observation work begun during August 26/27 2010. Further 'Hot Spots' would be added to the testing regime if required. A nil result could reduce the work load as noted for phase A2 and A3 above.

Phase E All repair work instructed above to be further inspected during a rainfall event.

Phase F Continued liaison would be maintained with Anglian Water to regularly review the impact of these remedial works on the performance of the Terminal Pump Station.

Note: Phases of work would in some cases be concurrent.

Programme:

A programmed start date of 5 October 2010 is proposed. However, although enquiries have been made to mobilise the plant and labour this date will be subject to the confirmation of approval to proceed, the assessment of the as-built records, instructions being prepared and issued and finally the distribution of leaflets/letters to residents.

The timescale is estimated as follows based on a large site taking 3 days per team to complete and the small social housing areas 1 day. There are some very large sites for which 4 days have been allowed.

Phase A1 8.5 days (assuming 4 crews)

Phase A2 12.5 days (if all sites are required to be tested – assuming 4 crews)

Phase A3 4 days (if all sites are required to be tested – assuming 4 crews)

A total of 25 days site work is estimated, the overall duration for testing and production of results would therefore be say, 7-8 weeks.

Phases B, C, D, E, and F would run concurrently but extend beyond Phase A depending on the extent of the repair works required.

Reporting

The results of all testing and observations would be collated and fed back to MCA developers as appropriate, for remedial action by their own contractors.

Similarly for Non-MCA developers with addition monitoring to check progress.

The MCA Project Director would be kept up to date on a regular basis and periodic reports presented to the Surcharge Strategy Committee which has met regularly since September 2009. Representatives include the Project Director, Anglian Water, MCA Developers, WSP, SCDC (Environmental Health and Planning Departments, Environment Agency, Granta Homes (Damson Way).

In addition the SCDC, Parish Council and the Action Group 'RAFT' would be kept advised of progress and involved as required.

Maurice Gordon (WSP- Resident Engineer)

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 6 October 2010
AUTHOR/S: Executive Director (Operational Services)/Corporate Manager
(Planning and New Communities)

S/0990/10/RM - CAMBOURNE

37 dwellings and associated works (amended layout and house-types to that previously approved under reference S/6399/07/RM) at Land Parcel UC01, Upper Cambourne for Taylor Wimpey East Anglia

Recommendation: Approval

Date for Determination: 28 September 2010

Notes:

This application has been reported to the Planning Committee for determination because Cambourne Parish Council has recommended refusal.

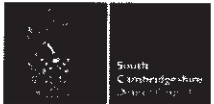
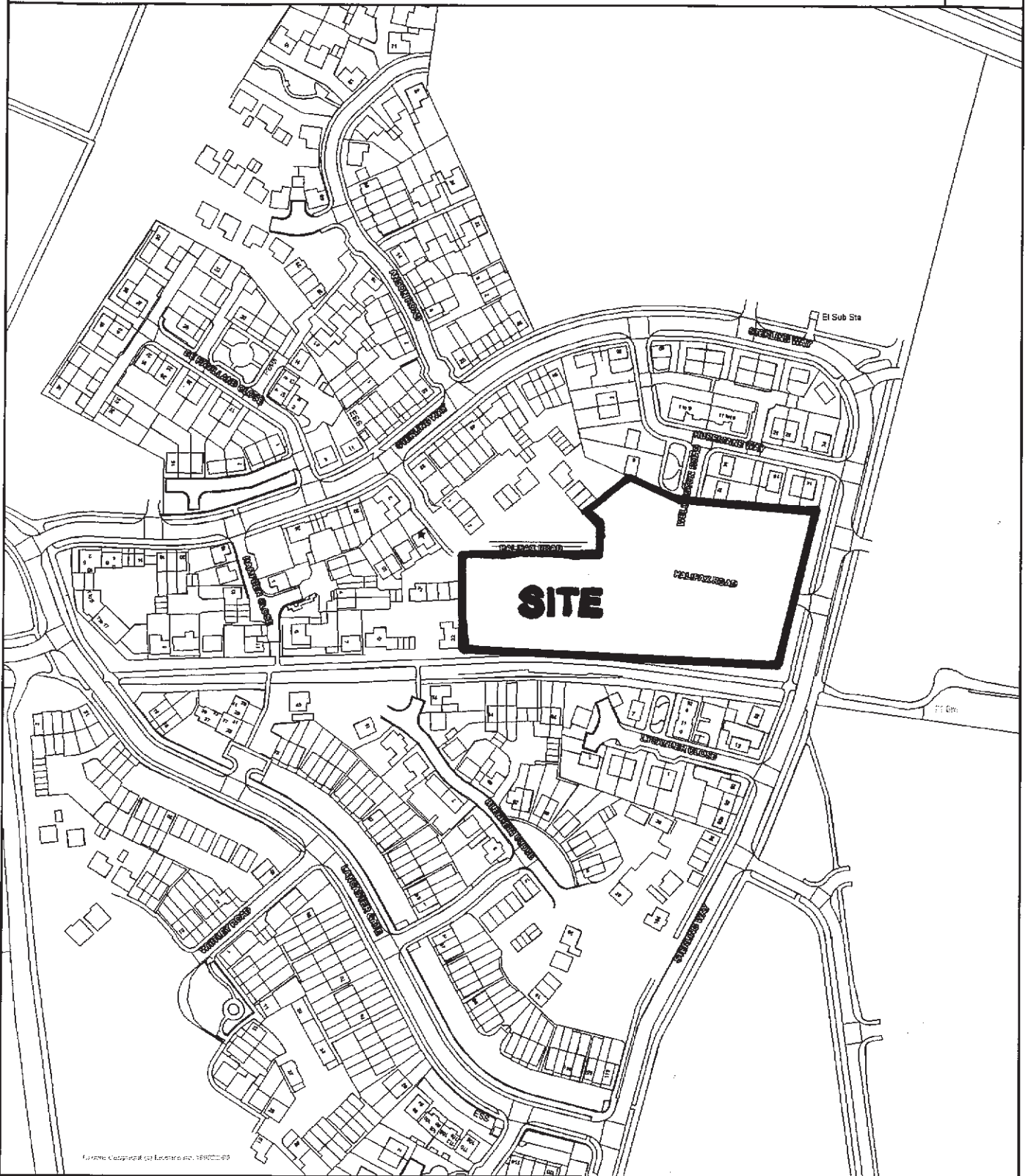
Site and Proposal

1. The site edged red for this application identifies an area of 0.97 hectares in the eastern part of land parcel UC01. The site is located in the heart of the northern part of Upper Cambourne with a greenway and associated footpath/cycleway to the south and the northern spine road (Stirling Way) to the east. To the north the site abuts UC05 and to the west it abuts the rest of UC01, both of which are in the process of being developed. The site is flat and vacant.
2. The application, received on 17 June 2010 and amended on 23 September 2010, proposes amended house types for 37 dwellings and associated roads that were granted permission under planning reference S/6399/07/RM in May 2007. The matters that have been reserved, and are therefore to be considered, are the access, appearance, landscaping, layout and scale of the development. The number of dwellings and road layout has stayed the same as the approved scheme, with the only change being some of the dwelling types.
3. The application was originally submitted as a full application. However, due to the fact that the site and numbers fall within the remit of the original outline application for Cambourne (S/1371/92/O) and are therefore covered by the S106 agreement that was drawn up in 1994, the application has been amended to a reserved matters application. In addition to this change from a full application scaled elevations have also been submitted to accompany the drawings that were originally submitted. The amended planning application forms and scaled drawings have been sent to the parish council for information.

Planning History

4. **S/1371/92/O** - Outline permission granted for 3300 dwellings in April 2004.
S/6399/07RM – Reserved matters granted in May 2007 for 110 dwellings and associated garages and infrastructure.

S-0990-10-RM



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Scale 1/2500 Date 24/9/2010

Centre = 532969 E 259643 N

October 2010 Planning Committee

Upper Cambourne Development Briefing Document Revision H, which sets out the design principles for the site.

Planning Policy

5. **Cambridgeshire and Peterborough Structure Plan 2003:**
P1/3 – Sustainable Design in Built Development, P5/4 Meeting Locally Identified Housing Needs
6. **South Cambridgeshire Local Plan 2004 (saved policies):**
Cambourne 2 – Development in accordance with Cambourne Design Guide
SE7 – Development in accordance with Cambourne Masterplan and Design Guide.
7. **Local Development Framework Core Strategy 2007:**
STa-k Objectives arising from the Strategic Vision for South Cambridgeshire.
8. **Local Development Framework Development Control Policies 2007:**
DP/1 requires development to demonstrate that it is consistent with the principles of sustainable development.
DP/2 requires the design of new development to be of high quality, with criteria listed, and content for design and access statements.
DP/3 sets development criteria, a checklist to ensure all requirements are met.
DP/6 sets criteria for the sustainable construction methods to protect resources and amenities.
NE/6 requires positive biodiversity gain
NE/14 sets standards for lighting proposals
TR/1 encourages planning for more sustainable travel through accessibility, alternative modes, and parking levels.
TR/2 sets parking standards.

Consultations

Cambourne Parish Council - recommended refusal in light of insufficient information to satisfy the council that the drain infrastructure has the capacity to take further dwellings.

The Council feels that there may be a design problem with the drainage system, resulting in the well-publicised flooding near the pumping station. Therefore until the Developers can prove to the satisfaction of the District and Parish Councils that the present drainage system is capable of coping with the existing and additional foul drainage discharge, Cambourne Parish Council is unlikely to be in a position to recommend approval of any large scale planning application. The District and Parish Council would have to be satisfied that any further application would not adversely affect dwellings lower down the drainage system.

9. **Ecology Officer** – has requested that a standard ecological enhancement condition be attached to any consent that is granted.
10. **Landscape Officer** – is concerned about the proximity of some of the proposed trees to the dwellings and has requested that further details be required through the use of a standard landscaping condition.
11. **Urban Design** – feels that the proposed development is an improvement to the previously proposed scheme with regards to the positive frontages that the dwellings provide to the highway.

12. **Highways Officer** – has no objection.
13. **Police Architectural Liaison Officer** – has raised concerns about the gates to the parking courts being only symbolic and serving no purpose, though as the first phases are complete he feels that there is little scope to comment further.

Representations

14. None received.

Planning Comments – Key Issues

15. This reserved matters application continues the build out of Upper Cambourne under the original outline permission granted in 1994 and is essentially an amendment of a scheme that already has planning consent. As the parish council is the only consultee to object to the scheme its comments are addressed below.
16. In terms of the principle of the proposed change in dwelling types this would not be contrary to any policies of the Local Development Framework. In fact the relationship of the new dwelling types with the rest of the land parcel and the approved road layout is considered to be an improvement on the approved scheme.
17. As with the application for UC11 that went before Planning Committee on 1 September (S/0982/10/RM) drainage is a matter that was considered at the outline stage and the system has the capacity to accommodate the proposed dwellings. Moreover there is an extant permission for the development of the entire land parcel that can be implemented at any time. Officers recognise that the problems with the infiltration of surface water into the foul drainage system are not yet resolved. Although the action plan that has been drawn up has not yet resolved the matter it has prevented in any properties from being flooded during recent heavy rain events. The use of a condition limiting the occupation of the proposed dwellings would be *ultra vires* as it would be beyond the legal power of the Planning Authority to seek to control a matter that was considered at the outline planning stage. Notwithstanding this fact officers will continue to work with MCA to ensure that the drainage situation is resolved as soon as is reasonably possible.
18. Safeguarding conditions will be attached to the planning consent to meet the comments and concerns of the Landscape and Ecology Officers.

Recommendation

19. APPROVE reserved matters of layout, scale, appearance, access and principles of landscaping (see condition 1) as amended by plans received 23 September 2010. Outline permission S/1371/92/O, 20 April 1994. Additional conditions:

Conditions

1. **The development hereby permitted shall be carried out in accordance with the following approved plans WK6DG20 REV C, WK6FA21 REV A, WK6MA20 REV E, WK6RE20 REV F, WK6WE20 REV E, PB33/PL1, H1536, 359C 10, 359C 11, 359C 12, 359C 13, 359C 14, 359C 15, 359C 16, 359C 17, 359C.26, 359C.27, 359C.28, 359C.29, 359C.30, 359C.31, 359C.32, 359C.33, 359C.34 and 359C.35.**
(Reason – To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

- 2. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.**
(Reason – Because insufficient information was submitted with the application; to ensure the use of appropriate species in accordance with the Upper Cambourne Phase 7 Development Briefing Document and the context of the site, and to enhance the quality of the development and to assimilate it within the area, in accordance with South Cambridgeshire Local Plan 2004 saved policies Cambourne 2 and SE7, and South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document Policies DP/1 and DP/2.)
- 3. No development shall take place until a plan showing the location and details of the contractors' building compound and parking area has been submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and no materials shall be stored, nor contractors' vehicles parked, outside the approved compound and parking area.**
(Reason – To ensure that the compound and contractors' parking are adequately accommodated without an adverse impact on existing landscape features, amenity areas or existing residential areas, in accordance with South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document Policies DP/2 and DP/6.)
- 4. No development shall take place until a scheme showing access routes for construction traffic (deliveries and spoil removal) has been submitted to and approved in writing by the Local Planning Authority. The development shall subsequently take place strictly in accordance with the approved scheme.**
(Reason – In the interests of the amenities of existing residents in the vicinity, in accordance with South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document Policies DP/2 and DP/6.)
- 5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of ecological enhancement based on "Ecological Opportunities within the Built Environment" (ESL, November 2000). The scheme shall subsequently be implemented as approved before any dwelling is occupied.**
(Reason – To ensure the ecological enhancement of the site in order to comply with the Section 106 Agreement dated 20 April 1994, and the Aims and Objectives set out in the Cambourne Master Plan Report, in accordance with South Cambridgeshire Local Plan 2004 saved policies Cambourne 2 and SE7, and South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document Policies DP/1, DP/3 and NE/6.)
- 6. No dwelling shall be occupied until the approved space for the storage and collection of wheeled bins for that dwelling has been made available for use.**
(Reason – To ensure the provision of appropriate facilities in the interests of visual and residential amenity, and usability, in accordance with South Cambridgeshire Local Plan 2004 saved policies Cambourne 2 and SE7, and South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document Policy DP/3.)
- 7. No development shall take place until details of materials and finishes for the doors, windows, walls and roofs of the dwellings and garages; hard surfacing, roads, footways, and designs for the cycle stores have been submitted to and approved in writing by the Local Planning Authority.**

The development shall subsequently be implemented in accordance with the approved details.

(Reason – Insufficient information was submitted with the application, and to ensure coordination and consistency with the adjacent parcels, and to enhance the visual quality of the development, in accordance with South Cambridgeshire Local Plan 2004 saved policies Cambourne 2 and SE7, and South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document Policies DP/2 and DP/3.)

8. **No development shall take place until a scheme for the provision of external lighting has been submitted to and approved in writing by the Local Planning Authority. The development shall subsequently take place strictly in accordance with the approved scheme.**
(Reason – In the interests of amenity, security and the quality of the development, in accordance with South Cambridgeshire Local Plan 2004 saved policies Cambourne 2 and SE7, and South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document Policies DP/2, DP/3 and NE/14.)
9. **During the course of construction, outside a secure compound area (a secure compound is defined as an area with a security fence extending to the ground, and with a gate extending to the ground and locked at night), any steep sided trench of less than 600mm deep must have at least one end sloped, and any steep sided trench of over 600 mm in depth must be covered or fenced if left open overnight.**
(Reason – To prevent injury or death to badgers that may forage on the site, in accordance with South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document Policies DP/1, DP/3 and NE/6.)
10. **Meter boxes shall not be installed on any elevation facing a highway other than in accordance with a scheme that shall have previously been submitted to and approved in writing by the Local Planning Authority.**
(Reason – To avoid visual clutter in the interest of the quality of the development, in accordance with South Cambridgeshire Local Plan 2004 saved policies Cambourne 2 and SE7, and South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document Policies DP/2 and DP/3.)
11. **Visibility splays shall be provided on both sides of all private drives and shall be maintained free from any obstruction over a height of 600 mm within an area of 1.5m x 1.5m measured from and along respectively the highway boundary.**
(Reason – In the interest of highway safety, in accordance with South Cambridgeshire Local Plan 2004 saved policies Cambourne 2 and SE7, and South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document Policies DP/2 and DP/3.)
12. **Visibility splays at road junctions and on the inside of bends shall be laid out and constructed to form part of the highway and not enclosed within the curtilages of adjoining properties.**
(Reason – In the interest of highway safety, in accordance with South Cambridgeshire Local Plan 2004 saved policies Cambourne 2 and SE7, and South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document Policies DP/2 and DP/3.)
13. **The permanent spaces to be reserved on the site for parking and turning of vehicles shall be provided before the respective dwellings are occupied and those spaces shall not thereafter be used for any purpose other than for the parking and turning of vehicles.**

(Reason – In the interest of highway safety, in accordance with South Cambridgeshire Local Plan 2004 saved policies Cambourne 2 and SE7, and South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document Policies DP/2 and DP/3.)

14. **No dwelling shall be occupied until the access road and footways linking that dwelling to the existing public highway network has been completed to at least base course level, and such roads and footways shall subsequently be surfaced to wearing course level within 6 months of the occupation of the last dwelling to be completed on the site.**

(Reason – To protect the safety of users of the access roads and footways, and to enhance the appearance of the built environment, in accordance with South Cambridgeshire Local Plan 2004 saved policies Cambourne 2 and SE7, and South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document Policies DP/2 and DP/3.)

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

(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

Informatives

1. It appears to the Council in respect of this proposal that the following conditions of the outline planning permission continue to apply, and the applicant's attention is drawn to these and all conditions of that permission:

Condition 6 (vi) – implementation of landscaping.

Condition 7 (b) – time limit for commencement.

Condition 19 – noise protection scheme with 100m of occupied properties

(NB: requires submission prior to commencement).

Condition 28 – roads and footpaths to base course level.

Condition 37 – concealment of cables, meter boxes, etc

Conditions 38 – 41 – aquifer protection measures

2. This Decision Notice is accompanied by a List of Approved Drawings.

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 Plan 2004 (saved policies)
- Cambridgeshire and Peterborough Structure Plan 2003
- District Design Guide SPD
- Planning File Ref: S/0982/10/RM, S/1371/92/ and S/6438/07/O

Contact Officer: Edward Durrant – Senior Planning Officer
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 October 2010

AUTHOR/S: Executive Director (Operational Services)/Corporate Manager
(Planning and New Communities)

S/0790/10/F – GREAT SHELFORD

- 1. Conversion of the existing Old British School building to residential use and the redevelopment of the remaining areas of the site to provide 25 over-55's dwellings; replacement retail store; car parking areas; new vehicular and pedestrian accesses; amenity areas; landscaping and associated works following the demolition of all existing buildings (with the exception of the Old British School building) at 49 Woollards Lane for Hill Residential Ltd.**
- 2. Design Brief in pursuance of Policy SP/7 of the South Cambridgeshire Local Development Framework Site Specific Policies DPD 2010**

Recommendation: Approval**Date for Determination: 14 September 2010**

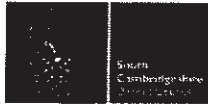
This Application has been reported to the Planning Committee for determination because the Head of Development Control considers that the application should be presented to Committee for decision.

Members will visit the site on 6 October 2010.

Site and Proposal

1. The site is located within the central area of the village within the Great Shelford Conservation Area and extends over 0.45 ha. The site includes the former Powell's Garage, a car sales, repair and M.O.T. business which has recently ceased trading, an existing greengrocers fronting onto Woollards Lane, and No. 49 Woollards Lane, a detached dwelling set back from the highway boundary, which includes a detached covered swimming pool within its garden area. Access to the site is from Woollards Lane. To the west, the site is adjoined by No. 7 Church Street and residential development to the west on Church Street, and to the east by two-storey houses at Nos. 41-47 Woollards Lane. To the east of these lies the main commercial area of the village, including the village hall and library. To the south this site is adjoined by Peacocks, a sheltered housing development which is mainly single storey with some two-storey units. An area of open recreation ground serving Peacocks joins the southern boundary of the site.
2. The full application, received 18 May 2010, proposes the conversion of the existing Old British School Building to 3 residential dwellings and the erection of a further 24 dwellings and a replacement retail store, following the demolition of the existing dwelling and swimming pool, retail unit and modern extensions to the Old School Building. The residential accommodation is intended for occupation by the over 55's. Amended drawings received 27 August 2010, proposes a reduced number of new build dwellings to 22, resulting in a total of 25 residential units. Amended drawings received 20 September 2010 show increased rear garden areas to Plots 7 – 9, and several design changes in response to further comments received from consultees.

S/0790/10/F - 49 Woollards Lane, Great Shelford



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Scale 1/1250 Date 24/9/2010

Centre = 546052 E 251925 N

3. The density of the amended proposal is 55 dwellings per hectare.
4. A new vehicular access is proposed onto Church Street. Works to the junction of Church Street and Woollards Lane are also proposed.
5. Plots 1 and 2 show a pair of two-storey houses adjacent to the western boundary with gable ends facing onto Church Street. On the rear (southern) part of the site a terrace of seven houses is shown, and on the eastern part of the site three pairs of semi-detached houses are shown, together with a detached refuse store and cycle parking. On the northern part of the site fronting Woollards Lane the proposal is to erect an apartment block comprising nine flats and a ground floor retail store.
6. The scheme proposes provision of 28 parking bays, including 10 disabled parking.
7. The application is supported by the following documents: Affordable Housing Statement; Biodiversity Survey and Report; Daylight and Sunlight Assessment; Design and Access Statement; Heritage Statement; Land Contamination Assessment; Lighting Assessment; Open Space Assessment; Planning Obligations Statement; Transport Statement; Site Waste Management Plan; Structural Survey; Sustainability Statement; Renewable Energy Statement; Tree Survey and Arboricultural Survey; Waste Design Toolkit; Water Conservation Strategy.
8. Additional documents were received 27 August to 9 September 2010: Noise Impact Assessment; Health Impact Assessment; Waste Storage RECAP Assessments; Waste Collection Statement; Parking Assessment; Footpath Statement; Residential Mix Statement; revised Open Space Assessment; Bat Survey; Heritage Statement Addendum.
9. Separate to the application, the applicant has prepared and submitted a Design Brief in accordance with the requirements of Policy SP/7.

Planning History

10. In 1992 outline planning permission was granted on this site (excluding retail shop site) for warden-controlled retirement flats, associated facilities and parking (**S/1495/91/O**). No details of layout, number of dwelling units, car parking or access were included. The consent was subject to a Section 106 Agreement restricting the occupancy of the flats to residents aged 60 or over and removing permitted development rights for future extensions, fences or accesses. The consent required the submission and agreement of a design and development brief for the site. This planning permission was renewed in 1997, 2000 and 2003.
11. In 2006 an application for further renewal was refused as the application did not include sufficient information to enable the impact of the proposal upon the character and appearance of the conservation area to be assessed (**S/0148/06/O**).
12. An application for conservation area consent for demolition of buildings on the site, excepting the Old School building, has been submitted (**S/0791/10/CAC**).

Planning Policy

13. South Cambridgeshire Local Development Framework Core Strategy 2007: Policy **ST/4** (Rural Centres)

14. 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/4** (Infrastructure and New Developments)
 - DP/6** (Construction Methods)
 - DP/7** (Development Frameworks)
 - HG/1** (Housing Density)
 - HG/2** (Housing Mix)
 - HG/3** (Affordable Housing)
 - SF/1** (Protection of Village Services and Facilities)
 - SF/4** (Retailing in Villages)
 - SF/6** (Public Art and New Development)
 - SF/10** (Outdoor Playspace, Informal Open Space, and New Developments)
 - SF/11** (Open Space Standards)
 - NE/1** (Energy Efficiency)
 - NE/3** (Renewable Energy Technologies in New Development)
 - NE/6** (Biodiversity)
 - NE/12** (Water Conservation)
 - NE/14** (Lighting Proposals)
 - NE/15** (Noise Pollution)
 - NE/16** (Emissions)
 - CH/2** (Archaeological Sites)
 - CH/5** (Conservation Areas)
 - TR/1** (Planning for More Sustainable Travel)
 - TR/2** (Car and Cycle Parking Standards)
 - TR/3** (Mitigating Travel Impact)
15. South Cambridgeshire Local Development Framework Site Specific Policies DPD 2010 **SP/7** which states:
1. *An area of 0.44 hectares on Woollards Lane, Great Shelford, as shown on the Proposals Map, is allocated for residential development.*
 2. *Development must preserve the character and appearance of the Conservation Area. The Old British School building should be retained and restored as part of any scheme. Any proposals for demolition of the building must demonstrate that it is not viable to retain the building and that there are substantial benefits for the community that decisively outweigh the loss resulting from demolition, particularly in terms of the architectural merits of the replacement building, which must provide a high quality landmark design in this sensitive location.*
 3. *Due to the historical use as a commercial garage, an investigation into land contamination will be required prior to the granting of any planning permission. Should this indicate that remediation should be undertaken, this must be done to a standard agreed with the Council and conditions will be imposed on any planning permission to ensure that development does not commence on site until satisfactory remediation has been undertaken and a validation report is provided.*
 4. *A Design Brief is required to be submitted to and approved by the Local Planning Authority prior to granting of planning permission.*

Supporting text

16. "This brownfield site lies within the village framework of a Rural Centre. It is an existing employment site, comprising a vehicle repairs workshop and car sales area. The site has previously had outline planning consent for warden-controlled retirement flats. Development of the site offers the opportunity to enhance this part of the Conservation Area. The Great Shelford Conservation Area Appraisal identifies the Old British School to be a positive building and a focal point, which forms part of an important view. Any development proposal should retain and restore the former Old British School building and convert it to residential use as part of the wider scheme for this site.
17. "Access to the site is likely to be from Church Street. The site is located close to a good range of existing services and facilities and where there is a good local public transport service. A net density of at least 40 dwellings per hectare should therefore be applied to the site reflecting the requirements of Development Control Policies DPD Policy HG/1. The actual capacity would depend on design taking account of the character and constraints of the site but is anticipated to be in the order of 18 dwellings.
18. **South Cambridgeshire Local Development Framework Adopted Proposals Map (2010)**
Inset Map No.44
19. **South Cambridgeshire Local Development Framework Supplementary Planning Documents**

Development Affecting Conservation Areas SPD (2009)
Great Shelford Conservation Area Appraisal (2007)
Open Space in New Developments SPD (2009)
Public Art SPD (2009)
Trees & Development Sites SPD (2009)
Biodiversity SPD (2009)
Listed Buildings SPD (2009)
Affordable Housing SPD (2010)
District Design Guide: High Quality and Sustainable Development in South Cambridgeshire SPD (2010)
Landscape in New Developments SPD (2010)
Great Shelford Village Design Statement (2004)
20. **Circular 11/95 - The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development of permitted, enforceable, precise and reasonable in all other respects.
21. **Circular 05/2005 – Planning Obligations:** States that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development, and reasonable in all other respects.

Consultations

22. **Great Shelford Parish Council - As originally submitted**, the Parish Council recommended refusal, commenting that:
23. This is a very important site in the centre of the village and the conservation area, and requires a high quality development in terms of design, layout and landscaping which

respects existing neighbours and buildings but creates an attractive focal point at this junction.

24. In the Inspector's report he anticipated there should be 18 dwellings on this site; it does not justify 27 dwellings which amounts to overdevelopment of the site. This number does not take into account the character and constraints of the site as recommended by the inspectors and a number more in line with their proposal would be acceptable.
25. The character of the site is determined by the Old British School which should be the focal point on the site. The Old School is the only large building in this part of the village, the majority are terraced houses, and it should continue to be the dominant building. As many original features as possible should be retained.
26. The proposed apartment block competes with the Old School and is contrary to advice in the Village Design Statement that 'new development, particularly housing, should reflect the scale and diversity of the village setting'. The design of the block with its complicated roof form and fenestration is also contrary to advice in the Village Design Statement which states 'the formal simplicity of traditional building is a model for new development'. This part of the site needs redesigning with fewer units. The frontage of the apartment block closes the view westwards along Woollards Lane which was identified as important in SCDC's Conservation Area Appraisal. There should be a step down in height from the existing terraced houses into the site, with buildings set back from the edge of the footpath.
27. The Parish Council has no objection to the terrace layout around the perimeter of the site, provided any issues of overlooking and overshadowing identified by existing neighbours can be resolved.
28. At a public meeting it was suggested that the development should be for key workers and first time home buyers as well as over-55's and the Parish Council strongly supports this.
29. The Parish Council is concerned that parking has been allocated at one space per unit. Many 55 years old households will have two cars which will lead to on-street parking, which is already at a premium in this part of the village. To state that visitor parking could be accommodated locally is untrue as most on-street parking places are taken up by existing residents and there is already a big problem with illegal parking in the village. A reduction in the number of units would help address this problem.
30. The Parish Council expects the Local Highway Authority to examine the concerns of local residents, the school and parents at the use of the proposed exit from the site close to the zebra crossing.
31. The Parish Council would welcome an amended application which reduced the number of units and removed the apartment building and its replacement by a layout which reflects the advice in the Village Design Statement.
32. To the **amended proposals received 27 August 2010**, the Parish Council is largely happy with the changes to the design especially if they are in line with those suggested by English Heritage and the Conservation Officer and they are happy with the layout and form of the apartment building.
33. The Parish Council remains concerned about the number of units on the site and the implications for parking on and off the site. The Parish Council would like to see the density reduced in line with that proposed by the Inspectors which would allow for more

flexibility on the site with additional car parking.

34. The Parish Council would still like to see some affordable housing on the site and would suggest the flats would be suitable for key workers who are more likely to use public transport and cycles and to be less car dependant than the over 55's.
35. The restrictions on the use of the footpath through to Peacocks, the widening of the footpaths around the site and the amendments to the junction between Woollards Lane and Church St are to be welcomed.

The Parish Council welcomes the proposal to install swift boxes.

36. **Council's Conservation Officer** – The Conservation Officer has been involved with discussions with the applicant which have resulted in the submitted amendments to the scheme. The formal comments of the Conservation Officer will be provided as an update to this report.
37. **Corporate Manager (Health and Environmental Services)** –
 - a) Noise - The applicant has submitted a Noise Assessment to address potential noise disturbance issues to future residents of proposed Plots 11 to 13 from powered plant at the adjacent commercial premises to the rear. The Environmental Health Officer has advised that this appears to be generally acceptable, subject to him making an assessment on site to confirm the details provided.
 - b) Construction noise and vibration, and at noise from air source heat pumps (if used in the development), should be controlled by conditions on any planning permission issued.
 - c) Noise insulation between the proposed ground floor shop and the apartments above should be of a higher standard than required by Building Regulations, and a suitable condition is recommended.
 - d) Dust from the site during the construction period should be controlled by condition.
 - e) Artificial lighting- there is potential for nuisance and harm to the amenity of existing and proposed residential development from external lighting of the scheme. A condition is recommended to control this aspect.
 - f) Health Impact Assessment- the submitted HIA has been amended by the applicant following concerns expressed by the Environmental Health Officer. The revised HIA is considerably improved in its assessment of the health impacts of the development. The comments of the Environmental Health Officer are awaited.
 - g) Waste management: the applicant has provided revised information to meet RECAP (Cambridgeshire and Peterborough) waste management requirements. The comments of the Environmental Health Officer are awaited.
 - h) Contamination - The submitted contaminated land report is adequate as far as it goes, but is not complete. Further works are required, including the removal of the existing fuel tanks with further investigation of these areas and areas where staining has been found. A condition similar to that recommended by the Environment Agency is required.
 - i) Air quality – the installation of biomass, whether a single large biomass burner or many small individual burners could lead to a rise in air pollutant concentrations in the local area. A suitable condition for details to be submitted and agreed is recommended.
38. **Council's Affordable Housing Manager** - No objection in principle to the payment for an off-site contribution for affordable housing.
39. **Council's Trees Officer** – No objection. Replacement trees for the loss of the existing Birch along the frontage should be agreed by condition.

40. **Council's Landscape Officer** - The amended scheme has taken into account the comments of the Landscape Design Officer. Conditions are required to ensure the maintenance of planting, and to confirm the hard landscaping materials. A condition to cover boundary treatments would also be needed.
41. **Council's Ecology Officer** - No objection, as these submitted ecology report is acceptable. The Ecology Officer recommends a condition to ensure provision of suitable nesting boxes.
42. **Council's Building Control Officer** - The site will have contamination issues, due to the use as a garage and the fuel tank. This is to be gated complex, but vehicular access beyond the gate for Cambridgeshire Fire and Rescue is likely to be required.
43. **English Heritage** – Recommended approval of the amended plans, subject to conditions relating to detailed matters. The reduction in the number of apartments is welcomed. This reduction in density has achieved improvements to the design and scale of the apartment block which will allow it to integrate better into the streetscape and the wider conservation area. English Heritage recommends that any signage on the shop front be the subject of a further application, with a preference for hand painted finish. English Heritage considers that the treatment of window and rooflight details to the retained British School Building could be improved, and that this should be the subject of a condition. Similarly, alteration to the design of the front elevation of Plot 13 windows is recommended.
44. **Disability Forum** – No objection, but comments that provision of five disabled parking spaces would be expected.
45. **Local Highway Authority** - No objection to the revised scheme, subject to detailed design of the kerb lines to accommodate appropriate traffic movements. The proposed highway works should be incorporated as a condition within the decision notice. Loading and unloading within the public highway already occurs along Woollards Lane for existing retail properties and there is no objection to this in relation to the proposed retail unit.
46. The position of the new access was a requirement of the Local Highway Authority that was established prior to the application being submitted. The position was determined because of the need for adequate vehicle to vehicle visibility. The proposed vehicle access and vehicle movements associated with the site are acceptable to the Local Highway Authority on the condition that suitable works are undertaken within the High Street/Woollards Lane to reduce traffic speeds exiting Woollards Lane. These works should consist of decreasing the radii of the junction of Woollards Lane and High Street south side and achieving the same to the northern side to define and protect the existing on street car parking.
47. **Cambridgeshire Archaeology** - No objection in principle, subject to a condition to require a programme of archaeological investigation.
48. **Cambridgeshire Rights of Way and Access Team** - No objection, noting that the footway route through the site is not intended to become a public right of way.
49. **Police Architectural Liaison Officer** – No objection in principle. The area has seen low levels of crime and anti social behaviour during the past 12 months. The ALO has made comments about the design and height of frontage fencing, the need for surveillance from windows over parking courts and cycle parking. He recommends access control measures to entrance gate B, such as a key pad lock. Lighting of the road and parking courts should meet Secured by Design recommended standards.

50. **Cambridge Past, Present & Future - (formerly Cambridge Preservation Society)** – Objection on the following grounds to the application as originally submitted:
51. The proposed development density of the site is contrary to the original identification of 18 dwellings. Despite increase of the site area the Society does not consider that the site can amicably embrace 27 dwellings and thus considers this overall proposal as over-development.
52. The proposed block of flats does not respect the setting of and views to the Old School building, nor does the character of the conservation area and the proposal not include any quality facades which merit the conservation area.
53. The shop frontage should be enhanced to better integrate with the character of Woollards Lane and should show improved detailing. Currently the Society considers that the envisaged replacement street frontage cannot be seen as an enhancement of the conservation area when proposing the demolition of existing well-liked greengrocer building complex.
54. The building proposed between the shop and the Old School is too dominant and must be reduced in height to retain the setting of the school. The proposed flats do not reflect requirements as part of the Village Design Statement to achieve a desired built form based on formal simplicity and traditional building forms. The extensive roof with different levels etc proposed for the rear does not conform to the character of the area and is of too high massing at this location. Considerable redesign of the block of flats and street frontage is essential as well reduction of dwelling numbers at this location.
55. The Society strongly welcomes the retention of the Old School Building at the heart of the Great Shelford Conservation Area. The Building - once having removed the younger extensions - will be again a wonderful local landmark. However the Society is not convinced by and thus particularly objects to the proposed treatment of the long façade flanking Woollards Lane and Church Street. The proposals constitute significant alterations to an old building and result in adverse impact when compared with the original layout (see photo of building at approx 1900).
56. The Society strongly considers that the design of the all facades as well as internal layout of the Old School Building should be revisited to better reflect the qualities of the original building and to achieve less alterations, fewer dwellings, lower roof height and improved replica of the 'bell tower'. The retention of most original features and flair of the building is paramount.
57. Being located at the heart of the village centre close to shopping the Society considers this development area would be absolutely ideal for housing designated for older people and the opportunity for such communal housing utilised.
- The comments of the Society on the revised proposals are awaited.
58. **Anglian Water** - The foul flows from the development can be accommodated within the foul sewerage network system that at present has adequate capacity.
59. **Environment Agency** - The Agency has no objection, in principle, to the proposed development subject to suitable conditions and informatives being appended to any subsequent planning approval.

Third party representations

60. In response to the originally submitted scheme, a total of 18 representations have been received. These are from adjoining occupiers at Peacocks Residents' Association and 7 Peacocks; 7 Church Street, and from non-adjoining residents/ bodies at Great and Little Shelford Church of England Primary School; 20 Bridge Road; 53 and 149 Cambridge Road; 8 Church Street; 15 Davey Crescent; 19 Headley Gardens; 94 High Street; 84 Hinton Way; 12 Shelford Park Avenue; 15, 19 & 41 Stonehill Road; 2 Newton Road, Little Shelford; 66 The Lane, Hauxton.

The following issues have been raised (and number of responses):

Highway safety

61. Traffic problems on Woollards Lane and Church Street, especially at school times (12)
Insufficient on site parking provision, particularly for visitors (6)
Siting of the vehicular access near the pedestrian crossing (2)
A path should be provided through the site to link parking at the Recreation Ground with Church Street, to walk children safely (1).

Use

62. There should be provision for housing for young people and young families (1)
There is no need for another retirement scheme in addition to Peacocks (2)
The proposed internal layout of houses in the Old School building is unsuitable for the over-55s (1).

Design

63. The wall fronting Church Street should be lower (1)
Height of apartment block too high (1)
Design should be more imaginative (1).

Layout

64. Density too high (2)
Lack of open space and landscaping (1)
Existing trees fronting Church Street should be retained (1).

Neighbour impact

65. Loss of privacy, overshadowing, overbearing impact (2)
Noise disturbance from parking adjacent to boundary (1)
Noise disturbance during the construction period (1).

Other

66. Loss of the greengrocer's shop (5)
Out of keeping with the nature of the conservation area (2)
Flash flooding due to the ground level of the site being higher than adjacent dwelling 7 Church Street (1)
Renewable energy proposals are not clear (1)
The site should be investigated for archaeology (1).

Planning Comments

Housing allocation

67. The principle of the residential development of the site has been established by the allocation in Policy SP/7. This allocation does not include the area occupied by the retail shop at present. The submitted proposal complies with the requirements of Policy SP/7 as

it retains the Old British School building, it proposes necessary investigation into land contamination, and a Design Brief has been submitted for approval.

68. In the supporting text to the policy, it is anticipated that development of the site would be in the order of 18 dwellings, providing a net density of 40 dwellings per hectare. This is not a formal requirement of the policy as the actual capacity would depend on the design taking into account the character and constraints of the site. Policy ST/4 places no upper limit on the amount of development that can be permitted on a site in a Rural Centre.

Age-restricted housing

69. The applicant has provided a case for specialised housing provision in the submitted Housing Mix Statement. Central government recognises the need to provide for the independent older people, usually referred to as the over-55s. This site is suitable for this purpose as the proximity to shops and services would facilitate non care-assisted occupation for as long as possible. Evidence from Peacocks is that there is a long waiting list for smaller, centrally located properties in the village. Such a development would assist in releasing larger family dwellings in the village. The provision of a manager on site will ensure that the site and its buildings will be maintained.
70. The Affordable Housing Manager has considered a sum in principle for the provision of affordable housing off-site, and this has been agreed by the applicant.
71. Precedent has been created by the granting of outline planning permission for warden-controlled retirement flats for the over- 60's on the site in the period 1992 to 2006.

Conservation Area

72. The design of the scheme has evolved during the lifetime of the application to take into account the concerns of English Heritage and the Council's Conservation Officer relating principally to the design and scale of buildings on the site. The revised schemes received 27 August and 20 September take into account these comments and have received the support of English Heritage, subject to detailed matters being resolved by condition. The revised design is also supported by Great Shelford Parish Council.

Highway matters

73. The scheme proposes a total of 25 residential units and a warden's office for part time occupation. The proposal is supported by a total of 28 parking spaces, 10 of which are suitable for disabled parking. This level of provision, at 1.12 spaces per dwelling, represents 74% of the maximum standard of 38 spaces to comply with policy TR/2. This reduced provision is a matter of concern to Great Shelford Parish Council and a number of objectors, particularly due to the proximity of the local primary school and the potential for increased on-street parking. The applicant has submitted a Parking Assessment with evidence from ten other retirement schemes in the UK which provide on average 0.5 spaces per dwelling.
74. Taking into account that the site is central to the village and in a highly sustainable location, that the standards set out in policy TR/2 are maximums, and the evidence put forward by the applicant, it is not considered that a refusal on this issue would be robust in the event of an appeal being lodged, due to the lack of evidence to the contrary.
75. The position of the new vehicular access adjacent to the pedestrian crossing has been assessed as safe by the Local Highway Authority, because of the ability to secure adequate visibility splays in this position. The supporting text to policy SP/7 indicates that

access to the site is likely to be from Church Street. Highway improvements at the junction of Church Lane/ Woollards Lane, are proposed as part of the development as a requirement of the Local Highway Authority.

Residential amenity

76. The scheme has been revised to take into account the need to protect the residential amenities of adjoining residents in Church Street, Woollards Lane and Peacocks. The distance to the boundary of dwellings facing Peacocks has been increased, and windows carefully located and fitted with obscure glazing where necessary to ensure that no serious harm is caused by overlooking. The proposed dwelling on Plot 13 has been provided with hipped roofs in order to minimise any overbearing impact upon the outlook from dwellings in Woollards Lane.

Open space

77. The applicant has submitted an Open Space Statement which indicates that the scheme will be provided with sufficient private garden area, communal area and informal open space to meet the requirements of policies SF/10 and SF/11.

Density

78. The density of 55 dwellings per hectare is higher than the minimum requirement of 40 dph. Having considered the impacts upon the character and appearance of the Conservation Area, residential amenity, highway safety and open space, it is considered that the scheme can be supported in its amended form. In this context the relatively high density of development represents an efficient re-use of brownfield land in this central location.

Developer contributions

79. In the event of planning permission being granted, it is proposed that the developer be required to provide schemes for the provision of affordable housing in lieu of provision on site amounting to £242,876.00, open space provision and maintenance, community facilities, waste receptacles, public art, highway improvements, and Section 106 monitoring.

Design Brief

80. The applicant has provided a Design Brief which sets out principles for the development of the site for residential purposes, as required by policy SP/7. This includes the policy background, planning history of the site, conservation area assessment, principal views and constraints, assessment of residential amenity requirements highway access and open space, together with other matters. In order for the development to comply with policy requirements, it is necessary for this Design Brief to be accepted as a guide for development of the site.
81. The Design Brief has been considered by officers and provided for comment to Great Shelford Parish Council, and is considered to be an acceptable basis for the assessment of the site by developers.

DECISION

Recommendation

1. That the planning application dated 14 May 2010 as amended by approved subject to the following conditions:

2. That the Design Brief dated 7 September 2010 be accepted for the purposes of the requirements of policy SP/7 of the Local Development Framework.

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. **Standard condition- Approved plans**
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development within all Classes of Part 1 (Development within the curtilage of a dwellinghouse) and Class A (Erection of a gate, fence, wall or other means of enclosure) and Class B (Formation of a means of access to a highway) of Part 2 (Minor Operations) of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.**
(Reason - In the interests of the character and appearance of Great Shelford Conservation Area and of residential amenity in accordance with Policies DP/3 and CH/5 of the adopted Local Development Framework 2007.)
4. **No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.**
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
5. **All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.**
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
6. **No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment [for each dwelling] shall be completed before that/the**

dwelling is occupied in accordance with the approved details and shall thereafter be retained.

(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

7. **No development shall begin until details of a scheme for the provision of affordable housing, recreational, public art and community services infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policies DP/4, HG/3, SF/6 and SF/10 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.**

(Reason - To ensure that the development contributes towards affordable housing, recreation, public art and community infrastructure in accordance with the above-mentioned Policies of the adopted Local Development Framework 2007.)

8. **No development shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme 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.**

(Reason - To enhance ecological interests in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

9. **Prior to the commencement of development (including any pre-construction, demolition or enabling works) a Construction Management Plan (CMP) shall be submitted to and approved by the Local Planning Authority. The Construction Management Plan shall include:**

- a. **Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures**
- b. **Details of haul routes within the site**
- c. **A plan specifying the area and siting of land to be provided for parking, turning, loading and unloading of all vehicles visiting the site and siting of the contractors compound during the construction period to be agreed on phase basis**
- d. **Delivery times for construction purposes**
- e. **Dust management and wheel washing measures**
- f. **Noise method, monitoring and recording statements in accordance with the provisions of BS 5228:2009 Code of practice for noise and vibration control on construction and open sites – Part 1 and 2**
- g. **Concrete crusher if required or alternative procedure**
- h. **Details of odour control systems including maintenance and manufacture specifications along with**

- i. **Maximum noise mitigation levels for construction equipment, plant and vehicles**
 - j. **Site lighting**
 - k. **Screening and hoarding details**
 - l. **Access and protection arrangements around the site for pedestrians, cyclists and other road users**
 - m. **Procedures for interference with public highways**
 - n. **External safety and information signing notices**
 - o. **Liaison, consultation and publicity arrangements, including dedicated points of contact.**
 - p. **Complaints procedures, including complaints response procedures**
10. **All development shall take place in accordance with the approved Construction Management Plan unless formally agreed in writing with the Local Planning Authority.**
(Reason – To ensure the environmental impact of the construction of the development is adequately mitigated and to protect the amenities of nearby residential properties in accordance with South Cambridgeshire Local Development Framework Development Control Policies 2007, Policy NE/15- Noise Pollution & DP/6- Construction Methods.)
11. **No construction work including the operation of powered plant and equipment shall take place other than between the hours of 0800 to 1800 on Monday to Friday and 0800 to 1300 hours on Saturdays unless otherwise agreed in writing with the local planning authority. No construction works shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.**
(Reason – To ensure the environmental impact of the construction of the development is adequately mitigated and to protect the amenities of nearby residential properties in accordance with South Cambridgeshire Local Development Framework Development Control Policies 2007, Policy NE/15- Noise Pollution & DP/6- Construction Methods.)
12. **No construction related deliveries and or collections shall take place other than between the hours of 07.00 to 21.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless otherwise agreed in writing with the local planning authority. No construction related deliveries and or collections shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.**
(Reason – To ensure the environmental impact of the construction of the development is adequately mitigated and to protect the amenities of nearby residential properties in accordance with South Cambridgeshire Local Development Framework Development Control Policies 2007, Policy NE/15- Noise Pollution & DP/6- Construction Methods.)
13. **In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents noise and or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228- Part 2:2009: Code of practice for noise and vibration control on construction and open sites – Part 2: Vibration BS 5228 – Part 4: “COP for noise and vibration control applicable to piling**

operations". Development shall be carried out in accordance with the approved details.

(Reason – To ensure the environmental impact of the construction of the development is adequately mitigated and to protect the amenities of nearby residential properties in accordance with South Cambridgeshire Local Development Framework Development Control Policies 2007, Policy NE/15- Noise Pollution & DP/6- Construction Methods.)

14. **No development shall commence until a programme of measures to minimise the spread of airborne dust (wheel washing and dust suppression provisions) from the site during the construction period or each relevant phase of development, has been submitted to and approved in writing by the Local Planning Authority. Works shall be undertaken in accordance with the approved details / scheme unless the Local Planning Authority agrees to the variation of any detail in advance and in writing.**

(Reason – To protect the amenities of nearby residential properties in accordance with South Cambridgeshire Local Development Framework Development Control Policies 2007, Policy NE/16- Emissions & DP/6- Construction Methods.)

15. **Before the development hereby permitted is commenced, an assessment of the noise impact of plant and or equipment including any renewable energy provision sources on the proposed and existing residential premises and a scheme for insulation as necessary, in order to minimise the level of noise emanating from the said plant and or equipment shall be submitted to and approved in writing by the Local Planning Authority. Any noise insulation 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 and shall not be altered without prior approval.**

(Reason – To protect the amenities of nearby residential properties in accordance with South Cambridgeshire Local Development Framework Development Control Policies 2007, Policy NE/15.)

16. **No development shall commence until full details of a scheme of sound insulation between any retail, food or commercial (any premises class use other than residential) and residential uses within the apartment building, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed before the dwellings, hereby permitted, are occupied and permanently retained thereafter.**

(Reason - In the interests of the amenities of the permitted residential units close to non-residential premises properties in accordance with South Cambridgeshire Local Development Framework Development Control Policies 2007, Policy NE/15.)

17. **Prior to the commencement of the development an artificial lighting scheme, to include details of any external lighting of the site such as street lighting, floodlighting, security lighting, shall be submitted to and approved in writing by, the Local Planning Authority. This information shall include a site layout plan showing the location and positioning of all external lighting, the luminance of the lighting including full isolux contour maps and a schedule of equipment in the design (luminaire type, mounting height, aiming angles/orientation, and luminaire profiles, angle of glare and shall assess artificial light impact in accordance with the Institute of Lighting Engineers (2005) 'Guidance Notes for the Reduction of Obtrusive Light'). The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details measures unless the Local Planning Authority gives its written consent to any variation.**

(Reason - To protect and safeguard the amenities of nearby residential properties local residents from light pollution in accordance with Policy NE/14.)

18. **No building shall be occupied until the provisions set out in the approved Waste Minimisation Statement have been implemented to the satisfaction of the local planning authority in consultation / conjunction with the Waste Collection Authority. All of the approved measures shall thereafter be maintained unless the Local Planning Authority gives written consent to any variation.**
(Reason - To ensure that the development conforms with waste minimisation requirements in accordance with the adopted Cambridgeshire Mineral/ Waste LDF Policy, Policy DP/1 of the adopted Local Development Framework 2007 and the Cambridgeshire & Peterborough Recap Partnership Waste Management Design Guide 2008.)
19. **No development approved by this permission shall be commenced until:**
- a) **The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority.**
 - b) **Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority.**
 - c) **The works specified in the remediation method statement have been completed, and a validation report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.**
 - d) **If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this material should be agreed in writing by the Local Planning Authority.**
(Reason - To prevent the increased risk of pollution to the water environment in accordance with Policy DP/1 of the adopted Local Development Framework 2007.)
20. **Prior to the commencement of development, a renewable energy statement which demonstrates that at least 10% of the development is total predicated energy requirements will be in the form of on-site renewable energy sources, shall be submitted to and approved in writing by the Local Planning Authority. In the event that this is to include biomass boiler installations, a full and detailed assessment of the impact on local air quality should be carried out. The assessment should be carried out in accordance with Technical Guidance TG (09) and use dispersion modelling where appropriate.**
(Reason - To ensure an energy efficient and sustainable development in accordance with Policies NE/1 and NE/3 of the adopted Local Development Framework 2007 and government guidance in PPS1 Delivering Sustainable Development and PPS22 Renewable energy.)
21. **No development shall take place on the application site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.**
(Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy CH/2 of the adopted Local Development Framework 2007.)
22. **The existing dropped kerbing to 49 Powells Garage/Shop/Dwelling Woollards Lane and the High Street shall be permanently and effectively closed and the footway**

and kerbing shall be reinstated in accordance with a scheme to be agreed with the Local Planning Authority in consultation with the Highway Authority, within 28 days of the bringing into use of the new accesses.

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

23. **Prior to the first occupation of the development the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.**
(Reason - In the interests of highway safety and to ensure satisfactory access into the site in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
24. **The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.**
(Reason - To prevent surface water discharging to the highway. in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
25. **No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.**
(Reason - To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
26. **Prior to the first occupation of the development sufficient space shall be provided within the site to enable vehicles to:**
- a) **Enter, turn and leave the site in forward gear**
 - b) **Park clear of the public highway**
The area shall be levelled, surfaced and drained and thereafter retained for that specific use.
(Reason - In the interests of satisfactory development and highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
27. **Prior to the commencement of the use hereby permitted visibility splays of 2.4m x 43m shall be provided each side of the vehicular access, hereby approved, measured from and along the back of the footway in both directions. Such splays shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the footway.**
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
28. **Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme.**
(Reason - To ensure a satisfactory method of surface water drainage in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- South Cambridgeshire Development Control Policies Development Plan Document (2007)
- South Cambridgeshire Local Development Framework Site Specific Policies DPD 2010
- South Cambridgeshire Local Development Framework Adopted Proposals Map (2010)
- South Cambridgeshire Local Development Framework Supplementary Planning Documents
- Planning File ref S/0790/10/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 October 2010

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)

S/1099/10/F – WATERBEACH**Description of Development: Erection of 40 bedroom Care Home and Associated Landscaping Following Demolition of Existing 43 Bedroom Care Home at Waterbeach Lodge, Ely Road for Scimitar Hotels Plc.****Recommendation: Approval****Date for Determination: 18 October 2010****Notes:**

This Application has been reported to the Planning Committee due to the recommendation of refusal by Waterbeach Parish Council.

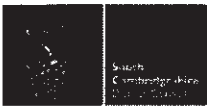
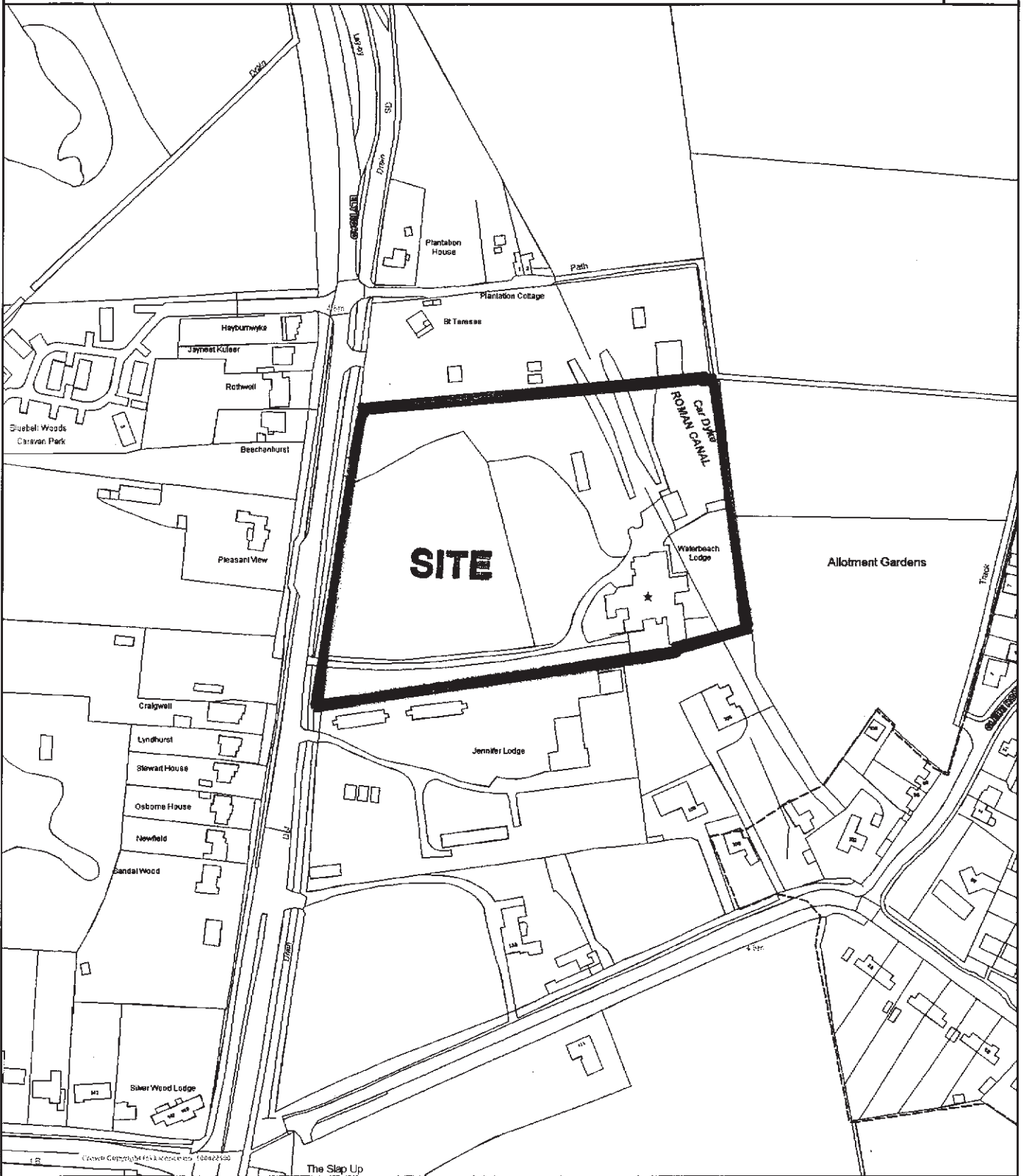
Site and Proposal

1. The application site comprising 2.5 hectares (ha) is located outside of the village development framework within the open countryside and Green Belt. At present the site contains a 43-bedroom care home, which is a piece-meal building of various accretions, which is also served by a number of outbuildings within the surrounding grounds. The site is accessed via a long narrow avenue off the Ely Road (A10) with an undulating ground level peaking around the envelope of the existing care home. Vast and extensive soft landscaped grounds including a rich tree population screen the majority of the site's common boundaries. The site lies north of residential properties within Cambridge Road and west of the village's allotment site accessed via Glebe Road. There is also a pedestrian access from the site's northeast corner into the village, north of the allotments.
2. Part of the site north of the existing care home is identified as having archaeological potential as a Saxon settlement site. In addition the line of the Car Dyke Roman canal runs through the western part of the site from north to south. The site also contains a rare cave spider population, which is located within a lime tree and is of high ecological importance.
3. Proposals comprise the erection of a three-storey, 40-bedroom care home following the demolition of the existing 43-bed care home. A landscape proposal, design and access statement and a statement outlining very special circumstances accompany the application.

Planning History

4. Planning Application **S/0124/10/F** for the erection of a 43-bedroom care home following the demolition of existing care home was refused on the grounds that the development represented inappropriate development within the Green Belt by way of a loss of openness, and a detrimental impact upon residential amenity, visual amenity and bats.

S/1099/10/F - Waterbeach Lodge, Waterbeach



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Scale 1/2500 Date 24/9/2010

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No material considerations were provided that would amount to very special circumstances to clearly outweigh this harm.

5. Planning Application **S/1079/06/F** was approved for the provision of an escape ramp.
6. Planning Application **S/1447/95/F** was approved for extensions.
7. Planning Application **S/0955/94/F** was approved for an extension.
8. Planning Application **S/1614/92/F** was approved for an extension.
9. Planning Application **S/1613/92/F** was approved for an extension.

Planning Policy

10. South Cambridgeshire LDF Core Strategy DPD, 2007:
ST/1 Green Belt
11. South Cambridgeshire LDF Development Control Policies DPD, 2007:
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Developments
DP/7 Development Frameworks
GB/1 Development in the Green Belt
GB/2 Mitigating the Impact of Development in the Green Belt
SF/6 Public Art and New Development
NE/1 Energy Efficiency
NE/2 Renewable Energy
NE/3 Renewable Energy Technologies in New Development
NE/6 Biodiversity
NE/11 Flood Risk
NE/12 Water Conservation
NE/14 Lighting Proposals
NE/15 Noise Pollution
CH/2 Archaeological Sites
TR/1 Planning for More Sustainable Travel
TR/2 Car and Cycle Parking Standards
TR/3 Mitigating Travel Impact
12. South Cambridgeshire LDF Supplementary Planning Documents (SPD):
Public Art SPD - Adopted January 2009
Trees & Development Sites SPD - Adopted January 2009
Biodiversity SPD - Adopted July 2009
Landscape in New Developments SPD – Adopted January 2010
District Design Guide SPD – Adopted March 2010
13. **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.
14. **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

15. **Waterbeach Parish Council** – Recommend refusal on the following grounds:
 - (a) Additional landscaping is necessary along the southern boundary in area of car park to prevent use of car parking;
 - (b) The development would be inappropriate development for the environment because of the additional storey to that of the existing building;
 - (c) Additional landscaping to southern boundary of drive is required with the provision of a 2m high hedge;
 - (d) An archaeological survey of the area (where ground works will take place);
 - (e) The driveway should be wider to allow two vehicles to pass one another along with a footpath for pedestrians;
 - (f) More space is require between the A10 and the proposed gates to allow vehicles to clear the highway for safe access and egress;
 - (g) No cycle storage is shown upon the plans;
 - (h) No screened bin areas are provided;
 - (i) There is a concern over the use of security lights and the impact upon residential amenity;
 - (j) The ditch along the front of the site should be cleared and maintained to a high standard by the developer.
16. **Landbeach Parish Council (Adjacent Village)** – Recommend approval.
17. **Local Highway Authority** – Raise no objections subject to any gates proposed being set back a minimum of 10m from the highway boundary and are side hung opening inward. In addition temporary facilities shall be provided on the site for the turning, parking, loading and unloading of all vehicles associated with demolition and construction.
18. **Waterbeach Internal Drainage Board** – No comments have been received.
19. **Cambridgeshire Fire & Rescue** – Should the development benefit from planning permission the provision of fire hydrants should be sought by way of a S106 agreement or planning condition.
20. **Cambridge County Council Archaeology** – The site lies within an area of high archaeological importance and as a consequence the site will require a programme of archaeological investigation at the expense of the developer by virtue of a pre-development condition.
21. **Architectural Liaison Officer** – Raises no objections given the site's location and crime statistics for this area. The agent should submit a secure by design application should the development benefit from planning approval.
22. **Primary Care Trust** – Do not wish to support the proposal as there is adequate care home capacity in Cambridge and the surrounding area and that a further home is not required.
23. **Anglian Water** – The site lies outside of the Anglian Water Area of water supply therefore Cambridge Water Company should be consulted. The current foul sewer system has sufficient capacity to accommodate the development whilst the wastewater treatment will be treated by the Waterbeach sewage treatment works, which has sufficient capacity. The applicant has indicated that the surface water drainage is not to be directed into the public sewer and therefore the views of the Environment Agency

should be sought in this respect. Consent will be required to discharge trade effluent water to the sewer.

24. **Trees and Landscape** – Raises no objections subject to subject to a condition requiring details of a defined working area for material storage, contractor vehicle parking and construction activities to ensure no encroachment into the root protection areas of retained trees.
25. **Landscape Design** – The landscape concept plan safeguards the important elements of the existing landscape that should be retained. Furthermore it provides a varied and spacious environment of unusually high quality to accompany a care home. The concept is therefore deemed to provide an ideal function for the site, enabling the longevity of valuable features such as orchards, native planting and large-scale trees. Notwithstanding this, a landscape condition will be required upon approval.
26. **Ecology Officer** – Raises no objections to the development in line with the most recent bat survey. As a consequence the use of conditions would suffice in addressing significant matters with regard to bats. Therefore prior to development commencing full details of site mitigation and compensatory measures will be submitted to and approved in writing.
27. **Environmental Health** – Raise no objections subject to the provision of conditions requiring details of power driven machinery (including heating and ventilation), limitation on the hours of use of power operated machinery during demolition and construction, details of external lighting and limitations on deliveries during construction.
28. **Natural England** – Raise no objections with the standard advice for guidance on survey and mitigation requirements to be followed in respect of bats.

Representations

29. One letter of objection from the occupier of no.106 Cambridge Road has been received, the content of which raises the following concerns:
 - (a) The proximity of a car park adjacent to the boundary with no.106 would result in noise and disturbance;
 - (b) The proposed south elevation would contain windows overlooking no.106;
 - (c) The external finish to the development is not clear and Cambridge white bricks should be specified;
 - (d) No reference is made within the application to the timing of building work or the provision of protection to neighbouring boundaries;
 - (e) The proposed building is to be 1.07m higher than the existing structure.

Planning Comments – Key Issues

30. The key issues to consider in this instance are the impact that the development would have upon the openness and character of the Green Belt, residential amenity, biodiversity, landscaping and the public realm, highway safety and car parking.

Green Belt

Harm by way of inappropriateness

31. Planning Policy Guidance Note 2 'Green Belts' (PPG2) states that inappropriate development is, by definition, harmful to the Green Belt and it is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The proposed replacement building is considered to be inappropriate development as defined within the criteria of new buildings (PPG2 paragraph 3.4). Whilst the replacement building will be for residential accommodation the use class of the building will not be one of a dwelling house (C3) but one of a residential institution (C2) and therefore the development should not be assessed under paragraph 3.6 of the PPG 'replacement dwellings'.

Other Harm to the Green Belt

Design

32. The proposal would have a smaller footprint by approximately 146sqm to the existing care home building (22sqm less than the previously refused application). However, the proposal would result in an increase of internal floor space of approximately 643sqm. The replacement structure would consist of one single massing structure three-storeys high. The existing care home comprises a series of single-storey and two-storey buildings adjoined to one another in a piecemeal fashion. The proposed ridge height of the new building would be 10.6m, which is approximately 2.7m higher than the highest part of the existing care home. Whilst the replacement structure will be set at a level some 1.62m below the existing buildings, its cumulative mass, height and scale would be greater than the existing group of buildings.
33. Material considerations have been put forward justifying the increase in scale of the replacement structure. These grounds concentrate on the need for the replacement structure to meet the registration requirements for a modern care home. This is illustrated by stating that the existing home's bedroom sizes of 11sqm fall well short of the current standards and that rooms equating to 21sqm are needed to satisfy these requirements. Furthermore, the proposal would represent a decrease in the overall level of bedroom provision by 3. The need for the building to be clustered into one single three-storey mass is justified through the applicants experience in care home provision and in particular the management and wellbeing of residents. The aim to reduce the overall footprint of the building has resulted in the building's form being contained into once space. This benefits the circulation of the building for functional use such as the ease of movement for both staff and residents. However, this is deemed to have a materially greater impact upon the visual amenity and openness of the Green Belt, as the cumulative impact of the buildings height, mass and scale is not in character or scale with the buildings that it intends to replace.
34. Notwithstanding the above the proposals design is considered to be a marked improvement from the previous refusal as the building form is better integrated within a single coherent and simple design. The building now has a more uniform symmetry and the elevations that jut out are clearly subservient to the main building form. The roof form is now less complex and compliments the building's elevations due to its shallow low-lying pitch. Whilst the uniform and standard elevations are considered appropriate for a building of this use further consideration could be given to the use of materials and finishing details. This is considered to be important in order to provide more visual

interest to the building as a statement of modern architecture and sustainable construction methods. This detail could be controlled by condition.

Biodiversity

35. The original bat survey that was submitted with the application identified evidence that bats had used the site. It was also clear from this report that the entirety of the buildings on site had not been fully checked despite areas of the 1950's building be identified as having possible entry points for bats. Furthermore, the survey was not undertaken during optimum seasons from April to May. The current application contains an updated bat survey, which suitably provides detailed information to the satisfaction of the Council's ecology officer. The survey identifies a single summer (non-breeding) roost within the pitched roof of the 1950's building on-site. Therefore whilst it is clear that there is some bat activity present on-site the report concludes that there are no significant bat roosts within any of the buildings proposed for demolition. In light of the above, it is considered that through the use of suitable conditions requiring mitigation and compensatory measures the proposed development could progress without harm to the local ecology. The lime tree known to provide habitat for cave spiders (the only tree-based population recorded in Cambridgeshire) would not be affected by the proposals.

Landscaping and the public realm

36. The proposed concept model for the site's landscaping is considered to be appropriate for a care home and would enhance the site visually when implemented and suitably managed. Notwithstanding this, due to the size of the site a landscape condition would be required by condition to suitably address the mix and specification of planting proposed along with all hard standing. It is acknowledged that the works required to bring the site's landscaping into a more attractive and aesthetic state would be costly, but to the benefit of the public realm. The application has been amended in order to strengthen the landscaping along the southern boundary as requested by the Parish Council.

Residential Amenity

37. The proposed building would be sited 25m from the common boundary with the nearest residential property at no.106 Cambridge Road to the south of the site. It would be located further from the boundary and upon lower ground than the existing building. At this significant distance the proposed building would not be deemed to result in any material loss of privacy nor would it be unduly overbearing or result in any loss of light to this property. Furthermore, the revised layout plan has addressed the previous reason for refusal of the potential noise and disturbance resultant from vehicle movements and car parking within close proximity to no.106. The layout plan now provides a central parking area away from this common boundary with a landscaped verge separating the access and the boundary. Whilst the vehicle access still passes this boundary there is an existing roadway and parking area within this location at present, so the proposals represent an improvement in this situation.

Highway Safety & Car Parking

38. The Local Highway Authority have confirmed that as there is a decrease in the amount of bedrooms there is no objection to a replacement structure as it would be unlikely to result in additional vehicle movements to the detriment of Highway Safety. Whilst the Parish Council raises concerns about the width and state of repair of the existing access road, the proposal would include the renovation and widening of the existing access road to a width of 6m, which is sufficient for vehicles to pass one another. Whilst the site

is currently gated for security purposes the access would be un-gated if brought back into use.

39. In accordance with the Council's maximum parking standards care homes require one vehicle space per 3-bedrooms and one space per staff member. Whilst the application states that the facility would employ 52 staff members it is unclear how many of these would be on-site at any one time. Nevertheless, the provision of 20 car parking spaces as proposed is considered appropriate based on 6 members of staff being present on site at any one time. Notwithstanding this, the plans provided show no provision of any demarcation between visitor or staff spaces although there is sufficient space within the site for overflow car parking if required. The disabled spaces would be provided with easy access to the building's main entrance.

Other Matters

40. The Parish Council has raised a number of issues that the planning application as submitted failed to address. The amended landscape plan and supporting statement submitted by the applicant acknowledges the error for not including such information as bin and cycle storage confirming that the applicant agrees to such provision by way of a planning condition. Furthermore, the applicant confirms their intent to carry out an archaeological survey in accordance with the guidance from the County Council. This information also includes clarification that the access shall be un-gated and widened to allow two vehicles to pass one another. The applicant has also confirmed that the site's existing lighting will be retained and that any additional lighting will need to be agreed by way of condition in accordance with the guidance of the Council's Environmental Health Officer. The Parish Council requested that the drainage ditch that fronts the site should be cleared and adequately managed by the developer. However, this ditch falls outside of the application site and the applicant has confirmed that the ditch is not under his ownership and the rightful owner is unknown. In light of the above it is considered that the Parish Council's concerns can be suitably addressed through the use of planning conditions.

Very Special Circumstances

41. In summary the applicant has provided a statement of material considerations to attempt to outweigh the harm to the Green Belt by way of inappropriateness and other harm. The applicant's argument is that the existing care home fails to meet current standards for residential care and that a replacement structure would be the most viable alternative to bring the site back into use. Furthermore, the supporting statement outlines the viability of the development, which states that the provision of a smaller home below 40 bedrooms would not be viable when taking into consideration build costs, landscaping and biodiversity measures and the running costs of a modern care home. This statement also identifies the substantial landscaping works that are required after many years of neglect. These works are acknowledged as being significant in visually enhancing the site and improving its biodiversity potential.

Conclusion

42. The development proposed is inappropriate in the Green Belt. However, the applicant has put material considerations forward, which outweigh the harm to the Green Belt, by way of inappropriateness, loss of openness and impact upon visual amenity. As such the material planning considerations provided amount to very special circumstances in order to clearly outweigh the harm referred to above.

43. It is therefore concluded that the retention of a care home use that meets the current industry standards and the proposed landscape and ecological enhancements as a result of the development are considered to be sufficient to outweigh the harm to the Green Belt.
44. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be approved in this instance.

Recommendation

45. Approve.

Decision

Approve as amended by plan No.235-01 B and Planning Statement date stamped 20 September 2010.

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. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan, 09:106:20, 235-01 Rev B, 09:106:28, 09:106:29, 09:106:25, 09:106:26, 09:106:27, 09:106:24, 09:106:23, 09:106:21 and 09:106:22.**
(Reason – To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990).
- 3. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.**
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
- 4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.**
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

- 5. No development shall take place until details of the materials to be used in the construction of the external surfaces of the building, hereby permitted, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- 6. 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.)
- 7. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.**
(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
- 8. 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.)
- 9. No development shall take place until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented.**
(Reason - To ensure an adequate water supply is available for emergency use.)
- 10. Prior to the commencement of development a lighting scheme, to include details of any external lighting of the site such as street lighting, amenity lighting, floodlighting, and security lighting shall be submitted to and approved in writing, by the Local Planning Authority. The information shall include a layout plan with beam orientation, full isolux contour maps and a schedule of equipment in the design and shall assess artificial light impact in accordance with the Institute of Lighting Engineers (2005) Guidance notes for the reduction of obtrusive light. Development shall be carried out in accordance with the approved details unless the Planning Authority gives written consent to any variation.**
(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.)

- 11. 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.)

- 12. No development shall take place until a scheme for the provision of on-site renewable energy to meet 10% or more of the projected energy requirements of the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.**

(Reason - To ensure an energy efficient and sustainable development in accordance with Policies NE/1 and NE/3 of the adopted Local Development Framework 2007 and government guidance in PPS1 Delivering Sustainable Development and PPS22 Renewable energy.)

- 13. Prior to the commencement of the development, hereby permitted, a water conservation strategy shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved details shall be implemented.**

(Reason – To comply with Policy NE/12 Water Conservation of the South Cambridgeshire Development Control Policies, DPD, 2007).

- 14. No development shall begin until details of a scheme for the provision of public art infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policy SF/6 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 Public Art in accordance with the above-mentioned Policy SF/6 and Policy DP/4 of the adopted Local Development Framework 2007.)

- 15. No development shall take place on the application site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the Local Planning Authority.**

(Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy CH/2 of the adopted Local Development Framework 2007.)

- 16. Prior to the demolition or alteration of any buildings upon the application site details of the following migration and compensatory measures shall be submitted to and approved in writing by the Local Planning Authority.**

- **The exact locations for the erection of six woodcrete (or similar) bat boxes upon trees within the site.**
- **The exact locations for the erection of eight bat bricks (or similar) to be built into the external fabric of the building hereby approved.**
- **The exact means by which all roof tiles, bargeboards, soffits and remaining lead flashing on the 1950's building are to be removed prior to demolition.**
- **Persons responsible for the future monitoring of the compensatory measures to be undertaken in year's one, three and five following**

completion of the development. A report of the monitoring of the compensatory measures shall be provided to the Local Planning Authority in the year of the monitoring requirement with any variation to the approved measures being agreed in writing by the Local Planning Authority.

(Reason - To achieve biodiversity enhancement on the site in accordance with adopted Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

17. Prior to any development commencing details of a defined working area for the material storage, contractor vehicle parking and construction activities shall be 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 that construction activities do not encroach into areas of retained trees and landscaping in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007).

18. Prior to the commencement of the development, hereby permitted, any gate or means of enclosure to the vehicular access shall be set back a minimum of 10m from the near edge of the highway carriageway. Any access gates shall be hung to open inwards. Details of any permanent gates shall be submitted to and approved in writing by the Local Planning Authority prior to their installation.

(Reason - In the interests of visual amenity and highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

19. Prior to the commencement of the development, hereby approved, details of the temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of demolition and construction. This detail shall include a method statement outlining the control of dust, debris and mud and all pedestrian and vehicle movements such as the control of contractor parking and timing of deliveries.

(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

Informatives

1. See attached Environment Agency advice regarding soakaways.
2. Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted to and approved in writing by the District Environmental Health Officer so that noise and vibration can be controlled.
3. During construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with the best practice and existing waste management legislation.
4. In relation to condition 14 above, the provision of public art infrastructure to meet the needs of the development, in accordance with policy SF/6 of the South Cambridgeshire Local development Framework, Development Control Policies DPD, 2007. The applicant has agreed to enter negotiations with regard to such a contribution and a document under S106 (Scheme) is required to secure this.

5. Before the existing buildings are demolished, a demolition notice will be required from the Environmental Health Department establishing the way in which the buildings will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working operation. This should be brought to the attention of the applicant to ensure the protection of the residential environment of the area.
6. An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer. Anglian Water recommends that petrol/oil interceptors be fitted in all car parking areas. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence. Anglian Water also recommends the installation of a properly maintained fat trap to any catering facilities. Failure to do so may result in blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under Section 111 of the Water Industry Act 1991.

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 Plan 2004 (Delete as appropriate)
- Cambridgeshire and Peterborough Structure Plan 2003 (Delete as appropriate)
- Planning File Ref: (These documents need to be available for public inspection.)

Contact Officer: Mike Jones – Senior Planning Officer
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 October 2010

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)

S/1081/10/F- HARSTON

**Erection of Two Dwellings on Land to the South of 37 Church Street,
for Mr Rupert Dick**

Recommendation: Refusal

Date for Determination: 8 September 2010

This Application has been reported to the Planning Committee for determination at the request of the local Member, Councillor Dr Janet Lockwood.

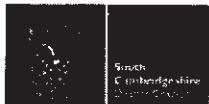
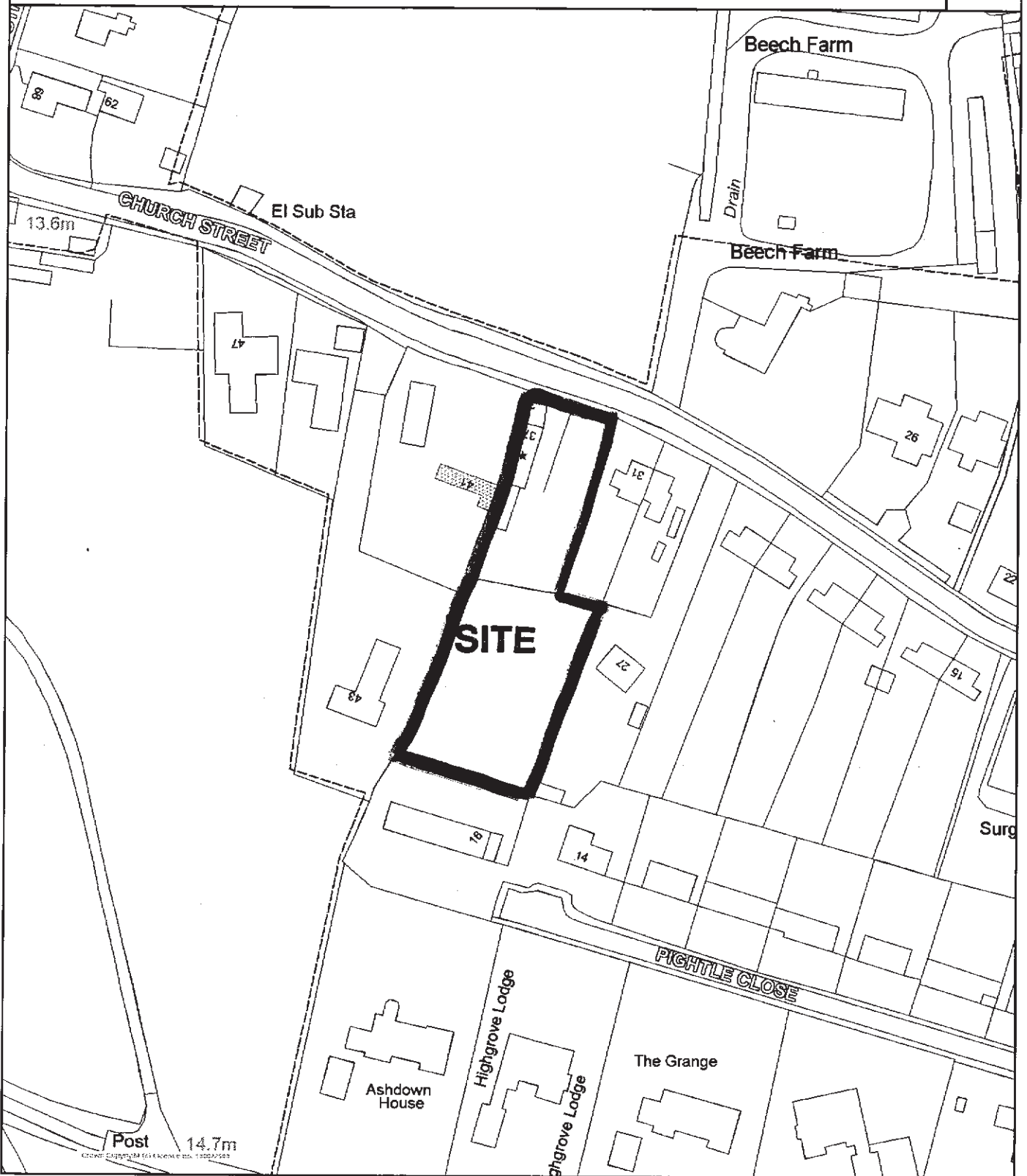
Site and Proposal

1. The application forms part of the garden area of the applicant's dwelling, comprising 0.26 ha. The site contains numerous mature trees, and is surrounded on each side by existing residential development. The existing house is two storeys in height, and is located at the north western corner of the site fronting Church Street. There is an existing single access onto Church Street. The adjoining dwelling to the north west, 41 Church Street, is a grade 2 listed building.
2. The full planning application, dated 16 June 2010, proposes the erection of two identical detached houses with double carports and stores. The dwellings each have five bedrooms, and are two-storey in height, 7.3 m to ridge. Each is to be provided with a basement. They are designed to a high standard of energy performance. External materials are to be weatherboarding in silver grey stain, and terracotta clay pantiles for the roofing.
3. The application proposes the extension of the existing driveway to serve both new dwellings and the existing dwelling. This is to be surfaced in gravel. The application drawings show visibility splays of 2.4 x 70 m to the north west, and 2.4 x 43 m to the south east along Church Street, drawn to the centre of the road. The landscaping along the frontage of the site has been adjusted to accommodate the easterly visibility splay.
4. The application is supported by a design and access statement, planning statement, financial appraisal and a traffic statement.

Planning History

- | | | | | |
|----|--------------------|-------------------------|-----------|-----------------|
| 5. | S/1653/09/F | Erection of 2 dwellings | Withdrawn | 9 February 2010 |
| 6. | S/0998/08/F | Erection of 2 dwellings | Withdrawn | August 2008 |
| 7. | S/0850/99/F | Extension | Approved | 1999 |

S/1081/10/F - Land to the South of 37 Church Street Harston



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Scale 1/1250 Date 24/9/2010

Centre = 541994 E 250898 N

8.	S/0250/79/O	Erection of 1 dwelling	Refused (cramped layout: inadequate foul drainage)	1979
9.	C/0195/65	Erection of 1 dwelling	Refused (density too high; piecemeal development)	1965
10.	C/0195/65	Erection of 1 dwelling	Refused (density too high; piecemeal development)	1965
11.	C/0072/65	Erection of 1 dwelling	Refused (back land development; loss of privacy)	1965

Planning Policy

12. **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007:**
ST/6 (Group Villages)
13. **South Cambridgeshire Development Control Policies Development Plan Document (2007)**
DP/1 (Sustainable Development)
DP/2 (Design of New Development)
DP/3 (Development Criteria)
DP/4 (Infrastructure and New Developments)
HG/1 (Housing Density)
HG/2 (Housing Mix)
HG/3 (Affordable Housing)
CH/4 (Development Within the Curtilage or Setting of a Listed Building)
NE/1 (Energy Efficiency)
NE/6 (Biodiversity)
TR/1 (Planning for More Sustainable Travel)
TR/2 (Car and Cycle Parking Standards)
14. **Trees and Development Sites SPD** (January 2009)
Open Space and New Developments SPD (January 2009)
Listed Buildings SPD (2009)
District Design Guide SPD (2010)
Affordable Housing SPD (2010)
Circular 11/95 -The Use of Conditions in Planning Permissions

Consultations

15. **Harston Parish Council** – Recommendation of approval. Comment that the concerns of the neighbour at 43 Church Street should be taken into account.
16. **Trees and Landscape Officer** - No objection.
17. **Landscape Design Officer** - No objection. Details of disposal of excavation spoil and proposed hedging/fencing are required. Tree protection is required during the construction period.

18. **Housing Development and Enabling Manager** – The HD&EM has been in negotiation with the applicant and is willing to accept a commuted sum in lieu of onsite provision of one dwelling, valued at £73,000.
19. **Local Highway Authority** - Recommendation of refusal due to unacceptable visibility splays. The LHA has considered the statement put forward by the highways consultant, but disagrees that the visibility splays may be drawn to the centreline of the carriageway. As a result, the 2.4 x 43m visibility splay in the easterly direction would cross neighbouring land outside the applicant's ownership or control. The proposed development would therefore be detrimental to highway safety.

Representations

Comments have been received from the following occupiers:

20. **14 Pightle Close:** generally happy with the proposal but requests that the dwelling on Plot 1 be moved 1.5m closer to the road to avoid overlapping the building line at the rear of that house.
21. **43 Church Street:** Objection on the grounds of a loss of view at the rear from the garden and French windows. The size of the dwellings is over the top for the size of plot available, and would be more suitable for one more sympathetically positioned property.
22. Comment from the Local Member

Councillor Dr Lockwood has provided the following comment:

"I would like this to go to Planning Committee on the basis that by providing a commuted sum for affordable housing, the application would in effect be contributing to another dwelling elsewhere that could be one or two bedroomed.

Also, is there any basis in Rupert Dick's contention that Highways are treating the driveway as a road junction, and this is not correct, so that the Manual for Streets should apply? (Presumably this would allow the visibility splay as it stands.) This might also be grounds for Planning Committee referral."

Planning Comments

Density

23. The application site, including the existing dwelling, has an area of 0.24ha, representing a density after development of 12.5 dwellings per hectare. The area to be given over to the development excluding the existing dwelling amounts to 0.18ha, which would represent a density of 11.1 dwellings per hectare. This density is below the normally expected requirement under policy HG/1 of 30 dph. It is considered that there are circumstances which would render a greater number of dwellings unacceptable, including the proximity of a listed building, the low density of development in the vicinity of the site, and the need to preserve the quiet amenity of occupiers of dwellings adjoining on each side of the site, including the applicant's own dwelling.

Housing mix

24. The proposal shows two market houses each having 4/5 bedrooms. The requirements of policy HG/2 indicate that one of the houses should be a smaller unit with 1/2 bedrooms. The design and access statement and financial appraisal sets

out the case that such a mix of housing would result in viability issues given the high specification for the dwellings proposed. A two-bed unit would increase the net build cost of the scheme by about £100,000. The applicant plans to occupy one of the new houses and sell the other to fund the development. Unless he can do this, the development would simply not be brought forward. The substantial commuted sum for off-site affordable provision should also be considered as contributing to a mix of new houses funded by this project.

25. In addition, this would not be making best use of this potential site. A smaller scale dwelling would be out of keeping with the character of this part of the village, in the opinion of the agent.
26. The agent has not set out any information indicating that the District no longer requires a greater proportion of smaller dwelling units, except for the assertion that there must be demand for larger houses for developers to want to provide this size of house.
27. The provision of a smaller unit on this site would not be out of keeping with the general character of the area, which contains houses of a variety of sizes. Policy HG/2 does not provide for exemptions on the grounds of viability on schemes of less than ten dwellings. The proposal does not comply with policy HG/2.

Affordable Housing

28. Taking into account the advice of the Housing Development and Enabling Manager, the requirements of policy HG/3 would be met in this case by the securing of a suitable commuted sum.

Scale and design

29. The dwellings are shown adjacent to a bungalow at 27 Church Street to the east, but adjacent to two-storey houses at 43 Church Street and 16 Pightle Close. This scale of dwellings is not considered to be out of keeping with the character of the village. The design and external materials of the dwellings reflect the high-energy performance expected of the buildings. It is considered that the combination of two dwellings of an acceptable and similar design, together with their siting far back from the road, will result in a development that is not harmful to the street scene.

Setting of the listed building

30. Provided the existing hedgerow at the rear of the listed building at No.41 Church Road is retained the development is considered to be harmful to the setting of the listed building.

Residential amenity

31. The driveway serving the existing dwelling and proposed dwellings is shown to be located between 2m and 5m from the side boundary with the adjoining dwelling at No.31 Church Street. The vehicle turning area is shown to be located to the rear of this garden, where there is scope to erect screen walling. It is not considered that undue noise disturbance would arise from the use of the extended driveway by three dwellings.
32. The proposed dwelling on Plot 2 is shown to have first floor windows in the east elevation facing towards No.27 Church Street. These are to a shower room and as a

secondary window to a bedroom, which could be required to be fixed shut and obscure glazed to prevent overlooking. Similarly, first floor windows in the western side elevation of the proposed dwelling on Plot 1 could be so conditioned, for a similar reason. The rear facing windows closest to the side boundaries would have an oblique view over adjacent gardens, but not to an extent that serious harm would result. Windows in the front elevation of the proposed dwelling on Plot 1 would be located at a distance of 14m approximately from the rear boundary with No.31 Church Street. This is considered to be a reasonable separation.

33. The dwellings at 14 and 16 Pightle Close, to the south, are located at a window-to-window distance exceeding 30m, and a window-to-boundary distance of 25m approximately. These are considered to be reasonable separation distances.
34. The proposed dwelling on Plot 2 is shown to have its east elevation positioned approximately 2.5m from the boundary with the rear garden of No.27 Church Street, and the current occupier has previously expressed concern at the potential harm to which this would give rise. The dwelling is shown to have a gable end 7.3m to ridge and 4.9m to eaves, but this is some 8m from rear facing windows and would not directly affect the outlook from these windows. The dwelling is shown to be positioned adjacent to the main sitting out area of No.25, but the distance from the boundary is considered to be sufficient to mitigate any overbearing impact from the development on the rear garden of this property. Except in the late summer evenings, no overshadowing of this garden from the development would occur.
35. Subject to appropriate planning conditions, it is not considered that any of the impacts on the residential amenity of adjoining occupiers arising from the development would be so serious as to warrant a refusal of planning permission.

Access and Parking

36. The proposal has attracted a recommendation of refusal from the local highway authority on the grounds that insufficient visibility splays have been provided. The site is located on the inside of a bend in Church Street, where visibility to the east is limited. Furthermore, the necessary visibility splay crosses third party land. The proposal does not comply with policy HG/3.

Other matters

37. If approved, the proposal would give rise to additional demands on local open space provision. Policy DP/4 and the relevant SPD indicate that a payment of around £8,183.60 would be required in order to account for this demand. The applicant has indicated a willingness to make such a payment, which would be secured by means of a Section 106 agreement.
38. The development has been brought forward with high build standards of sustainability. Members may wish to consider whether this is sufficient mitigation to set aside other concerns, but in officers' opinion this is not an overriding factor.

Recommendation

39. Refusal
 1. The proposed development does not provide adequate vehicle-to-vehicle visibility at the junction with Church Street to serve the needs of the development and to achieve adequate highway safety. The proposal does not

comply with policy DP/3, of the South Cambridgeshire Development Control Policies Development Plan Document (2007) which seeks to ensure that all new development is provided with safe means of access.

2. The proposed development fails to provide a mix of dwelling size to meet local needs. The proposal does not comply with policy HG/2 of the South Cambridgeshire Development Control Policies Development Plan Document (2007) which seeks to ensure that a greater proportion of smaller homes is provided in new residential schemes.

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

- South Cambridgeshire Local Development Framework (LDF) Core Strategy (2007)
- South Cambridgeshire Development Control Policies Development Plan Document (2007)
- Planning file refs: S/1081/10/F; S/1653/09/F and S/0998/08/F.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 October 2010

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)

S/0920/10/F – HASLINGFIELD**Agricultural Store Building at Land to the West of Grove Farm, Harlton Road,
(Mr and Mrs George Jennings)****Recommendation: Approval****Date for Determination: 2 August 2010****Notes:**

This Application has been reported to the Planning Committee for determination as the recommendation of planning officers conflicts with material considerations raised by the Parish Council. The Committee deferred the application on 1 September 2010 to give the applicant a further opportunity to provide evidence of any special circumstances giving rise to the need for the proposed building in the Green Belt.

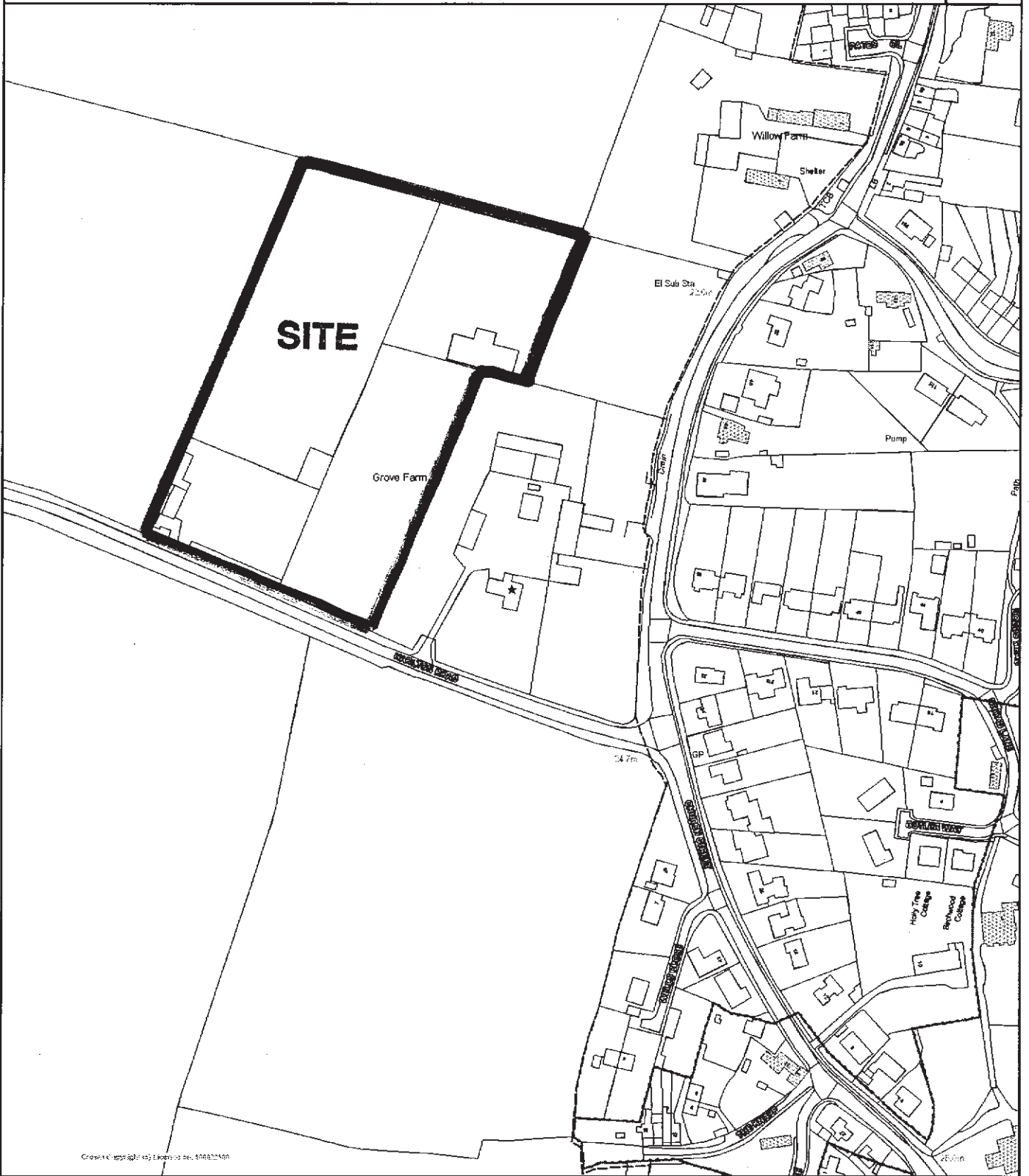
Site and Proposal

1. The application site comprises open paddock land and various field-stores. The applicant's agent states that the use of the site is for the rearing of cattle and livestock and the rearing of heavy horses.
2. The site is located approximately 200m outside of the village framework of Haslingfield and in the Cambridge Green Belt. The site is adjoined by Grove farm to the east, Harlton Road to the south and surrounding countryside in all other directions. Several mature evergreens screen most of the front of the site along Harlton Road and some natural screening exists along the western boundary.
3. The planning application, registered on 7 June 2010, seeks approval to erect an agricultural store building measuring 12m by 8m, with a maximum height of 5.6m. The building has a simple form with a mono-pitched roof and is proposed to be of timber frame with corrugated iron sheeting, painted grey/green to match existing buildings.

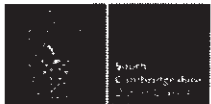
Planning History

4. A recent application in 2009 was refused for an agricultural store building (**ref. S/1469/09/F**), which was similar in size to the current proposal but sited towards the middle of the site behind a line of evergreen trees. This application was refused as insufficient information was submitted in the application to demonstrate that the building was required as an essential facility for the use of the land and that special circumstances existed to outweigh the harm of the development to the openness and visual amenities of the Green Belt.
5. In 2005, an application for the erection of an agricultural dwelling in association with an agricultural business was dismissed at appeal (**ref S/2240/04/F**), due to the lack of justification for a dwelling on site and the harm caused to the Green Belt by the

S/0920/10/F - Land West of Grove Farm, Harlton Road, Haslingfield



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inappropriateness of the development and by cumulative built development on the site.

6. Planning consent was given for a single storey agricultural building in 1991 (**S/2032/91/F**), sited amongst the existing group of buildings at the front of the site.

Planning Policy

7. **National Policy Guidance 2** Green Belts
8. **Local Development Framework Development Control Policies (Adopted July 2007):**

DP/1 (Sustainable Development), **DP/2** (Design of New Development), **DP/3** (Development Criteria), **DP/7** (Development Frameworks), **GB/1** (Development in the Green Belt) and **GB/2** (Mitigating the Impact of Development in the Green Belt).

Consultation

9. **Haslingfield Parish Council** Recommends refusal on the grounds that that it is sceptical of the applicant's assertion that the site is in regular use for cattle and heavy horse rearing and that yet another building is required for hay and feedstuff. The design and access statement makes much of the applicant's inability to use the existing storage facilities but does not explain the method of storing feedstuffs in a building 5.6m high that would need mechanical assistance. We also consider that the building is much too high for the site.
10. **Environment Agency** – All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used. Where soakaways are proposed for the disposal of uncontaminated surface water, percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or CIRCA Report 156) and to the satisfaction of the Local Authority. Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.

Manure heaps must not be located within 10m of any ditch or watercourse or within 50m of a well, borehole or spring. Any resulting pollution may lead to prosecution. Liquid and solid animal/vegetable wastes and associated contaminated waters shall be stored and disposed of in a manner that will not lead to pollution of surface or underground waters. All slurry, washdown water and contaminated surface water should be stored within an adequately sized sealed system in accordance with the 'Code of Good Agricultural Practice for the Protection of Water' for subsequent site disposal. Agrochemicals and pesticides should be stored and used in such a manner so that pollution of surface or groundwater cannot occur. Any resulting pollution may lead to prosecution. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

11. **Tree Officer** – No objections.

Representations

12. **Owner/Occupier of 3 Hurrells Road, Harston** – At present I assist the applicant to transport hay and straw from the far field to the roadside. The proposal would avoid the need to go backwards and forwards for hay and straw that, at the moment, we

store in one of the stables, which we really need for the horses. I would therefore like to support the application.

13. **G.Rooke & Son, Anvil House, 62 High Street, Barton** – I write in support of the application. For several years I have been asked to tow lorries from across the rear field, having been stuck in the mud in the winter, which then finds its way onto the road and has to be cleared.
14. **Owner/Occupier of Hillmore Farm, Eaton, Congleton, Cheshire** – The applicant has contributed to some of the finest shire horses in the country, which have been exported to Germany and Holland. There have been difficulties with collecting hay from the site in the past with vehicles getting stuck in the field and therefore the proposal would greatly improve this situation.
15. **Owner/Occupier of Grove Farm, Church Street, Haslingfield** – In principal I see no reason to object to the erection of the building of single height construction.

Planning Comments – Key Issues

16. The key issues to be judged in the determination of the application are the appropriateness of the development in the Green Belt and its impact on the visual amenities of the Green Belt.

Impact on the Green Belt

17. The development is located in the countryside and is proposed to accommodate a heavy horsebox and hay and feedstuff storage. A range of single storey buildings exist on the site to provide storage and stabling and the impact of this built development is limited on the surrounding countryside by its low profile and the natural screening provided along the front and side boundaries.
18. The development is principally assessed as to whether it is appropriate development as defined under Green Belt Policy; if the development is inappropriate by definition then the proposal is assessed on whether or not special circumstances exist to outweigh this harm and any other harm that is identified.
19. In this application, the building is proposed in association with the rearing of cattle and heavy horses and the need to provide an additional storage area for a heavy horsebox and for hay and feedstuff in a convenient and practical location on the site for the applicant. The application does not appear to support the rearing of horses on site for agricultural uses but more so for personal or business use. As defined under Green Belt Policy, essential facilities for outdoor sport, outdoor recreation or for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it are considered to be appropriate development within the Green Belt. Such facilities should be genuinely required for uses of land which preserve the openness of the Green Belt.
20. The applicant has been asked if he wishes to provide further information. This is still awaited and Members will be updated at the meeting.
21. Nonetheless, the use of the site is one that preserves the openness of the Green Belt and the proposed storage building would facilitate the provision of hay, feedstuffs and a heavy horsebox store for horses and cattle, which would appear to be genuinely required for the use of the land. It is noted that an existing barn to the rear site already provides much of this function and is not suitable for the existing use of the

site; as a result, the applicant has agreed to a condition to part demolish a 12m by 6m section of this barn. Consequently, the proposal is considered to be appropriate development in the Green Belt and the impact of cumulative built development on the openness of the Green Belt would be mitigated by the proposed part-demolition of the existing barn.

22. Visually, the development would be well sited near to the existing group of buildings on site and would be screened by the existing tall evergreen trees to the front of the site. The materials of the building are considered to be acceptable although a full timber-clad building would be more suited to the rural area. External colouring of the building is therefore required to be agreed by condition in order to ensure that the development is compatible with the location.

Other Issues

23. The recommendations of the Environment Agency are noted and can be added as informatives should the application be approved.

Conclusion

24. Consequently, the development is considered to have an acceptable impact on the openness of the Green Belt with the removal of a 12m by 6m section of the existing barn to the rear of the site. Furthermore, the scale and appearance of the building and its siting in relation to the site is not considered to have an adverse impact on the visual amenities of the Green Belt.

Recommendation

25. That the application, be approved with additional drawing SCDC5 (franked 14 August 2010), 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. **The development hereby permitted shall be carried out in accordance with the following approved plans: SCDC1, SCDC2, SCDC3 and SCDC4.**
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
 3. **Within 28 days of the development having been substantially completed the existing barn store to the rear of the application site shall be part-demolished in accordance with Drawing SCDC5 (franked 14th August 2010), unless otherwise previously agreed in writing with the Local Planning Authority.**
(Reason – To preserve the openness of the Green Belt in accordance with Policy GB/1 of the South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007.)

4. **Notwithstanding the submitted details, no development shall commence until a sample colour of the external finish to the building, hereby permitted, has been submitted to and approved by the Local Planning Authority; the development shall be carried out in accordance with the approved details and maintained thereafter, unless otherwise agreed in writing by the Local Planning Authority.**

(Reason - To ensure the appearance of the development is satisfactory in accordance with Policies DP/2 and GB/2 of the adopted Local Development Framework 2007.)

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

- Circular 11/95 – Use of Conditions in Planning Permissions
- National Planning Policy Guidance 2: Green Belts
- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007
- Planning Applications S/2032/91/F, S/2240/04/F and S/1469/09/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 October 2010

AUTHOR/S: Executive Director (Operational Services)/Corporate Manager (Planning and New Communities)

S/1245/10/F – HISTON

Alterations, Extension and Change of Use From Shop and Dwelling to Dwelling at 40 Station Road for Mr Iain Staniland

Recommendation: Approval

Date for Determination: 12 October 2010

Conservation Area**Notes:**

This application has been reported to the Planning Committee for determination, as the Officer recommendation is contrary to the recommendation of the Parish Council.

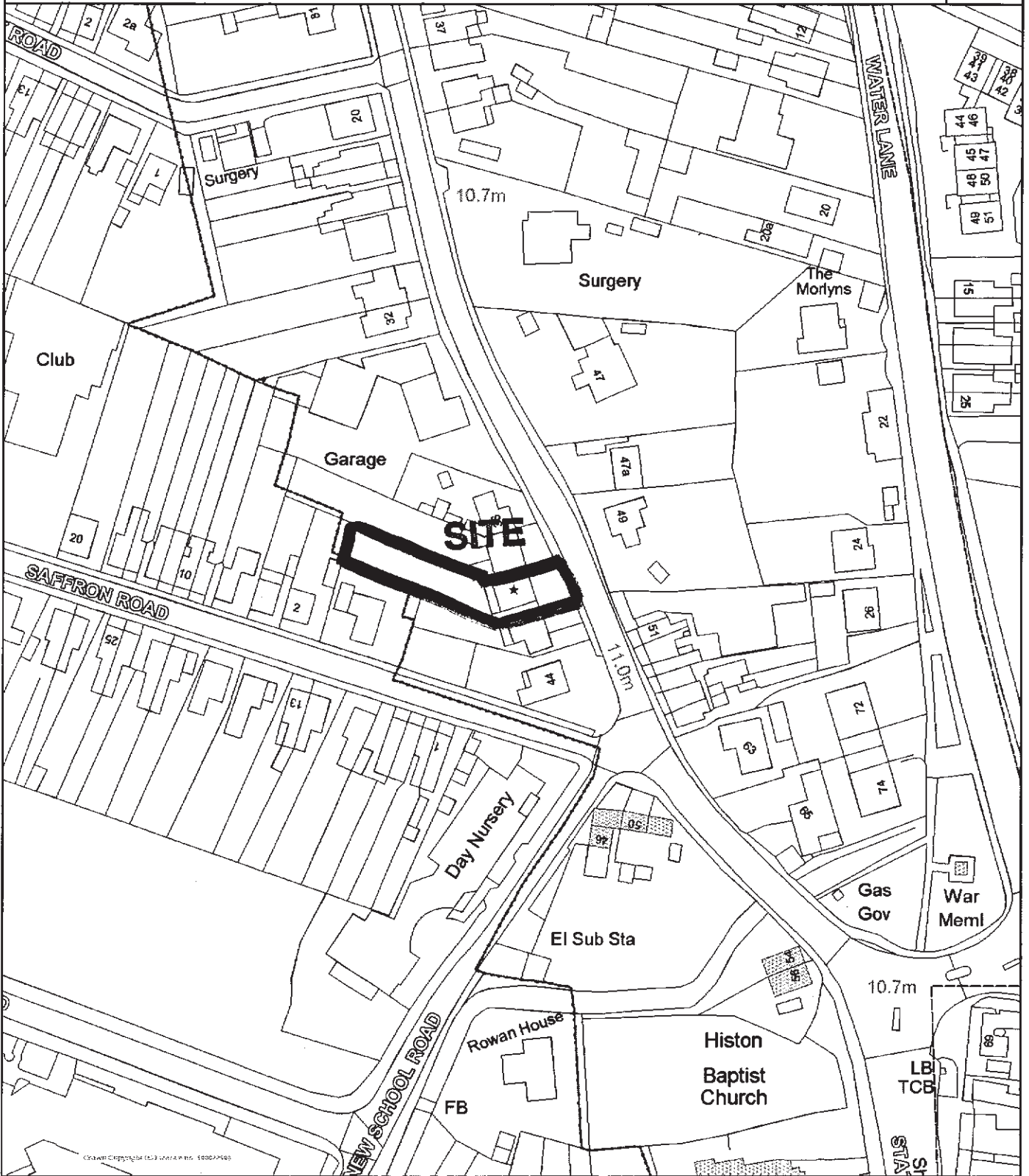
Site and Proposal

1. No.40 Station Road is a detached buff brick and slate property, comprising a dwelling and vacant shop, sited on the west side of Station Road within the village Conservation Area. To the north and south are brick and slate dwellings whilst, to the rear, the garden adjoins the rear gardens of properties fronting Saffron Road. The property is sited gable end to the road, with the entire frontage of the site tarmaced to provide three parking spaces. A lean-to garage is attached to the south side of the property, infilling the gap between No.40 and No.42 to the south. The northern part of the ground floor comprises a shop front, with this part of the property having, until recently, been used as a hairdressers, with the remainder of the property consisting of a four-bedroom dwelling.
2. The full application, registered on 17 August 2010 proposes to alter and extend the property, and to convert the part of the ground floor previously used for retail purposes to form a single dwelling. The following alterations are proposed:
 - (a) Removal of shop front and new bay window constructed to match existing.
 - (b) Demolition of garage and replacement with single-storey side extension comprising an entrance hall, wc and utility room.
 - (c) Demolition of conservatory to rear, and revisions to ground floor fenestration.
 - (d) Blocking up of existing window and door openings in north side elevation.
 - (e) Provision of low-level timber fencing and planting to the front of the property.

Relevant Planning History

3. None

S/1245/10/F - 40 Station Road, Histon



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Planning Policy

4. South Cambridgeshire Local Development Framework Core Strategy adopted January 2007, allocates Histon and Impington as a Rural Centre (Policy **ST/4**).
5. South Cambridgeshire Local Development Framework Development Control Policies DPD, adopted July 2007:

DP/1 - Sustainable Development

DP/2 - Design of New Development

DP/3 - Development Criteria

DP/4 – Infrastructure and New Developments

SF/1 – Protection of Village Services and Facilities

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

SF/11 – Open Space Standards

CH/5 – Conservation Areas

TR/1 – Planning for More Sustainable Travel

TR/2 – Car and Cycle Parking Standards

6. Supplementary Planning Documents:

Development Affecting Conservation Areas – Adopted January 2009

Open Space in New Developments – Adopted January 2009

District Design Guide – Adopted March 2010.

7. **Circular 11/95 (The Use of Conditions in Planning Permissions)** - Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
8. **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.

Consultations

9. **Histon Parish Council** recommends refusal, based on:
 - (a) Concern over continued loss of retail space within this Rural Centre.
 - (b) No evidence of attempts to sell or let retail space available.
10. **The Local Highways Authority** advises that the applicant must show the dimensions for the proposed car parking spaces, which should be 2.5m x 5m, and show these dimensions on a revised plan.
11. **The Conservation Manager** states that most of the alterations proposed would constitute improvements to the property. However, the proposed material of upvc to replace wooden framed windows and doors is not appropriate for a conservation area, especially here, where the subtle variations in the design of openings are an important part of its interest. Some revisions should be made to the proposed design to protect the architectural interest of the building. The central pane of the bay's windows should have a single vertical glazing bar, and the windows should have horns, while the glazing in the upper part of the front door should be simplified. The new bay window will need polychromatic brickwork with quoins to match the existing one. This may be the intention but is not reflected in the drawing. The

recommendation is one of either conditional approval, or refusal on the grounds that the proposed material would be detrimental to the character and appearance of the Conservation Area.

12. **The Environmental Health Officer** recommends conditions to protect neighbouring properties from construction noise.

Representations

13. None

Planning Comments – Key Issues

Loss of Village Shop

14. No 40 Station Road consists of a four-bedroom dwelling and, occupying approximately half of the ground floor area, a vacant retail unit, previously used as a hairdressing salon. There is no planning history to suggest that permission was granted for the retail unit or alterations to the dwelling. However, from the information provided by the applicant, it is believed that the retail space was in operation for at least 10 years and therefore lawful in planning terms. The loss of this unit therefore needs to be considered in the determination of this application.
15. Local Development Framework Policy SF/1 seeks to protect village services and facilities and states that planning permission will be refused for proposals that would result in the loss of a village service, including village shops, where such loss would create an unacceptable reduction in the level of community or service provision in the locality. The policy states that the following matters will be considered in determining the significance of the loss:
 - (a) The established use of the premises and its existing and potential contribution to the social amenity of the local population;
 - (b) The presence of other village services and facilities which provide an alternative with convenient access by good local public transport services, or by cycling or walking; and
 - (c) The future economic viability of the use including, in appropriate cases, financial information and the results of any efforts to market the premises for a minimum of 12 months at a realistic price.
16. As stated by the Parish Council, the premises have not been marketed for 12 months, as required within the third part of the above policy. However, this is just one factor that needs to be taken into account in assessing the significance of the loss, and is not necessarily required in all cases if the proposal is otherwise deemed acceptable, taking into account the other two criteria.
17. Within the submitted Design and Access Statement, the applicant states that the previous business ceased trading in November 2009 when the owner retired. The shop has been vacant for 10 months, so it is argued that changing its use would not result in any loss of local employment. It is also pointed out that there is a hairdresser half a kilometre away, whilst Histon is also well served with a wide range of shops and services including: public houses, restaurants/takeaways, a library, petrol station with shop, two supermarkets, health/beauty therapists, a post office and a large number of other shops.

18. In addition to the above, the supporting information explains that the retail element of the property has always been ancillary to the residential use of the property, with the retail use utilising the kitchen facilities in the house and access to the house being obtained via the shop. The entire building is also in very poor condition, and considerable alterations would be required to subdivide and refurbish the property to form a separate retail unit. It is estimated such costs would amount to approximately £29,000 + VAT. The estimated rental return on the unit would be around £7000 per annum (before tax/rates etc), and the applicant argues that to retain the shop as a separate unit would be economically unviable.
19. Station Road itself is mainly residential in character, but the shops and services referred to within paragraph 15, above, are all contained within the heart of the village, within easy walking and cycling distance of the application site. The loss of a small retail unit is not therefore considered to compromise the vitality and viability of the village centre, or to be detrimental to the provision of services within the local community. As such, the proposal is considered to accord with Policy SF/1 and, in this instance, the undertaking of a 12 month marketing exercise is not considered to be necessary.

Impact on Character of the Conservation Area

20. The proposal seeks to carry out a number of alterations that would improve the appearance of the premises and enhance its contribution within the village Conservation Area. This includes: the removal of the existing unattractive shop front and its replacement with a bay window to replicate the existing bay on the southern side of the building; the removal of unsympathetic additions to the rear of the property; and the softening of the appearance of the front by replacing some of the existing parking area with planting.
21. The Conservation Manager has raised concerns regarding the use of UPVC windows and has advised that the application should either be refused or a condition attached to any consent requiring all windows and doors to be timber framed.
22. I would like to clarify that, whilst the existing shop front is timber, the windows in the bay window and at first floor level in the front elevation are all UPVC. The proposed new bay window is intended to match the existing bay, including the provision of UPVC joinery. Given that the existing property has UPVC joinery, it is considered unreasonable to require the applicants to replace the existing openings with timber joinery. The replacement of the existing shop front with a matching bay is considered, in itself, to enhance the appearance of the building, and the use of UPVC joinery to match the existing is also considered to be appropriate, since it would at least preserve the character of the Conservation Area.
23. With regard to the detailing of the alterations, the applicants confirmed, during my site visit, that the front elevation would comprise red brick quoin detailing and banding to match the detailing of the existing property. This will be ensured by condition.

Residential Amenity

24. The application proposes to replace the lean-to garage along the southern side wall with a single-storey predominantly flat-roofed brick extension. The adjacent property to the south, No.42 Station Road, has no openings in its north side elevation, whilst the proposed extension would be level with a high

single-storey extension at the rear of No.42. The development is not therefore considered to harm the amenities of occupiers of this adjacent dwelling.

Highway Safety

25. The proposal would result in the replacement of an existing parking space at the front of the property with planting/landscaping, which, as commented earlier, is considered to enhance the appearance of the site. Sufficient space would remain at the front of the property to accommodate two 2.5m wide x 5m long off-street parking spaces. The submission of an amended dimensioned plan is not therefore necessary.

Infrastructure Requirements

26. In accordance with the requirements of Policies DP/4 and SF/10, as well as the Supplementary Planning Document on Open Space, all residential developments are expected to contribute towards the off-site provision and maintenance of open space, and towards the provision of indoor community facilities. For conversion schemes, the value of the contribution is based upon the increase in the number of bedrooms, with a flat rate payable for dwellings comprising four or more bedrooms. The existing residential element of the property consists of a four-bedroom dwelling. The new dwelling would also comprise four bedrooms, and the proposal would not therefore bring forward the need for contributions towards open space or community facilities.

Recommendation

27. Approval:
1. SC1 – Full planning permission, time limit (3 years).
 2. The replacement bay window, hereby permitted, shall be constructed using polychromatic brickwork with quoins to match the existing bay window on the front elevation. (Reason – To ensure the appearance of the development is satisfactory in accordance with Policies DP/2 and CH/5 of the adopted Local Development Framework 2007.)
 3. The materials to be used for the development, hereby permitted, shall accord with the specification in the application form and approved plans, unless otherwise agreed in writing by the Local Planning Authority. (Reason – To ensure the appearance of the development is satisfactory in accordance with Policies DP/2, DP/3 and CH/5 of the adopted Local Development Framework 2007.)
 4. Sc5 – Landscaping (Rc5).
 5. Sc6 – Implementation of landscaping (Rc6).
 6. Sc12 – Boundary treatment (Rc12).
 7. During the period of construction no power operated machinery shall be operated on the premises before 08:00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing by the Local Planning Authority in accordance with any agreed noise restrictions. (Reason - To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

8. Deliveries or collections shall not take place outside the hours of 08.00-18.00 on weekdays and 08.00-13.00 on Saturdays (nor at anytime on Sundays and Bank Holidays) unless otherwise previously agreed in writing with the Local Planning Authority).
(Reason - To limit the impact of vehicle movements on residential amenities in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007.
- Supplementary Planning Documents: District Design Guide; Development Affecting Conservation Areas; Open Space in New Developments.
- Circular 11/95 and 05/2005.
- Planning File Reference: S/1245/10/F.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 October 2010

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)

S/0233/10/RM – MELDRETH**Submission of Reserved Matters in Respect of Approving Siting, Design and External Appearance of Buildings, Means of Access and Landscaping of Outline Planning Permission S/1543/02/O for the Erection of 20 Houses (including 6 Affordable Dwellings) at Land to the North of Chiswick End Meldreth for C. Holland and Sons, T. Dash and JS Bloor (Sudbury) Ltd****Recommendation: Delegated Approval/Refusal subject to agreement on outstanding issues relating to Housing Mix****Date for Determination: 18 May 2010****Notes:**

This application has been reported to the Planning Committee, as it is a Major application and a Departure from the Local Development Framework Development Control Policies 2007.

Site and Proposal

1. The site is located in the village framework for Meldreth and outside of the designated Conservation Area. It is currently used for industrial purposes with one large works building and several smaller buildings, which lie to the rear of gardens to properties along Whitecroft Road. It is accessed along a track off Whitecroft Road, which has agricultural land to its north side and the garden to No. 69 Whitecroft Road to the south. There is a mature tree at the southern side of the junction of the track with Whitecroft Road that is protected by means of a Tree Preservation Order (TPO). There is a line of Beech trees at the southern end of the site. The western part of the site is characterized by overgrown scrub, grass and bramble.
2. The reserved matters application, registered on 16 February 2010, and amended on 9 September 2010 seeks the approval of the siting, design and external appearance of buildings, means of access and landscaping of outline planning permission S/1543/02/O for the erection of 20 houses (including 6 affordable dwellings). The application site is approximately 0.84 ha (2.1 acres) in area including the access track from Whitecroft Road. Excluding this track the site area is approximately 0.66ha (1.63 acres) resulting in a housing density of approximately 30 dwellings per hectare.

Relevant Planning History

3. **S/0271/89/F** – An application for extensions to form offices and a storage building was withdrawn in 1992.
4. **S/1543/02/O** – Outline planning permission was granted by Members at Planning Committee in 2007 for the erection of 20 houses including 6 affordable dwellings.

5. **S/1643/09/O** – Erection of 20 houses (including 6 affordable) – An application to extend the time limit for implementation of the earlier application is still outstanding.

Planning Policy

6. The site once formed a substantial part of the Housing Allocation Meldreth 1 (1.01ha/2.5 acres in total) of the South Cambridgeshire Local Plan 1993. This allocation is now removed but the submission of the scheme as a reserved matters application means that the provision already granted under the outline consent still applies. Any future outline or full application for residential development on this site will need to be considered under **Policy ST/6** of the Core Strategy (adopted 2007) which refers to 'Group Villages' where development may exceptionally consist of up to 15 dwellings where this would make the best use of a single brown field site.
7. A S106 agreement secured the affordable housing and an education contribution at the outline stage in the 2002 application. The Council are unable to request any further contributions towards infrastructure that are not already in place.
8. South Cambridgeshire Local Development Framework Development Control Policies DPD, adopted July 2007:
DP/1 - Sustainable Development, **DP/2** - Design of New Development, **DP/3** - Development Criteria, **DP/6** - Construction Methods, **DP/7** - Development Frameworks, **HG/2** - Housing Mix, **SF/1** - Protection of Village Services and Facilities, **NE/1** - Energy Efficiency, **NE/3** - Renewable Energy Technologies in New Development, **NE/6** – Biodiversity, **NE/12** – Water Conservation, **TR/1** - Planning for More Sustainable Travel, **TR/2** - Car and Cycle Parking, Standards, **TR/3** - Mitigating Travel Impact, **TR/4** - Non-motorised Modes
9. Supplementary Planning Documents:
District Design Guide – Adopted March 2010.
10. **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.
11. **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.

Consultations

12. **Meldreth Parish Council** recommend approval along with the following comments:

“The Parish Council understands Anglian Water has given assurances to the developers that there is sufficient capacity in the sewage system to accommodate the development. Giving the flooding of foul water in 2006 in Chiswick End and the acknowledged poor state of the sewerage pipes in the area of Whitecroft Road, the Parish Council would like reassured assurances that Anglian Water are able to meet their statutory obligations or have committed resources to do so. The Parish Council is also concerned that the route (s) for the outflows from the Chiswick End ditches are poorly understood (or poorly described) and would seek reasoned assurances from both SCDC and CCC that the development would not impede drainage from the Chiswick End ditches to any material extent to cause a repeat of the 2006 flooding problems. The north and south eastern boundaries -

the current landscape is not part of the development but is important to provide screening and should be maintained.”

13. **The Local Highways Authority** has requested the following:

- (a) The Highway Authority would request a survey of the area showing the trees and hedges on site to confirm that the visibility splays of 2.4 x 215 to the North and 2.4 x 120 to the South are achievable.
- (b) The carriageway width shall be a minimum width of 5.5m.
- (c) A footway of 2m is required both sides of the carriageway within the development and not just one side as shown on submitted drawing MELD/Sk3.
- (d) Prior to the first occupation of the development the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.
- (e) Temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction.
- (f) The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.
- (g) Prior to the commencement of use of the site, the approved wheel washing facilities shall be provided to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.
- (h) No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

14. **The Environmental Health Officer** raises no concerns from an environmental pollution or noise viewpoint.

15. **Urban Design Team** comments as follows:

The uniformity of the proposed elevational design (submitted in June 2010) was that of a ‘anywhere’ house; with more ‘urban’ manifestation of ‘vertical’ emphasis, which greatly contrasted with the local ‘vernacular’ character. The facades lacked any depth or interest making the street scene rather bland and uninteresting.

Responding to the existing context and variety in building design has been a key challenge on this scheme. Further revisions to the design, primarily to reflect the distinctive character and identity of Meldreth were requested by officers post the June meeting.

The current elevations have been revised to respect the context in terms of heights, detail of façade and have resulted in imparting a subtle but varied character to the scheme. Significant improvements have been made to the elevations of House type 06.4211, 06.2B4PF, 06.4215B, 06.5302B, 06.2B4PG, S3352 in terms of building heights, scale and proportions of the openings and details like window reveals, projections, sills etc to create an exciting façade. The elevations propose different roof heights, which positively address the streetscape

to create the required variation at a rural scale. We advise that the materials be conditioned, at this stage to positively inform the variety of built form and the character, later.

However we are still concerned about the overlooking and proximity of the units on the current layout. To increase active frontage we feel rotating the middle block (units 14 to 17) will help create positive frontage on the access road and therefore define the public spaces better. To maximise the use of space we advise shifting the residential units slightly further from each other in order to bring car parking closer to properties, improve usability and increase distances between properties to avoid overlooking.

16. **Cambridgeshire Police Architectural Liaison Officer** comments have not been received since amendment was submitted.
17. **Cambridgeshire Fire and Rescue Service** comments that should the Planning Authority be minded to grant approval, the Fire Authority would ask that adequate provision be made for fire hydrants, which may be way of Section 106 agreement or a planning condition.
18. **Environment Agency** comments have not been received since the amendment was submitted.
19. **Anglian Water** comments have not been received since the amendment was submitted. However, their comments on the outline application S/1643/10/O received in January 2010, are as follows:
 - (a) The foul water flows from the development can be accommodated within the foul sewerage network system that at present has adequate capacity.
 - (b) The site of this development lies within an area where there are no public surface water sewers within the locality. Therefore the applicant will either need to construct its own surface water sewers and submit those for adoption by Anglian Water or requisition the provision of a public surface water sewer for the locality under Section 98 of the Water Industry Act 1991. Alternatively, the applicant will have to find an alternative method of surface water drainage, which will then need to be agreed with the local planning authority following consultation with the Environment Agency.
 - (c) The foul drainage from this development will be treated at Melbourn Sewage Treatment works that at present has available capacity for these flows.
20. **Cambridge Water Company** comments have not been received since the amendment dated 9th September 2010
21. **Ecology Officer** has not commented since the amendment dated 9th September 2010. Previous comments read as follows:

I would be in agreement with the statement that once the replacement planting matures it should provide an adequate level of biodiversity enhancement. The choice of trees along the entrance road could include a higher number of fruit tree to reflect Meldreth extensive fruit growing past.

The spec for the management of the wildflower seed mix is not quite right (see page 82 of the D&A statement). In the first year after the seed going down it should be mowed at least monthly to allow even growth of all species. In subsequent years the wildflower area should be kept mown until mid May, then

uncut until mid August. From mid Aug it is allowed to flower again until mid Oct when the area is cut before the winter. All cutting to be raked off and piled at the base of newly establishing hedge.

The biodiversity statement along with the landscaping measures states that bird boxes can be provided; we should seek the final scheme via condition if acceptable with the applicant (was it in the outline?). No vegetation removal should take place within the bird-breeding season.

22. **Trees and Landscape Officer** - Plots 8-12 will have no useable garden due to the shading created by the existing hedge line. Previously (at outline stage) only one plot was affected; however, my previous comments have been ignored and include more dwellings, which will be shaded significantly placing post development pressure on reducing this significant line of trees.
23. **Landscape Officer** comments on the amended proposals that approval of the site layout should exclude the front garden walls in plots 4 and 6. Boundary and landscape conditions should be applied on the whole development.
24. **S106 Officer** comments have not been received since the amendment dated 9 September 2010.
25. **Housing Development and Enabling Manager** comments have not been received since the amendment dated 9th September 2010. Previous comments read as follows:

This application provides 6 affordable dwellings. The tenure split is not defined within the application but we would be seeking 70% rented and 30% shared ownership. It is not clear from the application whether or not the developer is expecting any grant input from the Homes and Communities Agency to assist in the delivery of the affordable units. It is important to establish early on through discussion with Registered Providers, as the current size of the units do not meet the minimum design and quality standards outlined by the Homes and Communities Agency in order to qualify for grant. The minimum floor area for a 2-bed house should be 72sqm and a 3 bed 85sqm.
26. **Scientific Officer (Contaminated Land)** advises that there is a need for remedial measures prior to any development and has requested a condition is placed on any future consent for further land contamination assessments prior to development commencing.
27. **Environmental Services Manager** comments have not been received since the amendment dated 9th September 2010.

Representations

28. One email representation has been received from the occupier of 63 Whitecroft Road who raises concern about the existing buffer between No. 63 Whitecroft Road and the application site and questions its retention.

Planning Comments – Key Issues

29. The key issues to consider in determining this application relate purely to the reserved matters – i.e. siting, design and external appearance, access and landscaping of the site.

Siting

Permeability

30. The scheme is limited in permeability. There is only one way in out of the development site for both pedestrians and vehicles. The opportunity to allow for better permeability is restricted by the existing neighbouring land uses. It looks like there are opportunities for pedestrian linkages though these have been explored and proved unfeasible. However the design has tried to create active frontages along road 2 and also aims to create an access road that respects its wider surroundings through appropriate landscaping. Additionally the roads have been designed to avoid creating potential 'rat runs' by including gentle curves in the road that also creates visual interest.

Road Layout

31. The majority of the footpaths and roads are to be adopted by the LHA allowing for a mixture of surfaces that will need to meet highway specifications. The LHA has not raised any highway safety concerns regarding the access onto the site subject to meeting certain conditions regarding visibility splays and road width.

Building layout

32. The building layout is very different to the approved outline layout though this plan was indicative and the application was approved with all matters reserved. The new layout does not include any public open space within the developable area. This too was discussed at outline stage though it was considered that because the development was for less than 21 dwellings, it was part of a phased development due to the remainder of the allocation that was presumed to come forward at a later date. It was considered that the amount of open space on the indicative plan largely conformed to the then policy and as part of the overall allocation the provision was a satisfactory proportion. However this was not secured by way of a condition or through a S106 Agreement. Given that 20 dwellings have already been approved, it would not be possible for officers to try and achieve the required open space at reserved matters stage and the Authority is likely to be challenged if we did.
33. The building layout has been thought out in relation to the road layout. In every vista into the site, focal points and positive fascias have been encouraged. This is apparent in the building layout where frontages look over shared spaces or public footpaths. It is considered by officers that private gardens back onto each other from adequate distances to allow for natural surveillance rather than promoting overlooking.
34. Space is provided around each plot for private amenity, bin and cycle storage. Each space is adequate to provide for additional planting by future owners.
35. The affordable units in the layout have not been pepper potted throughout the site however, they are centrally located and are apparent along the main development route looking over road 2 and several have views onto open countryside. Whilst this is not ideal and policy suggests affordable dwellings are pepper potted throughout development sites it is not considered that the siting of the affordable units will be in conflict with the aims of the policy to create mixed and sustainable communities.
36. Off road parking is provided for all units using both garaging and off road parking bays. The off road provision is sufficient when assessed against adopted standards. Some of the distances between properties are short. Pre-application

discussions sought a 20m back-to-back distance between elevations. Some of these fall marginally short of this requirement, however, the inclusion of appropriately sited garaging and landscaping seeks to address some of these shortfalls. Of particular concern is the relationship of plots 5 and 6 to plot 7 and between plots 2 and 4 and plots 1 and 3. Nonetheless it is considered that on balance these relationships are acceptable given that the number of dwellings has already been predetermined at the outline stage.

Design and External Appearance

37. The design and external appearance of buildings has been significantly improved since the involvement of the Councils Urban Design Team. I am now satisfied that this aspect of the proposal.

Landscaping

38. Detailed landscaping for this scheme is marked on the layout drawing showing trees to help separate building plots and to improve privacy. There is adequate space on individual sites to allow for planting and in the green spaces provided. From the comments made by the Landscape Officer the scheme is generally acceptable subject to the omission of the front garden walls in plots 4 and 6.

Other matters ***Housing Mix***

39. The scheme proposes 20 dwellings, 14 of which are market dwellings. The mix of market dwellings comprises 2 x 3 bed units, 8 x 4 bed units and 4 x 5 bed units.
40. For developments of more than 10 dwellings Policy HG/2 requires the market mix to provide a range of accommodation including 1 and 2 bed dwellings with, as a starting point, the target requirements of at least 40% of homes with 1 or 2 bedrooms, approximately 25% with 3 bed and approximately 25% with 4 or more bedrooms. Policy HG2 further states that the requirement for an appropriate mix will be assessed 'having regard to economic viability, the local context of the site and the need to secure a balanced community'. This results in a target mix of at approximately 6 x 2 bed units, 4 x 3 bed units and 4 x 4 or more bed units.
41. I am concerned that with so few smaller dwellings and a mix of predominately 4 + bed units the proposed market mix is far too heavily weighted in favour of large dwellings and at odds with the thrust of Policy HG/2 which is to provide more smaller dwellings to meet defined needs and help maintain a stock of cheaper housing that is accessible to more people wishing to get onto the housing market.
42. The developer is aware that supportive evidence is required in light of any variations to the HG/2 starting point and officers are informed that this will be submitted. It may need to be independently commissioned. At present the application fails to assess economic viability, the local context of the site and the need to secure a balanced community and therefore fails to justify the proposed mix. To this extent, the layout of the proposal fails to comply with Policy HG/2. Members will be updated on this issue at or before the meeting.

Affordable Housing

43. Of the 20 dwellings proposed the scheme comprises the development of 6 affordable units. The mix of affordable units must comply with the housing need and is proposed as 4 x 2 bed units and 2 x 3 bed units. The affordable housing number was confirmed at Outline application stage and 30% was considered to be acceptable based on the redevelopment of a brownfield site, in particular in

relation to demolition of existing buildings and possible decontamination of land. Details of tenure mix can be controlled through the section 106 agreement.

Open Space

44. The application does not provide any open space within the developable area, and nor are the applicants required to do so as this was not secured at Outline.

Waste

45. Details of the waste requirements were not present at the time of writing the report and Members will be updated accordingly prior to the meeting. It is unlikely that the council is able to request any further financial requirements for infrastructure that has not already been agreed at outline stage.

Biodiversity

46. Concern has been raised with regard to the biodiversity on the application site. Specifically the loss of shrubs and bramble, least disturbance to wildlife and a planting scheme prior to development commencing on site. The comments of the Ecology Officer have been received and he is happy with the proposed landscape buffer proposed along the entrance of the site (road 2), helping to alleviate the loss of existing bramble and shrubs on the existing site. Conditions have been suggested to ensure there is minimum disturbance to existing wildlife on site and a scheme of ecological enhancement required for nesting boxes.

Water and Drainage

47. Local residents have raised drainage as a major concern and this is being cross-referenced with both the Awards Drainage Manager and the Environment Agency. Anglian water has advised there is capacity in the existing system. The outline planning permission requires details of surface water drainage to be submitted and approved.

Renewable Energy

48. The level of detail included in the submitted Renewable Energy Statement is minimal. It is recommended that further information regarding the 10% on site renewable energy requirements should be submitted and should show much more detail; particularly as we have details of the different house types included in the scheme and the finer detail of each property. A commitment for 10% renewable energy provided on site by the range of different methods proposed should be made evident through the design layout.
49. It is required that Level 3 sustainable homes are provided across the site. This is a basic, standard level of energy efficiency that all house builders should be achieving within their developments. It is also suggested that the developers use the 'show homes' as an opportunity to promote sustainable living to potential buyers.
50. The access road (Road 1) is proposed to be enhanced by creating a new edge to the village boundary by additional landscaping and ecology enhancements. This part of the application site is not within the site edged red and cannot therefore be considered as a part of the reserved matters application. The applicants have attempted to provide a sinuous route flanked by landscaping and open space. In discussing where the Local Authority stand in the inclusion of this part of the application the Councils Legal team have advised that we can not secure this part of the development where it is outside of the site edged red. If we approve the

scheme it would have to be offered by the developers and secured by way of a new planning obligation.

Conclusion

51. The site is allocated for residential development and the reserved matters application allows development for 20 houses on this site to proceed. The layout of the scheme is the result of ongoing discussions between officers and the applicants to ensure a high standard of design. It has been amended a number of times to take further account of the requirements of officers. It is considered to be generally acceptable.
52. The housing mix is the remaining point of contention. The applicant is providing additional information to justify why the proposed mix does not better meet with the policy requirements. This document was not available at the time of writing. Officers are of the opinion that the proposed mix is not reflective of the requirements in policy HG/2 and could be refused on this basis. On receipt of the awaited information, it will be necessary to assess whether there is sufficient justification to override the policy requirement in this instance.
53. For the above reasons I make the following recommendation:

Recommendation

54. Delegated powers to approve or refuse subject to the outcome of a financial assessment of the viability of the proposed housing mix.

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

- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007.
- Circular 11/95 and 05/2005
- Planning Files References: S/1543/02/O and S/0223/10/RM

Contact Officer: Saffron Garner– Senior Planning Officer
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 6 October 2010
AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)

S/1101/10/F - PAPWORTH EVERARD
Variation of Conditions 12 & 26 of Planning Application S/1688/08/RM
at Land West of Ermine Street South, for David Wilson Homes

Recommendation: Approval

Date for Determination: 18 October 2010

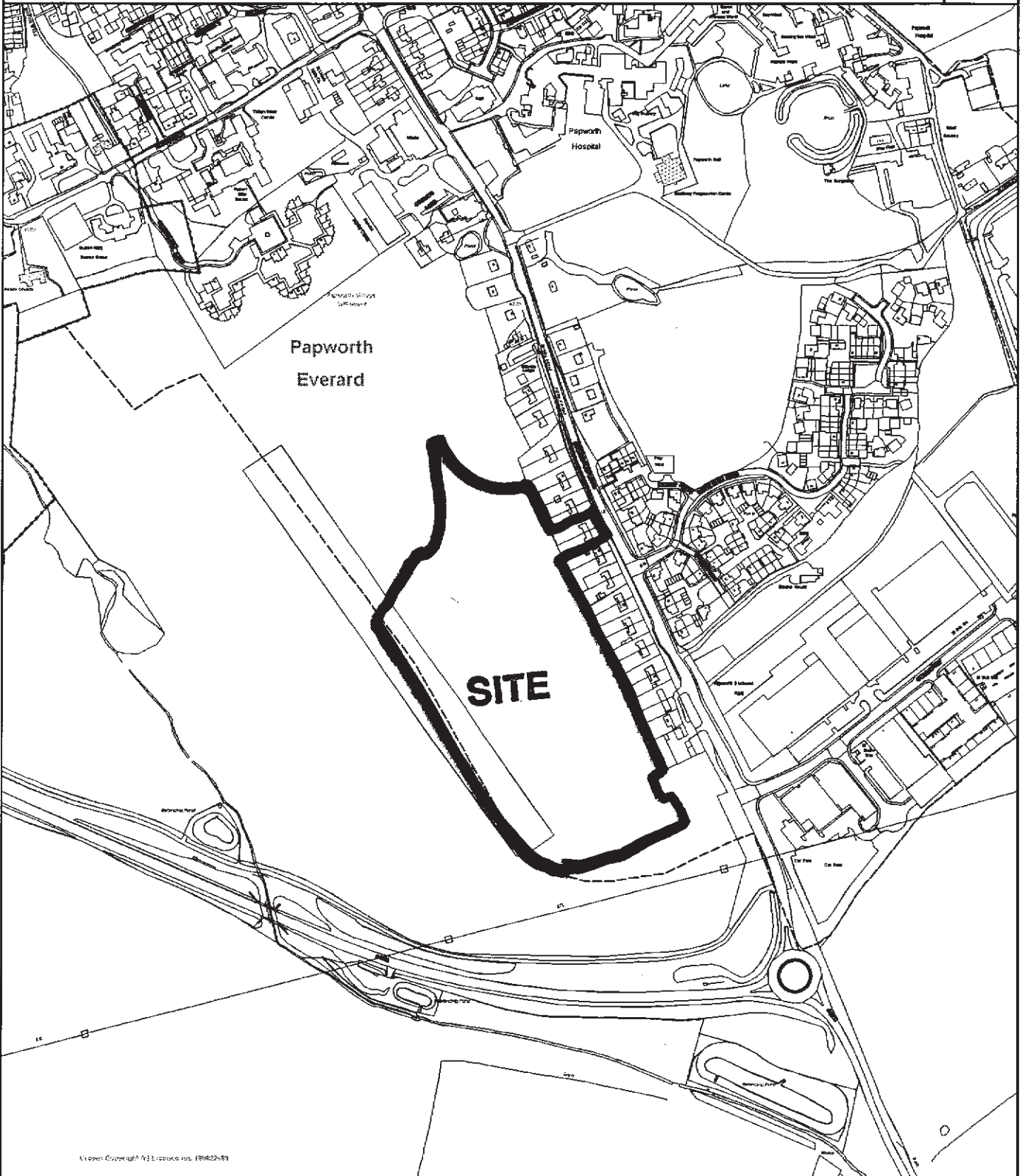
Notes:

This application has been reported to the Planning Committee at the request of the Development Control Manager.

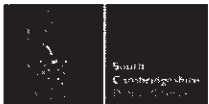
Site and Proposal

1. The site defined within this application measures approximately 6.6 hectares and is located within the village framework. To the east of the site are residential properties and the public highway of Ermine Street. The majority of these properties along Ermine Street are within the newly proposed conservation area. To the north of the site is the rest of the development land approved within planning application S/2476/03/O. Open fields define the western boundary and to the south is an area of grass land and beyond this is the public highway (A1198).
2. The application, validated on the 19 July 2010, is for the variation of conditions 12 and 26 of Reserved Matters consent S/1688/08/RM. These conditions relate to the schedule of approved plans and the provision of public art within the development. For commercial reasons the developers need to develop part of each of two extant Reserved Matters consents (S/0093/07/RM and S/1688/08/RM) The purpose of this application is to vary the design details so that the differences between the two schemes can be addressed to ensure the final development provides a consistent and harmonious design. The aim of the Unilateral Agreement submitted is for the developer not to build the developments approved under S/1688/08/RM and the southern half of S/0093/07/RM if this current application is approved. This Unilateral Agreement also includes all the previous obligations and ensures the conditions in the outline consent are complied with. At the time of writing the Unilateral Agreement is currently being checked by the Council's Legal Team.
3. The application relates to the erection of 161 dwellings within approximately half the site defined within the outline planning permission (S/2476/03/O). The proposal is five less dwellings than what was approved in S/1688/08/RM.

S/1101/10 - Land West of Ermine Street Papworth Everard



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Scale 1/5000 Date 24/9/2010

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4. It should be noted that if the application was approved than it would be developed by both David Wilson Homes and Barratts. To expedite the development, the developers have in parallel with this application submitted a request to discharge conditions on early consents (S/2476/03/O, S/0093/07/RM and S/1688/08/RM). For pragmatic reasons the developer has based their submission on the plans in this application in order to achieve an approval with less pre-commencement conditions. The Local Planning Authority, in consultation with Papworth Parish Council, has been working to discharge these conditions where possible. In addition to this many consultees have responded to the discharge of the conditions and not directly to this application.
5. The Local Planning Authority has held fortnightly meetings with the developer, which have been attended, when required, by the Principle Urban Designer and the Local Highways Authority. Separate to this several meetings have been held with the Principle Urban Designer both within the Council Offices and on a similar development at Loves Farm, St Neots (Huntingdon District Council). The Local Planning Authority has also met separately with Papworth Everard Parish Council.

Planning History

Directly linked to this application

6. **S/2476/03/O** – The proposal for Residential Development including Public Open Space, Vehicular Access together with Demolition of 18, 20, 52, & 54 Ermine Street South and 1&3 St John's Lane was conditionally approved. The developer is currently working to discharge some of these conditions.
7. **S/0093/07/RM** – The proposal for the Erection of 365 Dwellings with Associated Open Space and Landscaping (Reserved Matters Pursuant to Outline Planning Permission Ref. **S/2476/03/O**) was conditionally approved. The developer is currently working to discharge some of these conditions. This is the development that Barratts wants to go forward and have merged some of the design principles and site layout, in particular the eastern side, into this current application.
8. **S/1688/08/RM** – The proposal for the Siting design and external appearance of 166 dwellings was conditionally approved. The developer is currently working discharge some of these conditions. This is the development that Barratts wants to go forward and have merged some of the design principles and site layout, in particular the western side, into this current application.

Other Applications following on from S/2476/03/O

9. **S/0097/06/RM** – The proposal for the Erection of 397 Dwellings with Associated Open Space (The First Reserved Matters Application) Pursuant to Outline Planning Permission Ref: S/2476/03/O was withdrawn.
10. **S/1424/08/RM** – The proposal for the Approval of appearance, landscaping, layout & scale for the erection of 81 dwellings was conditionally approved.
11. **S/1624/08/RM** – The proposal for Details of reserved matters for the siting, design and external appearance of 118 dwellings, associated works, garaging and car

parking, and landscaping for the northern phase 2 (amended scheme to part of reserved matters **S/0093/07/RM**) was conditionally approved.

Planning Policy

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

DP/1 (Sustainable Development)

DP/2 (Design of New Development)

DP/3 (Development Criteria)

DP/6 (Construction Methods)

HG/1 (Housing Density)

HG/2 (Housing Mix)

SF/6 (Public Art and New Development)

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

SF/11 (Open Space Standards)

NE/1 (Energy Efficiency)

NE/3 (Renewable Energy Technologies in New Development)

NE/6 (Biodiversity)

CH/2 (Archaeological Sites)

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

CH/5 (Conservation Areas)

TR/2 (Car and Cycle Parking Standards)

Consultation

13. **Papworth Everard Parish Council** – The Parish Council has not provided direct comments on this application. However, the Parish Council has provided comments in regards to the discharge of conditions for S/0093/07/RM and S/1688/08/RM. These comments have been copied into Appendix 1.
14. **Local Highway Authority** – The Local Highways Authority states that it will not accept a kerb face of more than 130mm using Conservation Kerbs. This is to prevent the kerb from being knocked over; this is particularly true where kerbs surround areas of grass. If a kerb is pushed over significant damage to the carriageway and footway surfaces will result, which can lead to further degradation of the highway particularly in the winter months.
15. **Ecology** – Please ensure that the extra high conservation kerbs are not used in the vicinity of the ponds as they will trap small animals moving to the ponds. The inclusion of sloped kerbing of the southern part of the site would assist the movement of animals from the open space beyond. It is requested that the requirement for bird and bat box provision as a means of delivery habitat enhancement as required under condition 22 of S/2476/03/O.
16. **Urban Design** – The Principle Urban Designer states the following:
- “I confirm my satisfaction with the positive approach from the developer and the amendments made in response to our comments and suggestions regarding the design and materials selection for buildings. The comments were made to

improve both the design of individual buildings and their combined impact to determine the streetscape. The majority of suggestions have been acted on and I acknowledge that in a few instances it is not possible to address the issues raised.

The developer has not yet addressed other suggestions relating to the design and materials selection in relation to the parking courts. I look forward to receiving the developer's amendments in relation to these outstanding matters."

17. **Arts Officer** – Approves of the progress being made on the art condition and the proposed new wording for condition 12.

Representations

18. Chairman of Papworth Everard Parish Council Planning Committee, Dr Christopher (20/08/2010) – The Chairman states that because of the holiday season it has not been possible for the Parish Council to meet and consider the Section 73 Application. However, he states there have been some meetings with planning officers on the applicant's request to discharge, or partially discharge a number of the planning conditions relating to the Summersfield Development.
19. He states that in regard to the application to vary condition No.12 of planning application S/1688/08/RM, it is likely that the parish council will support the position of the SCDC Arts Officer. In particular, the parish council would support the recommendation from the arts officer that the 'public art brief' should include a stated total financial sum that will be devoted to the provision of public art in the current proposed development area, before any variation, discharge or part-discharge of planning condition 12 is considered.
20. (The 'blue form' – your ref S/1101/10 – will be returned to SCDC by post).
21. It should be noted that the dwellings on Plots 160 and 161, adjacent to Ermine Street, are to be one-off, separate 'architect-designed' houses. It appears that the developer has assigned a standard house type to these plots.
22. It appears that the developer has fulfilled the requirement to provide more strongly contemporary house designs for those buildings fronting Summer's Hill Green.

Planning Comments

23. The main planning considerations for this development are the principle of the development, does it preserve or enhance the visual appearance of the area, the appropriate control over the provision of an art scheme, impact upon residential amenity and Impact upon the Proposed Conservation Area.
24. The principle of the development – The application before Committee is a Section 73 Application. The Local Planning Authority can, therefore, only consider the changes being proposed to the schedule of the approved plans and the variation of the wording of the arts condition. The principle of the proposed development has been accepted by the Local Planning Authority in planning applications S/2476/03/O, S/0093/07/RM and S/1688/08/RM.

25. Impact upon the visual appearance – The broad design principles of this application are primarily trying to ensure that the previously approved Barretts and David Wilson Homes elements fit well together. This has involved getting both developers to use the same pallet of appropriate materials, having an equal mix of materials on both sides and ensuring a consistent approach to design around Summersfield Green. A contemporary approach has been chosen.
26. The proposed development has been discussed on several occasions with the Principle Urban Designer and the comments from these meetings have been passed on to the developer. These required changes include the use of a greater variety of building materials, ensuring that fenestration is appropriately placed, that there are no blank elevation walls facing public land, that the right colour door is used on each plot (for example not using a black door on a black weatherboarded house) and that the design of the dwellings around Summersfield Green is of a particular high quality. The design of the dwellings around Summersfield Green was also encouraged to incorporate balconies. The use of balconies will not only improve the visual appearance of these dwellings but should ensure that Summersfield Green remains a safe place, due to greater surveillance. The developer has made most of the required changes at the time of writing. The remaining required changes are small in scale and should be relatively easy to address or for the developer to provide a suitable argument to why the changes cannot be achieved. It should also be noted that the outstanding matters referred to specifically by the Principle Urban Designer come under the discharge of conditions and therefore do not need to be agreed at this stage. It is considered that the proposed development is a high quality design that at least preserves the architectural quality approved in the previous reserved matters applications if not enhancing it.
27. Control over the provision of an art scheme – The developer, with members of the local community and the Council's Arts Officer, is currently short listing the artist who will design the public art to incorporate within the proposed development. While the developer is currently making every effort to provide public art the Council's Legal Team, by request of the Arts Officer, is also looking to put a section into legal agreements asking for an arts contribution that must be paid to South Cambridgeshire District Council if the developer does not provide an art scheme within a reasonable time frame. The condition relating to public art will be reworded slightly in order to give the developer greater flexibility but for the Local Planning Authority to maintain the required planning controls.
28. Impact upon residential amenity – The plots that have had design variations are approximately 35 metres from the dwellings and 15 metres from the boundary line of the existing properties that are located along Ermine Street. It is, therefore, considered that the variation of the plans and the arts condition is not considered to have any significant impact upon residential amenity to any existing adjacent properties. The proposed changes are also considered very unlikely to significantly affect the quality of life the future inhabitants of the Summersfield Development will enjoy.
29. Impact upon the Proposed Conservation Area – The parts of the development, Plots 160 and 161, that may have a significant impact upon the proposed Conservation Area are being considered by the Conservation Manager. The design of the dwellings for Plots 160 and 161 have been commented upon by the Conservation

Manager through the discharge of conditions requests. The architectural design of these dwellings is not a pre-commencement requirement and hence does not need to be agreed at this stage.

Recommendation

Approve

- 1. The development hereby permitted shall be begun no later than the 18 May 2011.**
(Reason – This application for a variation of condition follows a Reserved Matters application and under Section 73 it is not possible to extend the implementation time of Reserved Matters.)
- 2. Notwithstanding the indicative architectural detailing on front, side and rear elevation drawings, no development shall commence until drawings of at least 1:20 scale, of the following detailed elements, have been submitted to and approved in writing by the Local Planning Authority:**

 - **Chimney construction, materials and detailing**
 - **Porches, bay window and dormer construction, materials and detailing**
 - **Window and door heads and sills on front, rear and side elevations**
 - **Cladding and boarding materials, construction and detailing including junctions with adjacent materials**
 - **Eaves and verge construction, including dentil courses where proposed**

(Reason - To ensure visual quality and compatibility between all phases of the development and the existing village built form and its landscape setting and to assure the long term character and appearance of the development.)
- 3. No development shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:**

 - **Roof materials and methods of fixing**
 - **All brickwork**
 - **Horizontal wood and/or wood effect boarding, wooden cladding and/or other cladding materials**
 - **Rainwater goods, soil vent pipes and vents and other external mechanical, sanitary and electrical fittings and works**
 - **Garage and dwelling doors**
 - **Window materials**

(Reason - To ensure visual quality and compatibility between all phases of the development and the existing village built form and its landscape setting and to assure the long term character and appearance of the development.)
- 4. No development shall commence until the developer has erected on site, sample panels, of a minimum of 2m² in area to allow the Local Planning Authority to undertake a detailed assessment of construction detail and material combinations in relation to the roof materials and pitches, brick types, window details, window headers and sills, render incorporating brickwork below dpc and window arch and sill detailing (including colour schemes), boarding and cladding, gutters, eaves construction and**

formed plinths. The development shall be carried out in accordance with the Local Planning Authority's written approval and only after such approval is given.

(Reason - To ensure that each proposed individual building material and the proposed combinations can be properly and objectively assessed in the context of the existing village and landscape forms.)

- 5. No development shall commence until schedules of colour schemes for the following have been submitted to and approved in writing by the Local Planning Authority:**

 - External dwelling and garage doors
 - Rainwater goods and other external pipe work
 - Cladding paints, stains and finishes
 - Painted surfaces including fascia boards, porches, bargeboards etc.

The development shall be carried out in accordance with the details unless otherwise agreed in writing by the Local Planning Authority.

(Reason - To ensure visual compatibility throughout all phases of the development.)
- 6. No development shall commence until detailed drawings and full schedules of proposed materials for all garages has been submitted to and approved in writing by the Local Planning Authority.**

(Reason - To ensure visual compatibility throughout all phases of the development.)
- 7. No development shall commence until details of the free-standing walls, fences, other means of enclosure, street furniture and all hard surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

(Reason - To ensure the details of the development are satisfactory.)
- 8. No development of the relevant phase shall commence until boundary treatments for each plot of that phase have been submitted to and agreed in writing by the Local Planning Authority.**

(Reason - To ensure the details of the development are satisfactory and supplemented with more details than the information already supplied.)
- 9. No development shall commence until precise details of the type and design of the solar panels to be erected on 18 dwellings has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

(Reason - To ensure the details of the development are satisfactory.)
- 10. No development shall commence until details of the proposed Flat Refuse and Cycle Stores have been submitted to and agreed in writing by the Local Planning Authority. The stores shall be constructed in accordance with the approved details.**

(Reason - To ensure the details of the development are satisfactory.)

- 11. A scheme for the lighting of each parking court shall be submitted to and approved in writing by the Local Planning Authority before development commences on the residential development to which it relates. The work shall be carried out in accordance with the approved scheme.**
(Reason - To ensure the design details are satisfactory and in the interests of highway safety.)
- 12. No development shall commence until details of the design of the proposed balancing pond and the detailed design and furnishing of the area immediately surrounding the pond have been submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved details.**
(Reason - To ensure the details of the development are satisfactory.)
- 13. No development shall commence until a detailed timetable for the design and implementation for the provision of public art, has been submitted to and agreed in writing by the Local Planning Authority. The public art shall be installed in accordance with the approved scheme and within the time periods specified within that scheme unless otherwise agreed by the Local Planning Authority.**
(Reason - To ensure the design of the development reaches a high standard.)
- 14. No services or storage of materials shall be placed within the area of the Plantations to be retained.**
(Reason - To ensure the existing trees are not damaged.)
- 15. No development shall commence until a timetable for the provision of the strategic landscaping to the public open space areas, namely Summersfield Green, including "The LEAP" and the Local Areas of Play, the balancing pond and all boundary planting, hereby approved, has been submitted to and approved in writing by the Local Planning Authority. The planting shall take place in the agreed planting seasons unless otherwise agreed by the Local Planning Authority.**
(Reason - To ensure that the landscape character of the site is established as quickly as practicable.)
- 16. Prior to any planting taking place within the site, in each and every planting season during the course of construction of the development, details of the progress of the development indicating where dwellings have been completed and planting could at that time be implemented, shall be submitted to and agreed in writing by the Local Planning Authority. Planting adjacent to individual completed residential units shall be implemented in the first planting season following the completion of those units in accordance with the approved details unless the Local Planning Authority gives written consent to any variation.**
(Reason - To ensure the landscape character of the site is established as quickly as practicable.)

- 17. Nine months prior to the projected hand-over of the landscaping/public open space to the adoptive body, or any other period agreed in writing by the Local Planning Authority, arrangements shall be made for the site to be inspected by representatives of the Local Planning Authority, the developer and the adoptive body. At the site meeting all planting/seeding defects shall be identified in writing. The said defects shall be rectified, to the satisfaction of the Local Planning Authority, prior to the hand-over.**
(Reason - To ensure the implementation of landscaping is satisfactory.)
- 18. All areas of land to be landscaped shall be fenced off and fully protected from damage and compaction prior to and during construction.**
(Reason - To maintain the soil structure and to ensure the trees and shrubs thrive.)
- 19. The precise details of the play equipment and associated benches and bins shall be submitted to and agreed in writing by the Local Planning Authority before the play areas are laid out. The work shall be carried out in accordance with the approved details.**
(Reason - To ensure the details of the development are satisfactory.)
- 20. Before development commences, a scheme for the protection of all grass verges and landscaped areas adjacent to road edges consisting of extra high conservation kerbs shall be submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved scheme.**
(Reason - To preserve the areas of open space and verge, which serve an amenity function and to aid their maintenance by preventing vehicles from parking on them.)
- 21. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.**
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
- 22. No demolition, site clearance or building operations shall commence until all trees to be retained have been identified to, and agreed in writing by, the Local Planning Authority and until tree protection comprising weldmesh secured to standard scaffold poles driven into the ground to a height not less than 2.3 metres shall have been erected around trees to be retained on site at a distance agreed with the Local Planning Authority following BS 5837. Such fencing shall be maintained to the satisfaction of the Local Planning Authority during the course of development operations. Trees shown and agreed for retention shall not be lopped, topped or removed without the prior written approval of the Local**

Planning Authority and any tree surgery works shall be carried out in accordance with BS 3998. Any tree(s) removed without consent or dying or being severely damaged or becoming seriously diseased during the period of development operations shall be replaced in the next planting season with tree(s) of such size and species as shall have been previously agreed in writing with the Local Planning Authority.

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

- 23. Notwithstanding the approved plans all details relating to the dwellings for plots 17, 160 and 161 are excluded from this consent. No development shall commence, on these plots, until precise details of revised dwellings for these plots, to include floor layouts, elevations and all materials and detailing, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

(Reason - The plots lie in prominent positions within the development and require special treatment consistent with their prominence and importance in the street scene and to ensure authentic sash windows with traditional glazing bars with the proposed small paned window types on feature buildings, where appropriate, in order to enhance the character of the development in accordance with Policy DP/2 of the South Cambridgeshire Local Development Framework (Development Control Policies) 2007.)

- 24. The windows and doors to the dwellings on plots 160 and 161 shall be of timber construction unless otherwise agreed in writing by the Local Planning Authority.**

(Reason –The dwellings lie in a prominent position at the entrance to the site. The materials should be of high quality to ensure the dwellings and the development in its entirety sit well within the context of the village of Papworth Everard and to ensure authentic sash windows with traditional glazing bars with the proposed small paned window types on feature buildings in order to enhance the character of the development in accordance with Policy DP/2 of the South Cambridgeshire Local Development Framework (Development Control Policies) 2007.)

- 25. Notwithstanding the approved plans the following design elements are specifically excluded from this consent:**

- **House type 05 – rear rooflights**
- **House type 12 – front elevation staircase tower element**
- **House type 17 – dormer windows to elevation 1 and elevation 3**
- **House type 21 – rear rooflights**
- **Plot 66 – garage**

No development shall take place until revised details, pertaining to the above, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

(Reason - To ensure the development is of high quality design.)

26. **No development shall commence until a Public Open Space Area Specification has been submitted to the Local Planning Authority as defined in the Agreement under Section 106 of the Town and Country Planning Act 1990 dated 29th September 2005.**
(Reason - To ensure the detail and management of all areas of open space is adequately controlled.)
27. **The development hereby permitted shall be carried out in accordance with the Schedule of Approved Plans labelled Schedule No.5.**
(Reason – To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

Informatives

The developer should refer to informatives on the decision notices for planning applications S/2476/03/O, S/0093/07/RM and S/1688/08/RM.

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

Appendix 1

**Response from PAPWORTH EVERARD PARISH COUNCIL PLANNING COMMITTEE
MEETING of 07/09/10 ON SUMMERSFIELD DISCHARGE OF CONDITIONS**

S/1688/08/RM Siting and external appearance of 166 dwellings, Ermine Street South, Papworth Everard [Summersfield] Applicant: Barrett Strategic and the Consortium of ...: Discharge of Conditions: Condition no. 2 (Details of materials).

Chris Howlett (Planning Committee chairman) has already met with you to discuss brick colours. The Planning Committee were happy to endorse the views of CH.

The details of houses have not yet been approved and are subject to the Section 73 agreement, which has not yet been determined, therefore it is premature to discharge this condition. However the Planning Committee would like to make the following comments:

- The weatherboarding (which appears to be only black) has not yet been viewed.
- How many black weatherboards are planned?
- Plot 33 (Flat over Garage) - this property is in a prominent position so weatherboarding is not acceptable – it would be more acceptable on plot 39.
- Plots 45, 129, 160 and 161 – again inappropriate weatherboarding at prominent junctions.
- This application for the discharge of Condition2 should not include Flat Block Z1, which is a separate application.

S/1688/08/RM Siting and external appearance of 166 dwellings, Ermine Street South, Papworth Everard [Summersfield]. Applicant: Barrett Strategic and the Consortium of ...: Discharge of Conditions: Condition no. 4 (Door details).

CH has already made preliminary comments on the style of doors. Planning Committee comments:

- It is inappropriate for all the front doors to be black. A variety of paler colours would be better.
- Garage doors are shown as either black or white on the plan. This is too stark. Garage doors should co-ordinate with the brick colour and character of the house.
- Details have not been received on cladding paints, stains and finishes, or painted surfaces (fascia boards, porches, bargeboards etc)

S/1688/08/RM Siting and external appearance of 166 dwellings, Ermine Street South, Papworth Everard [Summersfield]. Applicant: Barrett Strategic and the Consortium of ...: Discharge of Conditions: Condition no. 7 (Details of boundary treatment).

Comments of the Planning Committee:

- Where is the proposed hedge in relation to the maintenance path at the southern boundary of the development?
- There is no indication of the brick-type to be used for the high screen wall.
- The long runs of estate railings on the frontages of dwellings is an inappropriate 'urban' feature that is not acceptable in a village location. Who would be responsible for maintaining them along the main vista?

- The railings should not be continuous continuous. They should be used as an occasional feature. Hedges should be the main boundary type at frontages (see original SPG for Summersfield).

S/1688/08/RM Siting and external appearance of 166 dwellings, Ermine Street South, Papworth Everard [Summersfield] Applicant: Barrett Strategic and the Consortium of ...: Discharge of Conditions: Condition no. 10 (Details of car park lighting).

There is insufficient detail to reply to this condition, for example, no side elevation views have been provided of the bollards and bulkheads.

Discharge of Condition 12 in S/0093/07/RM and condition 11 in S/1688/08/RM

Comments of the Planning Committee:

- Insufficient provision of trees. More trees are needed, particularly at the southern end of the 'pond', partly in case of death of a tree before it reaches maturity. (A group of at least 3 oaks is requested).
- Is anything planned for the boundary with the Church Yard?
- Any existing hedge between the development, and Could a hedge be planted to make the existing one complete at the church yard and the Queen Mary Nurses' Home needs reinforcement planting?
- The plans should show the points where access is to be provided into the church yard on the west/south-west side of the area containing the 'pond'.

Further to my email of earlier today, the planning committee wish to add the following comments to those you have already received. This is to clarify the decisions of the parish planning committee and to avoid any doubt.

With reference to **Condition 2 (Materials) (S/1688/08/RM)**: The Condition cannot be discharged until it is fully complied with – include the construction of panels on-site, and their approval by the LPA in consultation with the parish council.

With reference to **Condition 4 (Door details) (S/1688/08/RM)**. The parish council recommends that this condition is not discharged. It cannot be discharged until other details on cladding paints, stains and finishes, or painted surfaces (facia boards, porches, bargeboards etc) have been received and approved by the LPA in consultation with the parish council.

With reference to **Condition 7 (Details of boundary treatment) (S/1688/08/RM)**. The parish council cannot recommend discharge of the Condition dealing with boundary treatments without the amendments proposed having been made.

With reference to **Condition 12 in S/0093/07/RM and Condition 11 in S/1688/08/RM**

The parish council cannot recommend the discharge of this Condition without the applicant agreeing to the amendments and supplying the additional details that the parish council requests.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 October 2010

AUTHOR/S: Executive Director (Operational Services)/Corporate Manager
(Planning and New Communities)

S/1190/10/F – SAWSTON**Change of Use from Offices to Residential & Roof Extension to Create Four Apartments
for Murfet Group Ltd****Recommendation: Approval****Date for Determination: 7 October 2010****Notes:**

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

Members will visit the site on 6 October 2010.

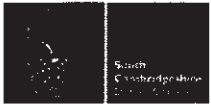
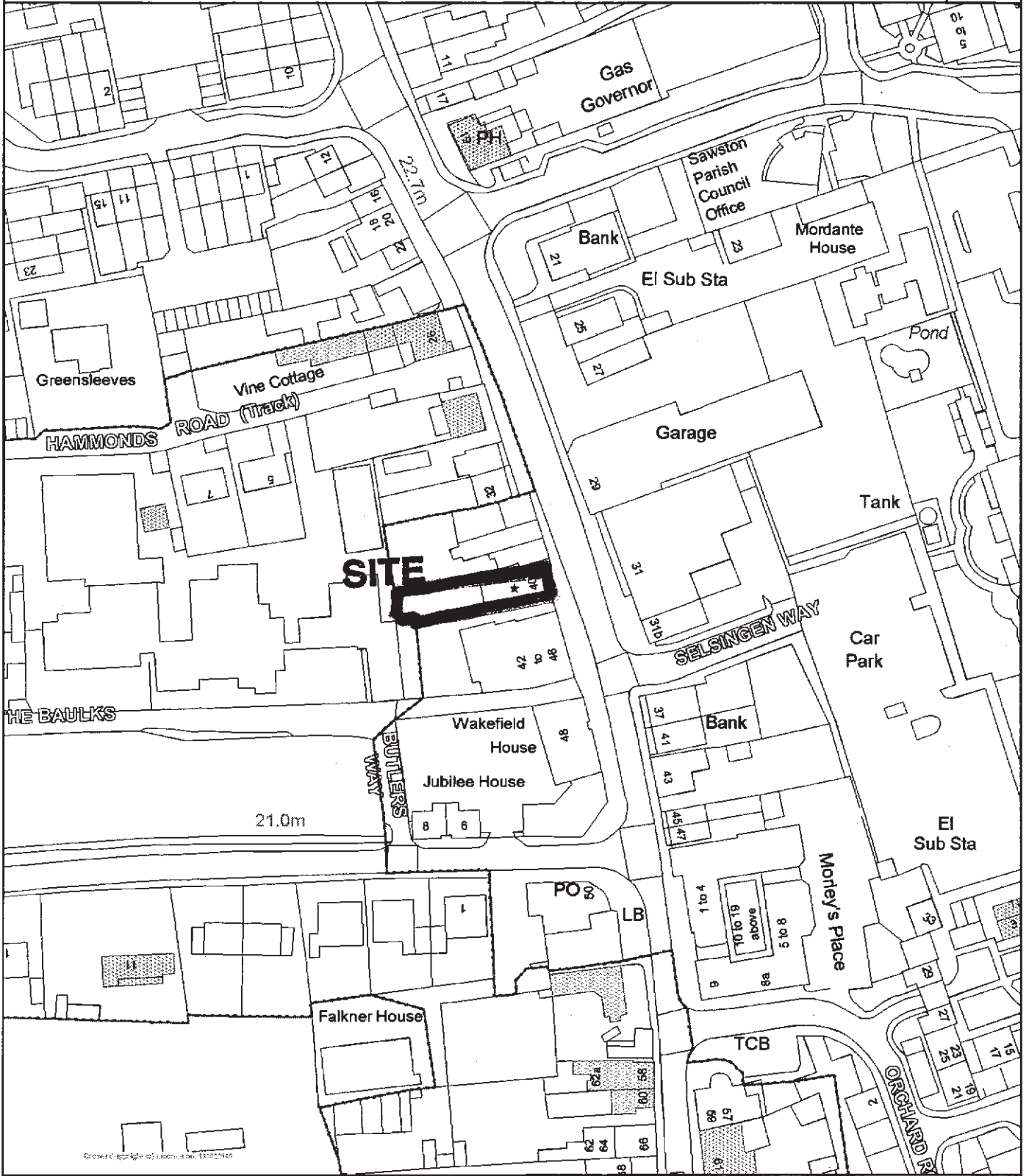
Site and Proposal

1. No.40A High Street is a two-storey building of linear plan, orange/buff brickwork and composite slate roof of hipped form located on the west side of Sawston High Street. The property houses a hair salon at ground floor and office space at first floor. The rear of the site is accessed through a coaching arch at ground floor level. The rear of the site is composed entirely of hardstanding providing undefined parking.
2. The full planning application, submitted on 12 August 2010, seeks to change the use of the first floor of the building and add an additional storey to form 4 apartment dwellings, comprising 3 x 1-bedroom flat/maisonettes and 1 x 2-bedroom flat. The High Street façade would increase in height by approximately 0.9m with a mansard roof proposed to replace the existing dual pitched and hipped roof form. Three additional windows would be added at second floor level to facilitate the proposed flats. The area to the rear of the site would be marked as a parking area for the flats resulting in the provision of 4 spaces. Access would be via the existing coaching arch and on site a mechanical turntable would be installed to facilitate turning. The density of the development equates to approximately 166 dph.
3. The statement accompanying the application explains that that the premises have been marketed as office space with Layer Chartered Surveyors and Commercial Estate Agents since September 2009. This has not resulted in any positive offers.

Planning History

4. **S/1552/97/F** – Two-storey Rear Extension to Shop and Hairdressers – Approved
5. **S/12459/88/F** – Use for Hairdressing Salon – Approved
6. **S/1025/88/F** – Shop with Offices Above – Approved
7. **S/1223/87/O** – Shop & Offices with Associated Parking – Approved

S/1190/10/F - 40A High Street, Sawston



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Scale 1/1250 Date 24/9/2010

Centre = 548609 E 249437 N

Planning Policy

8. **South Cambridgeshire Local Development Framework Core Strategy DPD 2007: Policy ST/4 – Rural Centres**
9. **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/4 – Infrastructure and New Developments**
 - HG/1 – Housing Density**
 - HG/2 – Housing Mix**
 - HG/3 – Affordable Housing**
 - ET/6 – Loss of Employment to Non-Employment Uses**
 - TR/1 – Promoting sustainable Forms of Transport**
 - TR/2 – Car and Cycle Parking Standards**

Consultations

10. **Sawston Parish Council** - Objects to the application, stating:
 - (a) Out of keeping with street scene
 - (b) Traffic over footpath
 - (c) Parking
11. **Conservation Officer** – Objects to the proposed development commenting that the proposed design would affect the setting of the nearby Conservation Area.
12. **Local Highways Authority** - Raise no objection to the proposals but recommend that a condition be applied to ensure that the mechanical turntable is installed and functioning prior to occupation of the units and thereafter maintained.
13. **Housing Enabling Manager** – This application provides for 4 units, two of which are required to be affordable. The applicant makes reference in their application that they have only received contact from one RSL regarding the acquisition of units on site. In the current climate it is unlikely that an RSL would take on these units, as in order to make them viable they would require grant funding from the Homes and Communities Agency, which at the moment is very unlikely to be forthcoming. The applicant has requested that we seek a commuted sum valuation as their affordable housing contribution, which is currently being undertaken. Once the valuation report is completed it will be made available to the applicant for further consideration.
14. **Environmental Operation Manager** – Any comments will be reported verbally at the meeting.

Representations

15. No letters of representation have been received.

Planning Comments – Key Issues

16. The key issues to consider in the determination of this application are:
 - Loss of employment/principle of converting the building to residential use;
 - Highway safety and parking issues;

- Impact upon the character of the nearby Conservation Area
- Infrastructure contributions

Loss of Employment Use/Principle of Residential Use

17. This application has been accompanied by information demonstrating that the property has been marketed with an agency as a commercial concern for the minimum 12-month period. The log of activity submitted by the agent shows that whilst there was some informal interest in the commercial lease of the property, no enquiry came to fruition. The application also states that the site was marketed by the applicants through their own company unsuccessfully for a period of 4 months prior to the 12 month period through a commercial agent.
18. It is considered that the property has been adequately marketed for the required period on terms that reflect its lawful use. As such, there are no objections in principle to the conversion of the building to form residential accommodation.
19. Sawston is classified as a Rural Centre, where the principal of residential development (with no limit on maximum scheme size) is acceptable. The proposal seeks to provide 4 small units (1 and 2 bed) at a density of approximately 166 dph, thereby complying with the requirements of Policies HG/1 and HG/2 of the 2007 Local Development Framework.
20. With regards to Policy HG/3 of the Local Development Framework, evidence has been submitted to accompany the application, which shows that at least three registered providers in the area have been approached and are not willing to take on management of affordable units of this form in this location. The Housing Enabling Manager has been consulted in respect of the issue of affordable housing and considers that in the current climate it is unlikely that an RSL would take on these units, as in order to make them viable they would require grant funding from the Homes and Communities Agency, which at the moment is very unlikely to be forthcoming. The Housing Needs Survey for Sawston identifies a need for 1 and 2-bedroom affordable units and the applicants have confirmed in writing that they would be willing to provide a commuted sum for the provision of affordable units elsewhere in the area. This is in accordance with the requirements of Policy HG/3.

Highway Safety/Parking Issues

21. The Parish Council has raised concerns on parking and highway safety grounds.
22. The application proposes to provide 4 off-street parking spaces for the 4 dwellings. This represents a ratio of 1 resident space and no visitor space per unit. This is less than the maximum parking standards, which seek a maximum average of 1.5 spaces per unit. However in this instance the units proposed are very small, a majority being one-bedroom units, hence it is reasonable to anticipate single occupants in the majority of the units.
23. Furthermore the site is centrally located within one of the more sustainable settlements in the district and is within short walking distance of many amenities, facilities and public transport links. In such locations sustainable modes of transport should be promoted through the avoidance of unnecessary overprovision for the private motorcar and suitable provision for alternate forms of transport. In this instance secure and covered cycle stores are proposed as part of the development.
24. The Parish Council raises concerns for vehicles crossing the public footpath. However these concerns are not considered to be a sustainable reason for refusal in this instance as the vehicular access to and from the site is existing and has adequate visibility.

25. Existing parking provision is stated as being four spaces. In accordance with the councils maximum parking standards the existing offices would require approximately 3 spaces, which leaves a single space for the salon use at ground floor. Customer parking for the salon is therefore provided by the general public parking in the area and would thus not be displaced by the proposed change in use. There is a large public car park (approx 93 spaces) on the opposite site of High Street to the application site, which could accommodate the displacement of staff parking from the salon.
26. By virtue of the fact that there is no material increase in the number of parking spaces provided on site there is no potential for maximum intensity to increase with the proposed change in use. However, the proposed mechanical turntable and reduction in width of the coach arch access will dissuade vehicles from reversing out of the site, which is potentially dangerous. Therefore the proposals are considered to enhance highway safety in this instance.

Visual Impact

27. The existing building is of little merit and is not considered to contribute to the character and appearance of the street scene.
28. It is proposed to increase the height of the existing building by approximately 0.9m with a resultant change in roof form from hipped to a flat roof with a sloping pitch on the street fronting roof slope.
29. Objections have been received from the Conservation Officer that suggest that proposed increase in height will raise the structure above the height of neighbouring development. However in reality the existing building is lower than much of the surrounding two-storey development. To this end the proposed increase in height of 0.9m is not considered to significantly raise the height of the building to such an extent that it would appear incongruous within the street scene.
30. The Conservation Officer and Parish Council also consider that the proposed roof form is out of keeping with the character of development in the area. The pitched form of the street fronting roof slope is considered to appear coherent in the context of the surrounding dual-pitched roof forms. The flat roof form that is proposed to extend towards the rear of the building would not have significant visual prominence due to the screening afforded by adjacent buildings, especially when viewed from pedestrian level within the High Street.
31. The Conservation Area boundary lies along the west (rear) of the site and beyond other buildings to the north and south along High Street. By virtue of the relatively dense urban character of the area no prominent views of no.40A are afforded from within the Conservation Area on High Street to the south, Mill Lane to the west nor Hammonds Road to the North. To this end the proposed development is not considered to have a significant visual impact upon the character and appearance of the Conservation Area.

Infrastructure Contributions

32. The applicants are prepared to pay the infrastructure contributions in relation to open space, community facilities and waste receptacles and they understand that these would be secured through schemes by way of condition.

Recommendation

33. Approve (as amended plans stamped 17 September 2010), subject to the following conditions:

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. **The development hereby permitted shall be carried out in accordance with the following approved plans: 937-04 rev A, 937-05 rev A and 937-01.**
(Reason – To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. **No development shall commence until samples of materials to be used for the external walls and roofs of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.**
(Reason – To ensure that the development does not detract from the character and appearance of the area.)
4. **No development shall begin until details of a scheme for the provision of openspace infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policies DP/4 and SF/10 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.**
(Reason - To ensure that the development contributes towards open space in accordance with Policy SF/10 and Policy DP/4 of the adopted Local Development Framework 2007.)
5. **No development shall begin until details of a scheme for the provision of community facilities and waste receptacles to meet the needs of the development in accordance with adopted Local Development Framework Policy DP/4 has 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 outdoor play space and informal open space in accordance with Policy DP/4 of the adopted Local Development Framework 2007.)
6. **No development shall begin until details of a scheme for the provision of affordable housing infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policy HG/3 has 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 affordable housing in accordance with the above-mentioned Policy HG/3 and Policy DP/4 of the adopted Local Development Framework 2007.)

7. **Prior to the occupation of the residential units hereby approved the proposed mechanical turntable and entrance width reduction shall be installed and free from any obstruction that would prevent a domestic vehicle from being able to manoeuvre with ease. The mechanical turntable shall thereafter be permanently maintained in working order.**
(Reason – In the interests of satisfactory development and highway safety.)
8. **Prior to the occupation of the residential units, hereby approved, the permanent space to be reserved on the site for parking in accordance with the layout as illustrated on drg. no; 937-01 shall be clearly marked out on the hardstanding and thereafter maintained.**
(Reason – in the interest of highway safety.)

Informatives

1. With regard to condition 4 above, the provision of recreational infrastructure to meet the needs of the development, in accordance with policies DP/4 and SF/10 of the South Cambridgeshire Local development Framework, Development Control Policies DPD, 2007 amounts to a financial contribution of £4476.36 (index-linked) as calculated at the date of this decision. The applicant has agreed to enter negotiations with regard to such a contribution and a document under S106 (Scheme) is required to secure this.
2. With regard to condition 5 above, the provision of community facility infrastructure to meet the needs of the development, in accordance with policy DP/4 of the South Cambridgeshire Local development Framework, Development Control Policies DPD, 2007 amounts to a financial contribution of £1249,71 (index-linked) as calculated at the date of this decision. The applicant has agreed to enter negotiations with regard to such a contribution and a document under S106 (Scheme) is required to secure this.

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - (a) South Cambridgeshire Local Development Framework 2007: Core Strategy:
ST/4 (Rural Centres)
 - (b) South Cambridgeshire local Development Framework 2007: Development Control Policies DPD:
DP/1 (sustainable Development)
DP/2 (Design of New Development)
DP/3 (Development Criteria)
HG/1 (Housing Density)
HG/2 (Housing Mix)
HG/3 (Affordable Housing)
TR/1 (Planning for more Sustainable Travel)
TR/2 (Car and Cycle Parking Standards)
ET/6 (Loss of Rural Employment to Non-Employment Uses)
2. The proposal is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise:
 - **Parking and highway safety**
 - **Visual impact**
 - **Impact on the Conservation Area**

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

- South Cambridgeshire Local Development Framework 2007
- Affordable Housing SPD – Adopted March 2010
- Open Space in New Developments SPD – Adopted January 2009

Contact Officer: Matt Hare – Planning Officer

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 October 2010

AUTHOR/S: Executive Director (Operational Services)
Corporate Manager (Planning and New Communities)

S/0847/10 - SWAVESEY**Dwelling and Garage (Application for a New Planning Application to Replace an Extant Planning Permission in Order to Extend the Time Limit for Implementation) at Land to the West of 24 Taylors Lane, for Mrs D Thwaites****Recommendation: Approve****Date for Determination: 20 September 2010****Notes:**

This Application has been reported to the Planning Committee for determination because it is a departure application and because the recommendation of approval is contrary to that of the Parish Council.

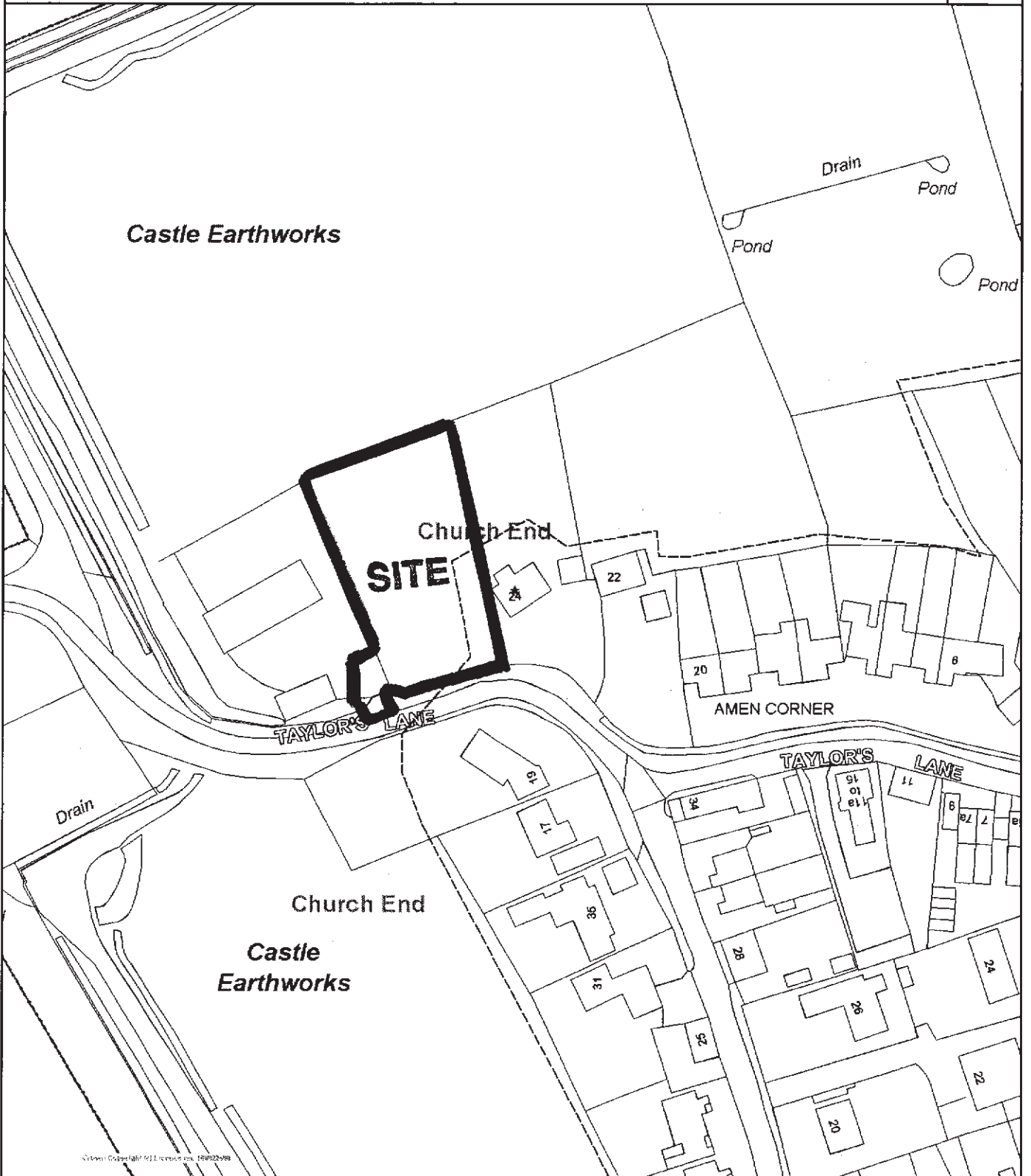
Conservation Area**Site and Proposal**

1. This 0.16ha site lies to the north and east of the village. It is residential garden land forming the side portion of the garden to No. 24. Adjacent and to the west are agricultural buildings that were once used for the storage of builders materials but have now reverted to agricultural use.
2. The Full planning application, received on 26 May 2010 and amended with a correct site plan on 26 July 2010, proposes to erect a dwelling and garage. The dwelling would be approximately 9.7m high to the ridgeline, 5.7m to the eaves and would straddle the village framework so that the majority of the dwelling would be outside of the village framework. The garage building would be set to the front of the dwelling and would just be within the framework. The trees on the frontage are to be retained and an existing farm access will be utilised and shared. A Flood Risk Assessment ("FRA") accompanies the application as part of the site lies within Flood Zone 3.
3. The site lies mostly outside of the village framework and within the village conservation area. It also lies within the confines of the 'Castle Hill' earthworks Scheduled Ancient Monument ("SAM").

Planning History

4. An application for a dwelling was originally refused and dismissed at appeal in 1982 under reference **S/1532/81/O**.
5. An application for a side extension to 24 Taylors Lane under reference **S/1199/89/F** was first approved in 1989 and then renewed in 1994, 1999 and June 2004). That permission is no longer extant.

S/0847/10/F Land adjacent 24 Taylors Lane, Swavesey



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6. A further application for a dwelling (Reference **S/0305/06/F** was refused in April 2006, and an appeal withdrawn in January 2007. However, a modified proposal was then approved under reference **S/1183/07/F** on 19 February 2008. That permission remains extant until 19 February 2011 and it is that permission which this latest application seeks to extend the time limit for implementation.
7. An application for a dwelling (**S/1818/09/F**) in a different position and with a different design was withdrawn in February 2010.

Planning Policy

8. **South Cambridgeshire Local Development Framework Core Strategy 2007:**
ST/6 Group Villages
9. **South Cambridgeshire Local Development Framework Development Control Policies 2007:**
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Development
DP/7 Development Frameworks
HG/1 Housing Density
SF/10 Outdoor Playspace, Informal Open Space and New Developments
CH/5 Conservation Areas
10. **Supplementary Planning Documents**
Development Affecting Conservation Areas 2009
Open Space in New Developments 2009
District Design Guide 2010
11. **Other relevant planning guidance**
Swavesey Conservation Area Appraisal ("CAA") – adopted 2006
Recreation Study. Annex 1: Village Results
Community Facilities Assessment. A Final Report September 2009; Audit – November 2009
RECAP Waste Management Design Guide - 2008
12. **Circular 11/95 (The use of Conditions in Planning Permissions)**
Advises that planning conditions should be necessary, relevant to planning, relevant to the development to be permitted, enforceable. Precise and reasonable in all other respects.
13. **Circular 05/2005**
Advises that planning obligations must relevant to planning, necessary, directly related to the proposed development to be permitted, fairly and reasonably related in scale and kind and reasonable in all other respects.

Consultations

14. **Swavesey Parish Council** recommends refusal. It objects, as it did originally on the grounds that:
 - Application site lies outside the defined village framework boundary. Development would be contrary to policies aimed at protecting the countryside and village frameworks.

- Development is proposed in the Conservation Area at the very edge of the built up area of the village and would result in loss of views across the Scheduled Ancient Monument. The positive vistas across the proposed site, as detailed in the Conservations Area Appraisal would be adversely affected.
15. The **Local Highway Authority** raises no objections. It wishes to see conditions imposed to control the construction and surface finish of the proposed driveway; vehicles entering, turning and leaving the site in forward gear; parking; and the positioning of gates across the access.
16. **Cambridgeshire Archaeology** recommends the same objection to the development as we recommended in the last withdrawn application for the site (S1818/09/F). We feel that the development would have a negative impact on the SAM site itself and the character of the surrounding area.

In addition, due to the (national planning) policy change of PPG16 to PPS5, we recommend also that any permissions granted/missed by ourselves in previous applications can now be overruled by PPS5, section HE9.

17. **English Heritage** has not specifically commented on the application, but granted Scheduled Monument Consent for the development on 23 July 2010. English heritage considers the effect of the proposed works upon the monument to be potentially detrimental, but with reasonable safeguards the Secretary of State is agreeable for the works to proceed subject to certain conditions being adhered to. Essentially, these are:
- a) The works shall be carried out to the satisfaction of the Secretary of State, who will be advised by English Heritage. At least 4 weeks notice of commencement of the works shall be given in writing.
 - b) Any ground disturbance works shall be carried out under the overall archaeological supervision of the County Archaeologist.
 - c) A report on the archaeological recording shall be provided within three months of the completion of the works.
 - d) English Heritage shall be notified of any land disposal and future owners notified of the full extent of the scheduled monument and the nature of this consent
 - e) No ground works, landscaping fencing, site access works or building work shall take place until an archaeological investigation has been commissioned.
 - f) Equipment or machinery shall not be used in the schedules area in conditions or in a manner likely to result in damage to the monument/ground disturbance.
18. The **Middle level Commissioners** note the site is within the catchment area of Swavesey Internal Drainage Board. The Board's surface water system downstream of the development is close to capacity during high rainfall events. Attenuation of surface water discharge from the site will be required
19. The **Environment Agency** has not commented on the application, but has previously confirmed that the FRA that accompanied the original application is no longer sufficient.

20. The **Conservation Officer** comments that the scheme addresses previous concerns under application S/1183/07/F. She therefore recommends approval of the extension of time.

Representations

21. None.

Planning Comments - Key Issues

22. The details of the proposal are exactly the same as those approved under the extant planning permission. The main issue therefore is whether there has been any material change in circumstances such that the time limit for implementation should not be approved.
23. Development plan policies have changed since the last decision insofar as there is now a full suite of LDF documents. Nonetheless, Swavesey is still defined as a Group Village in the LDF Core Strategy where development up to an indicative maximum scheme size of up to 8 dwellings will be permitted. As before, the site lies mostly outside of the village framework for Swavesey. The site is currently garden land and the framework boundary is drawn here in a seemingly arbitrary way such that it does not follow any physical features of the land but nevertheless would appear to define No. 24 as the edge of the village. The actual dwelling would straddle the boundary such that approximately half of the dwelling would lie outside and half within. The proposed detached garage would lie within the village framework.
24. There is no harm to the conservation area from what is a well designed dwelling and the fact that the land is already garden land and that half of the new dwelling and all of its garage would be within the framework all combine to outweigh the normal policy objection to dwellings outside the framework in this instance. While the CAA identifies that there is a positive vista across the site towards the scheduled monument, there is no change from what was approved previously. Neither have English Heritage objected to any impact on the setting of the monument.
25. The development would not create a precedent because of the specific factors identified above. As such, there is no suggestion that the site could be more intensively developed or that an increase in density would be appropriate.
26. The previous application was approved on the basis that English Heritage had granted the necessary scheduled monument consent. A fresh consent has been sought and as mentioned at paragraph 17 above has been approved subject to various safeguarding conditions. I am satisfied that subject to the imposition of similar conditions the impact on the scheduled monument and archaeological remains is acceptable.
27. The updated flood risk assessment provides adequate mitigation measures. To reduce the risk of flooding, finished floor levels need to be conditioned as they were previously. The submission of a scheme for both foul and surface water drainage also remains appropriate.
28. The one material change is the need for developer contributions towards meeting the infrastructure requirements arising from the development. These relate to an increase in demand for playspace as a result of the four-bedroom dwelling proposed, requiring a financial contribution of £4,258.90 towards the off-site provision and maintenance of open space (index linked); a financial contribution of £718.78 towards the provision of

indoor community facilities (index linked); and a financial contribution of £69.50 towards household waste receptacles. These requirements are derived from the relevant planning policy guidance outlined at paragraph 11 above.

29. I therefore conclude that subject to the infrastructure requirements, there has been no material change in circumstances. Subject to the conditions as previously imposed and modified to take account of the current consultation responses, the application can be approved.

Recommendation

30. Approve 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 details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted and all hard surfaced areas within the site have been submitted to and approved in writing by the Local Planning Authority. The windows and doors shall be timber and all doors to the garage block shall be timber and side hung. 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. **Prior to the commencement of any development, a scheme for the provision and implementation of foul and surface drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.**
(Reason - To reduce the risk of pollution to the water environment, to ensure a satisfactory method of foul and surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1, NE/10 and NE/11 of the adopted Local Development Framework 2007.)
 4. **No development shall take place on the application site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.**
(Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy CH/2 of the adopted Local Development Framework 2007.)
 5. **No development shall begin until details of a scheme for the provision of public open space, community facilities, waste receptacles and S106 monitoring infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policies DP/4**

and SF/10 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.

(Reason - To ensure that the development contributes towards infrastructure required by the development in accordance with the Policies DP/4 and SF/10 of the adopted Local Development Framework 2007.)

6. **The proposed access and turning area shall be provided before the dwelling hereby permitted is occupied and thereafter retained as such.**
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
7. **The finished ground floor levels of the dwelling hereby approved shall be set no lower than 6.5m AOD.**
(Reason – To protect the development from flooding in extreme circumstances)
8. **The dwelling shall not be occupied until the proposed planting and boundary treatment has been carried out in accordance with the scheme shown on plan no. LD 07 239. The scheme shall thereafter be retained as such unless otherwise agreed in writing by the local planning authority.**
(Reason – To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
9. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development within Part 1 and Part 2, Class A of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.**
(Reason - In the interests of preventing harm to the Swavesey Conservation Area in accordance with Policies DP/2 and CH/5 of the adopted Local Development Framework 2007.)
10. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed east elevation at or above first floor level or any of the roofspace of the dwelling unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.**
(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
11. **The development hereby permitted shall be carried out in accordance with the following approved plans: 162/01B, 162/02C, 162/03A and LD 07 239.**
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

Reasons for Approval

1. Although the development is not wholly in accordance with the Development Plan it is considered that sufficient justification has been given in this case for

an exception to be made to the normal restraint policies which apply in this location.

- a) **South Cambridgeshire Local Development Framework Core Strategy 2007**
ST/6 Group Villages

- b) **South Cambridgeshire Local Development Framework Development Control Policies 2007**
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Development
DP/7 Development Frameworks
HG/1 Housing Density
SF/10 Outdoor Playspace, Informal Open Space and New Developments
CH/5 Conservation Areas

2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:

- Impact on the countryside
- Impact upon the character and appearance of the Conservation Area
- Impact upon highway safety
- Drainage and Flood risk
- Impact upon a Scheduled Ancient Monument
- Impact upon the street scene

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

- South Cambridgeshire Local Development Framework Core Strategy Development Plan Document 2007
- South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007
- Planning file Ref. S/1183/07/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 October 2010

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)

S/1106/10/F – GREAT ABINGTON**External Alterations and Conversion of Agricultural Building to Residential Dwelling
at Barn Adjacent 44 North Road for Mr R.H. Rogers and Mrs M. de Ville Rogers****Recommendation: Approval/ Refusal****Date for Determination: 14 September 2010****Notes:**

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

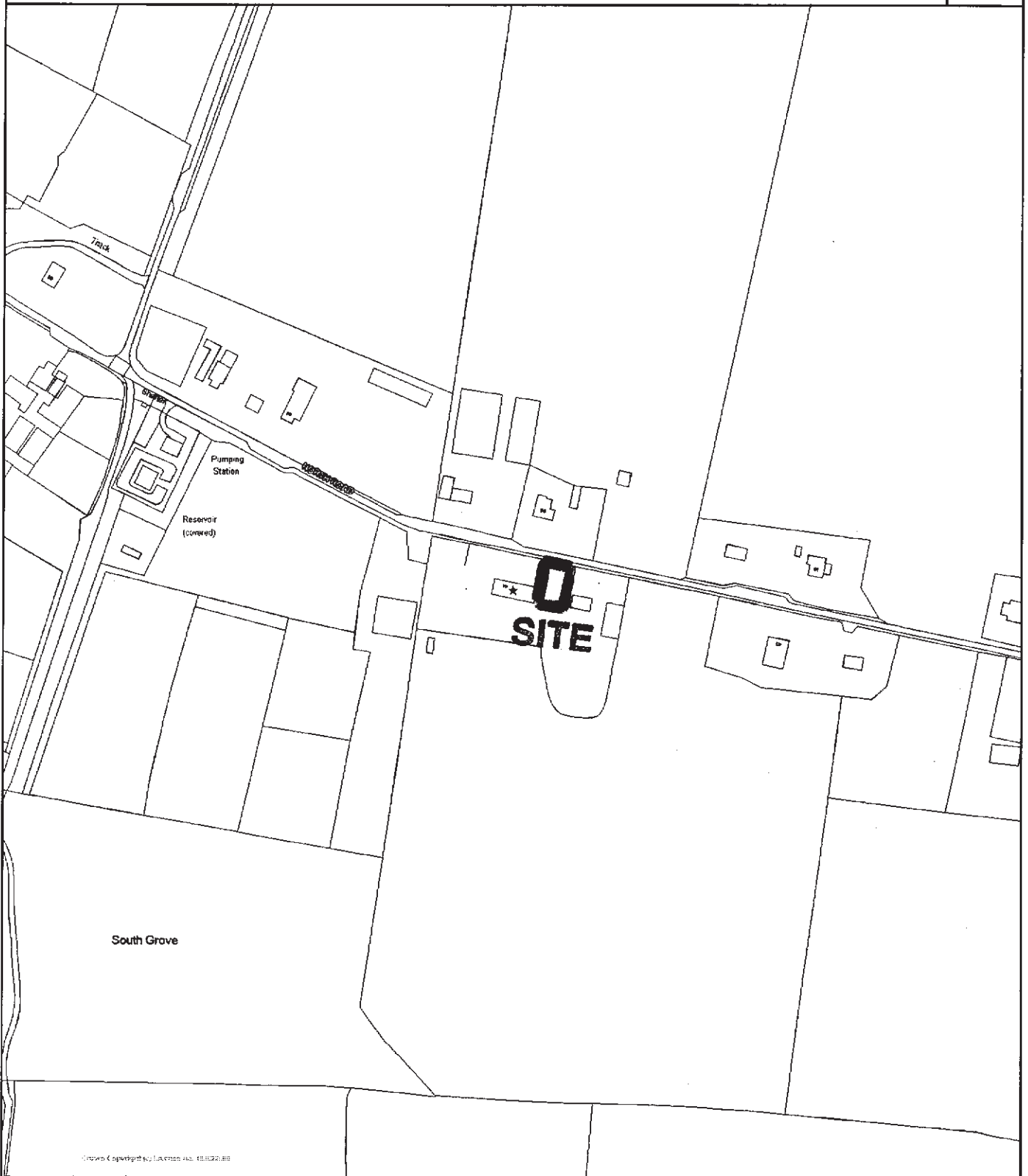
Site and Proposal

1. The 0.07 hectare (ha) site is located outside the Great Abington village framework and within the countryside. It lies on the former Land Settlement Association Estate that originally comprised a number of dwellings with smallholdings. The existing agricultural barn is a detached, black timber weatherboarding/ red brick plinth and red pantile building that has a hardstanding to the side and a grassed area to the front. Access is via North Road that is a single track private road with passing bays, and is also a public footpath. The land drops to the west.
2. No. 44 North Road is a dwelling with a detached outbuilding, situated to the west of the site. Open fields lie to the south and east. A small dwelling is situated on the opposite side of the road.
3. This full planning application, received 20 July 2010, proposes external alterations to the barn that comprises new openings in all elevations, and its conversion to a residential dwelling. The existing hardstanding would be used for parking and bin storage. A new, bound gravel driveway would be provided to the front of this area. A 1.8 metre high close boarded fence and gates would be erected between the driveway and parking area. The application is accompanied by the signatures of 18 local residents in support of the application.

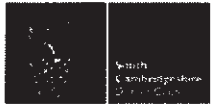
Planning History

4. A planning application for conversion of the barn and outbuilding into a residential dwelling and garage under reference **S/0651/08/F** was dismissed at appeal in December 2008. The main reasons for refusal related to the principle of the provision of a new dwelling in the countryside and that information had not been submitted at the time that would rule out a sole employment use or a mixed employment and residential use.
5. Planning permission was granted for this agricultural building under reference **S/1545/92/F** in November 1992.

S/1106/10/F - 44 North Road, Great Abington



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Planning Policy

6. Local Development Plan Policies

South Cambridgeshire LDF Development Control Policies DPD, 2007:

DP/1 Sustainable Development

DP/2 Design of New Development

DP/3 Development Criteria

DP/4 Infrastructure and New Developments

DP/7 Development Frameworks

NE/4 Landscape Character Areas

NE/6 Biodiversity

NE/11 Flood Risk

HG/8 Conversion of Buildings in the Countryside for Residential Use

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

SF/11 Open Space Standards

TR/1 Planning for More Sustainable Travel

TR/2 Car and Cycle Parking Standards

7. South Cambridgeshire LDF Supplementary Planning Documents (SPD):

Open Space in New Developments SPD - Adopted January 2009

Biodiversity SPD - Adopted July 2009

Landscape in New Developments SPD - Adopted March 2010

District Design Guide SPD - Adopted March 2010

8. National Planning Guidance

Planning Policy Statement 1 (Delivering Sustainable Development)

Planning Policy Statement 3 (Housing)

Planning Policy Statement 7 (Sustainable Development in Rural Areas)

9. Circulars

Circular 05/2005 Planning Obligations

Circular 11/95 The Use of Conditions in Planning Permissions

Consultation

10. **Great Abington Parish Council** – Recommends approval and comments that it is a building that would be suitable for conversion to a dwelling.
11. **Local Highways Authority** – Requires conditions in relation to the provision of pedestrian visibility splays, the hard surfacing of the driveway within 6 metres of the road, and adequate surface water drainage from the driveway. Requests informatives in relation to the position of gates and works to the public highway.
12. **Landscape Design Officer** – Has concerns with regards to the design of the close boarded fences and gates and states that they should be set back from the front elevation of the building. Considers that a post and rail fence and hedge would be more appropriate. Queries the position of the access. Suggests some low hedging or limited tree planting along the frontage. Details of species and fencing to be agreed.
13. **Ecology Officer** – Comments that he is happy to accept that the proposed barn conversion is unlikely to have any adverse impact upon barn owls or breeding birds. The ecologist identified a small number of bat droppings as Pipistrelle bat. Following

nigh time investigation the ecologist does not consider the site to be a significant roost (i.e. a maternity roost) for the Pipestrelle bats. I am happy to accept this view.

The ecologist proposes careful working procedures to mitigate any potential harm and the submitted Protected Species Survey report includes such measures. A condition should be used to secure a scheme of mitigation and enhancement for bats.

14. **Building Inspector** – Considers that the building is capable of conversion.
15. **Rights of Way and Access Team** – States that the access to the site is via public footpath No. 6, Great Abington and requests informatives in relation to the lawful use of the footpath.
16. **External Consultant (Valuer)** – Comments are awaited and will be reported verbally at the meeting.
17. **Environmental Health Officer** – Concerned that problems could arise from noise and requests conditions in relation to the hours of use of power operated machinery. Also suggests informatives in relation to the use of pile driven foundations and the burning of waste on site.
18. **Contaminated Land Officer** – Comments that the application is for conversion of a barn (with the potential to store unknown material) to a dwelling. Recommends that a condition is attached to any consent to in relation to a detailed investigation into contamination and mitigation measures to address possible contamination.

Representations

19. The occupier of **60 North Road** comments that the barn has never been an agricultural building and that the development would urbanise the area. Queries whether policy has changed to allow conversion of agricultural buildings.
20. The **Local Member** supports the application and considers the decision is based upon the interpretation of Policy HG/8. He comments that a number of applications within the area have been allowed following differing interpretations of policy.

Planning Comments – Key Issues

21. The key issue to consider in the determination of this application is the principle of the conversion of the barn to a residential dwelling in the countryside.

Principle of Residential Conversion

22. The principle of the conversion of the barn to a residential dwelling in the countryside is not supported in principle unless the development complies with Policy HG/8 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 and paragraphs 17 and 18 of Planning Policy Statement 7 (Sustainable Development in Rural Areas). These documents generally support the conversion of buildings in the countryside but state that they should be considered for re-use by economic development purposes or mixed economic development and residential uses before sole residential uses. Policy HG/8 also sets out detailed criteria that need to be complied with before a residential conversion is considered acceptable. This includes whether the property is considered inappropriate for commercial or a mixed use through the demonstration of planning considerations or market demand, as well as issues such as whether the building is structurally sound, the building is capable of re-use without changing its character or impact upon the surrounding countryside, and sustainability.

23. The Inspector that determined the previous application for a similar development that was dismissed at appeal in 2008 considered that the planning considerations and viability report put forward at that time did not demonstrate that the property was inappropriate for employment purposes or mixed employment and residential purposes. He stated that “the building clearly has the potential to be re-used for such purposes in terms of its structure, size, appearance, and location.” He commented that economic factors change with time and accepted that “whilst the current market demand did not support the case for employment re-use, it is not regarded as a decisive factor by itself as there are a range of other planning considerations that act to support the possibility of the building being re-used for employment purposes”.
24. A marketing report has been submitted with the application that demonstrates that the property has been on the open market through various different channels for a time period of at least 12 months. It was marketed with the potential for commercial uses, mixed commercial/residential purposes, or holiday lets (subject to planning permission) at a price of £265,000. Very limited interest was shown in the property with eight parties contacting the estate agent and three parties contacting the owners direct. Three parties showed a commercial interest. Two arranged viewings were carried out and no offers made. The reasons outlined in the report as a result of feedback from the prospective purchasers included the building was unsuitable for the required purposes, too remote location, and too expensive. The main interest was for residential use. The estate agent has concluded in respect of the lack of demand by commercial users that the building is not suitable for the majority of commercial uses relating to light industrial/ workshop manufacture, the demand in the marketplace is severely restricted for office accommodation, the access road is unsuitable for commercial vehicles, there is a lack of demand for general business use due to the recession, the 40 square metres requirement for workspace within a live/work unit was an issue, and that the surrounding area is predominantly residential.
25. Given the low level of interest in the property, the Council has employed an independent consultant to value the property to ensure that it was being marketed at the correct price in relation to the potential uses for commercial, live work or holiday lets purposes. The result of this valuation will be reported at the meeting. Should the property not have been marketed at the correct price, the Council is likely to seek further marketing to completely rule out the use of the building for full or partial economic development purposes before a residential use is considered acceptable.
26. With regards to the criteria in Policy HG/8, the building is considered structurally sound and not of a makeshift nature that would not involve reconstruction work to enable its re-use. The building is of substantial and permanent construction and the only alterations required are the creation of internal floors, insulation and revised openings. A structural report has been submitted with the application and its contents are agreed by the Building Inspector.

Character and Appearance of the Area

27. The form, bulk and general design of the building is considered to be in keeping with its surroundings and the proposed alterations would not materially change the appearance of the building upon the countryside. Whilst it is acknowledged that a number of openings would be inserted into the front and rear elevations of the building, these would be limited and reflect the style of openings in agricultural buildings and not domesticate the simple character of the existing barn. A first floor would be created internally but no extensions are proposed externally that would increase the footprint. The existing hardstanding to the side of the building would remain and be utilised for parking and the storage of waste. This would ensure that

such ancillary uses are well related to the building. A new fence and gate would be erected to screen this area from public view. A new access would be created to the front but this would be in keeping with the character and appearance of the area as a result of its materials. A condition could be attached to any consent to control future development on the site such as the erection of extensions, outbuildings, fences/walls, and hardstanding. This would ensure the development remains compatible with its surroundings.

28. Landscaping is encouraged on the site in order to enhance the rural character and appearance of the area. The submission of a landscape plan would be a condition of any consent.

Sustainability Issues

29. The site is located approximately 1km from the centre of the village of Great Abington where there are a range of services and facilities. The use would be sustainable and in scale with its location. The village would be easily accessible by walking and cycling via footpaths. There is a good bus service within the village that links Cambridge with Haverhill. The proposal would not therefore result in sole reliance on the private car.

Highway Safety

30. Access to the site is via a private road but the main access to the public highway is at the junction with North Road and the old A11 and North Road and Pampisford Road. Although visibility on to the public highway is substandard in both locations, the limited intensification in the use of the road as a result of the development would not be detrimental to highway safety. This is due to the existing volume of traffic that uses the junctions. Two parking spaces would be provided on site. Conditions should be attached to any consent to ensure the provision of pedestrian visibility splays. An informative should advise of the need for surface water drainage measures to be provided adjacent the driveway.

Biodiversity

31. A biodiversity survey was submitted with the application. Although it acknowledges that bat droppings were found in the barn and that it has the potential to provide a habitat for roosting bats, none were observed and it was suggested that it may be an occasional use. No evidence of barn owls or nesting birds was found. The proposal is not therefore considered to have a significant impact upon the population or conservation interest of protected species subject to a condition that secures a scheme of mitigation and enhancement for bats. It would also not adversely affect any important trees that contribute to the visual amenity or habitat of the area.

Neighbour Amenity

32. The proposal is not considered to seriously harm the amenities of neighbours. Whilst it is noted that there would be two first floor roof lights serving bedrooms in the west facing roof slope of the building that would face towards a number of windows in the east side elevation of No. 44 North Road, these would not result in overlooking that would lead to a loss of privacy, due to the distance of more than 30 metres between the openings. This exceeds the minimum measurements for window-to-window distances set out in the Council's Design Guide.

Land Contamination

33. The existing barn has the potential to have been used for the storage of agricultural machinery and fuels that may have resulted in land contamination to the soil or water supply. A condition should be attached to any consent that requires an investigation into contamination.

Developer Contributions

34. The South Cambridgeshire Recreation Study 2005 identified a shortfall of play space within Great Abington. No public open space is shown within the development. The increase in demand for playspace as a result of the development requires a financial contribution of £3,104.38 (index linked) towards the provision and management of open space off-site and in the village to comply with Policy SF/10 of the LDF. This would be secured via a legal agreement that would be a condition of any consent. The applicants have confirmed their agreement to such a contribution.
35. The South Cambridgeshire Community Facilities Assessment 2009 states that Great Abington has indoor community space that is of a good standard. However, due to the increase in the demand for the use of this space from the development, a financial contribution of £523.93 (index-linked) is sought towards the provision of new facilities or the improvement of existing facilities in order to comply with Policy DP/4 of the LDF. This would be secured via a legal agreement that would be a condition of any planning consent. The applicants have confirmed their agreement to such a contribution.
36. South Cambridgeshire District Council has adopted the RECAP Waste Management Design Guide. In accordance with the guide, developers are requested to provide for the household waste receptacles as part of a scheme. The fee for the provision of appropriate waste containers is £69.50 per house. This would be secured via a legal agreement that would be a condition of any planning consent. The applicants have confirmed their agreement to such a contribution.

Other Matters

37. The site lies within flood zone 1 (low risk). The development would not significantly increase the risk of flooding to the site and surrounding area.
38. The storage of waste has been provided for on site.
39. The access to the site is via a public footpath. Informatives will be attached to any consent to advise of points in relation to the lawful use of the footpath.

Recommendation

40. Approval/ Refusal dependent on the outcome of the external consultant's valuation of the property

If the application is approved, the following conditions and informatives are suggested: -

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. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing numbers 1 (site location plan only), landscape plan, 2, 3, and 5.**
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- 3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development within all classes of Part 1 and class A of Part 2 of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.**
(Reason – To safeguard the character and appearance of the area in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- 4. No development shall take place until exact details of the close boarded fence/ gates and refuse store (including height, design and any stain/ paint finish) to the east of the building and have been submitted to and approved in writing by the Local Planning Authority; the development shall be completed before the dwelling is occupied in accordance with the approved details and shall thereafter be retained.**
(Reason – To safeguard the character and appearance of the area in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- 5. The use, hereby permitted, shall not commence until two parking spaces have been laid out on the site as shown on the landscape plan; the spaces shall be thereafter maintained for that purpose.**
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- 6. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.**
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
- 7. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.**

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

- 8. Visibility splays shall be provided on both sides of the access and shall be maintained free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the edge of the carriageway.**

(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- 9. No development approved by this permission shall be commenced until:**

- a) The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority.**
- b) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority.**
- c) The works specified in the remediation method statement have been completed, and a validation report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.**
- d) If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this contamination should be agreed in writing by the Local Planning Authority.**

(Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DP/1 of the adopted Local Development Framework 2007).

- 10. During the period of construction, no power operated machinery shall be operated on the site before 08.00 hours and after 18.00 hours on weekdays and before 08.00 hours and after 13.00 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.)

- 11. No development shall begin until details of a scheme for the provision of recreational infrastructure, community facilities, and waste receptacles to meet the needs of the development in accordance with adopted Local Development Framework Policies SF/10 and DP/4 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, community facilities, and waste receptacles in accordance with Policies SF/10 and DP/4 of the adopted Local Development Framework 2007.)

- 12. Prior to the commencement of the development a Bat Mitigation and Enhancement Scheme shall be submitted to the Local Planning**

Authority for approval. The scheme shall detail the measures to be implemented to reduce harm to bats, the person responsible for implementing them, measures to enhance the site for bat and details of timings by when such measures will be undertaken. Any variation to the approved scheme shall be agreed in writing.

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

Informatives

1. Adequate means of surface water drainage shall be provided on the site immediately adjacent the proposed driveway. See attached Environment Agency advice regarding soakaways.
2. In relation to condition 6, the landscape officer has requested that two small to medium scale trees (5-10m height) or a hedge should be planted. One of the trees should be located just back from the front road boundary approximately 4 m from the NE corner and another tree a similar distance from that corner along the eastern boundary, making allowance for trunk expansion against the fence. The species suggested is ornamental white flower hawthorns.
3. The Highway Authority (Cambridgeshire County Council) maintains the surface of public footpath No. 6, Great Abington, to a standard sufficient for members of the public on foot. It does not maintain the route to vehicular standard.
4. Public footpath No. 6 must not be used for access to the site unless the applicant is sure they have lawful authority to do so (it is an offence under s.34 of the Road Traffic Act 1988 to drive on a public footpath without lawful authority.)
5. Private vehicular users must not cause a 'nuisance' (in common law) to members of the public using Public footpath No. 6.
6. No alteration to the surface of public footpath No. 6 is permitted without our consent (it is an offence under s.1 of the Criminal Damage Act 1971).
7. Public footpath No. 6 must remain open and unobstructed at all times. Building materials must not be stored on this section of the footpath and contractors' vehicles must not be parked on it (it is an offence under s.137 of the Highways Act 1980 to obstruct a public footpath.)
8. The granting of planning permission does not constitute permission or license to a developer to carry out any works within, or disturbance of, or interference with, the public highway, and that separate permission must be sought from the Highway Authority for such works.
9. During construction, there shall be no bonfires or burning of waste on site except with the prior permission of the District Environmental Health Officer in accordance with best practice and existing waste management legislation.

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

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents: Open Space in New Developments, Biodiversity, Landscape in New Developments, and District Design Guide
- Planning Policy Statements 1, 3 and 7
- Planning File References: S/1106/10/F, S/0651/08/F and S/1545/92/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 October 2010

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)

S/1199/10/F – GREAT ABINGTON
Extension and Alterations (Front Door and Rooflights), Cycle Store and Creation of
Parking Area at 1 & 2 Newhouse Farm Flats, Pampisford Road for Mr K. Khazai
(Optima (Cambridge) Ltd.)

Recommendation: Refusal

Date for Determination: 7 October 2010

Notes:

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

Members will visit the site on 6 October 2010

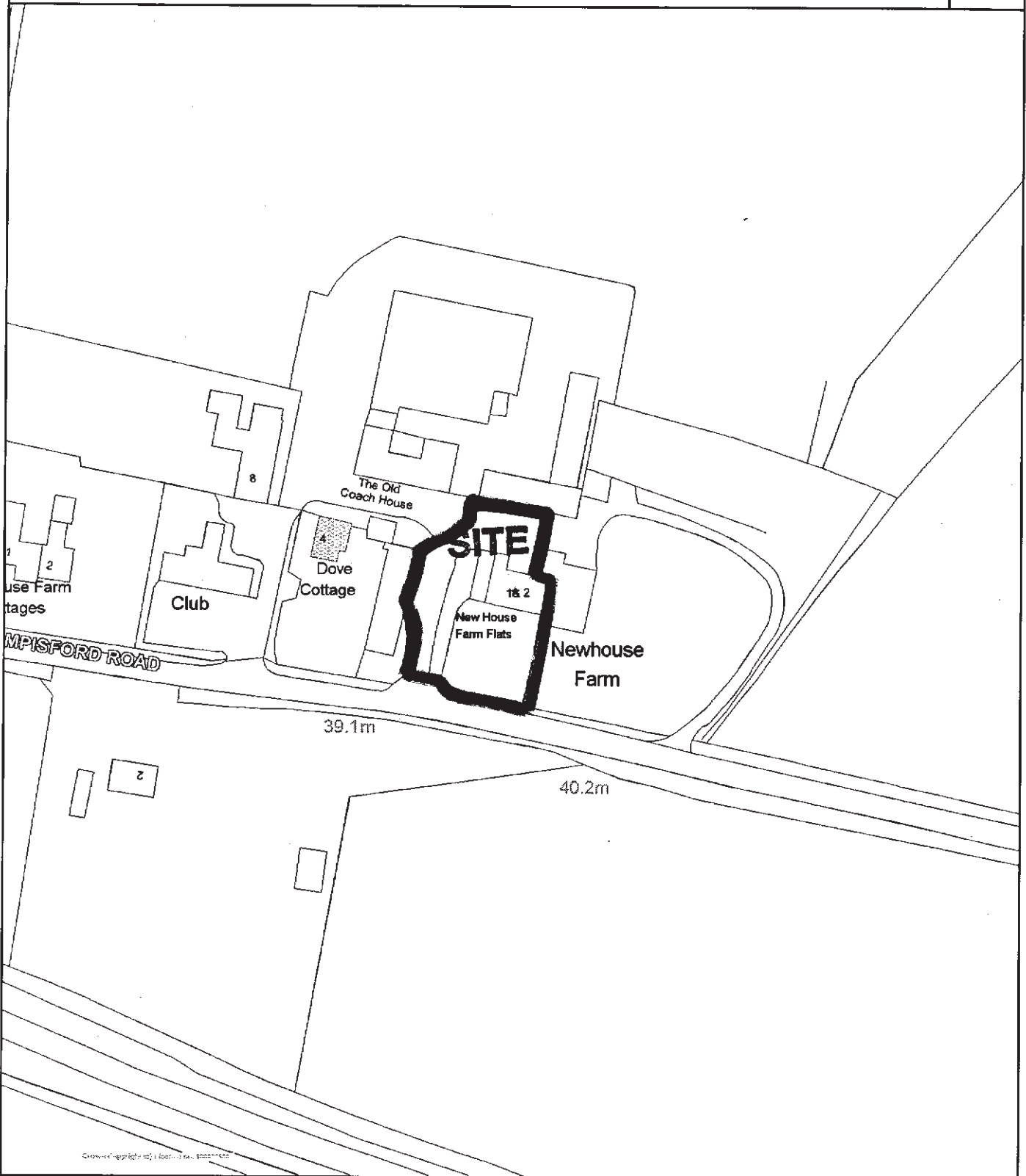
Site and Proposal

1. The site is located outside the Great Abington village framework and within the countryside. It currently comprises a semi-detached, two and a half storey, red brick and slate Edwardian building that was previously a farmhouse and now comprises six flats. It is currently vacant due to refurbishment. It is set back from the road behind a large communal garden with a mature tree that is subject to a preservation order. The access runs to the western side of the building and there is a large area of hardstanding to the rear that is used for parking.
2. A residential dwelling (Newhouse Farm) is attached to the eastern side of the building. A large commercial site is situated to the north. A single storey dwelling and small industrial unit lies on the western side of the access with a grade II listed building beyond (Dove Cottage).
3. This full planning application, received 12 August 2010, proposes a two-storey rear extension to the flats to create additional floor space, external alterations to the building to include two roof lights in the west facing roof slope, a first floor window in the rear elevation and a new front door, the erection of a cycle store on the west boundary, and the creation of a parking area to the front.

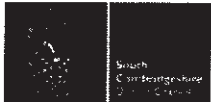
Planning History

4. Planning permission was refused for a two-storey flat roof rear extension and creation of parking area on the site under reference **S/0710/10/F** in July 2010. The reasons for refusal related to the impact of the development upon the setting of the listed building and the countryside.
5. Planning permission was granted for conversion of the farmhouse into six flats under reference **S/1900/02/F** in July 2003.

S/1199/10/F New House Farm, Pampisford Road, Great Abington



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6. Planning permission was refused for extensions and conversion to one dwelling and offices under reference **S/1850/00/F** in November 2000.
7. Planning permission was refused for change of use to offices under reference **S/1301/98/F** in November 1998.

Planning Policy

8. Local Development Plan Policies

South Cambridgeshire LDF Development Control Policies DPD, 2007:

DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/7 Development Frameworks
HG/6 Extensions to Dwellings in the Countryside
NE/6 Biodiversity
CH/4 Development Within the Setting of a Listed Building

9. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
Trees and Development Sites - Adopted January 2009
Listed Buildings - Adopted July 2009
District Design Guide SPD - Adopted March 2010

10. **National Planning Guidance**

Planning Policy Statement 1 (Delivering Sustainable Development)
Planning Policy Statement 5 (Planning for the Historic Environment)

11. **Circulars**

Circular 05/2005 Planning Obligations
Circular 11/95 The Use of Conditions in Planning Permissions

Consultation

12. **Great Abington Parish Council** – Recommends approval.
13. **Conservation Officer** – Recommends refusal and comments that the application follows previous refusal for a rear extension due to the bulk, form and flat roof of the proposal which would harm the traditional character of the existing building and damage the setting of Dove Cottage. The current proposed extension is higher than the refused development and has a combination of flat roof and false pitch visible in profile against the backdrop to the listed building. It also wraps around the roof of the existing house in a way that is not additive, so is contrary to para 6.102 of our District Design Guide. It is higher than the previous proposed flat roofed extension and therefore would appear more prominently on the wooded skyline in conjunction with and contrasting with the traditional forms of the existing gabled roof and of Dove Cottage. The applicant has tweaked some minor elements such as the design of the door, but this would not overcome the issue of the bulk and form of the proposed extension.
14. **Trees and Landscapes Officer** – Comments that arboricultural report submitted is acceptable and identifies that the car parking spaces can be constructed using a no-dig design.

15. **Landscape Design Officer** – requests a landscaping condition in order to achieve the planting of a hedge along the front boundary of the site.
16. **Environmental Health Officer** – Concerned that problems could arise from noise and requests conditions in relation to the hours of use of power operated machinery. Also suggests informatives in relation to the use of pile driven foundations and the burning of waste on site.

Representations

17. The occupier of **Newhouse Farm, Pampisford Road** supports the application and comments that he is keen for the derelict building to be refurbished, as it has remained empty for many years. He considers that the development would not impact upon the listed building due to the distance between the properties, or the countryside as there was previously a driveway in this location and there is an existing driveway at the adjacent property.
18. The **Local Member** supports the application and considers the decision is based upon the interpretation of Policies CH/4 and DP/3 in relation to the impact of the development upon the listed building and countryside. He comments that a number of applications within the area have been allowed following differing interpretations of policy.

Planning Comments – Key Issues

19. The key issues to consider in the determination of this application are the impact of the development upon the setting of the adjacent listed building, the character and appearance of the countryside, and the mature protected tree.

Setting of the Adjacent Listed Building

20. Whilst there are no objections in principle to a two-storey rear extension, the proposal as a result of its design, bulk, and form would not represent a high standard of design that would reflect the Edwardian character of the existing building that incorporates traditional forms and pitched roofs. This would be out of keeping with the historic group of buildings and damage the setting of the listed building. A traditional pitched roof with a small flat lead valley between the existing and proposed roofs would be much more appropriate.

Character and Appearance of the Countryside

21. The proposed extensions would result in an increase of 48% in floor area and 26% in volume above the size of the original building. These extensions are not considered to be out of scale with the existing building or materially change the impact of the building upon its surroundings. The proposal would not therefore harm the character and appearance of the surrounding countryside.
22. The extensions would not be visible within the street scene. Whilst it is acknowledged that the proposed parking area to the front of the building has been reduced in size since the last application, it would still result in the loss of an attractive green space and the creation of a hard landscaped area. This would visually erode the rural setting of the building and adversely affect the character and appearance of the street scene and countryside.
23. The proposed parking area to the front of the site would introduce a hard surfaced area, and resultant parked vehicles, to the detriment of the rural setting of the building.

Tree

24. The mature beech tree on the site is significant and important to the visual amenity of the area. It is subject to a tree preservation order. The proposed parking area is not considered to undermine the roots of the tree subject to no-dig construction.

Other Matters

25. Condition 2 of planning consent reference S/1900/02/F for the conversion of the building to six flats required the provision and retention of 9 parking spaces and turning on the site. The proposal results in an additional three bedrooms. Although the Council's parking standards have been relaxed since that consent the use would still require an average of 1.5 spaces per dwelling plus visitor parking of 0.25 spaces per dwelling. Six flats would therefore result in a total requirement of 11 spaces, given that the site is not in the most sustainable location. The proposal would have nine parking spaces and therefore a shortfall in parking requirements. The proposal is not, however, considered to be detrimental to highway safety, given the size of the site and that vehicles are unlikely to park on-street along Pampisford Road. The proposed cycle and bin store would go some way to encouraging alternative forms of transport, and no objection is raised to its simple design, which would be of traditional materials and sedum roof.
26. The proposal would not unduly harm the amenities of neighbours.

Recommendation

27. Refusal

for the following reasons: -

1. **The bulk, form, and design of the proposed rear extension would harm the character and appearance of the existing building and traditional historic group, and damage the setting of the adjacent listed building at Dove Cottage. The proposal is therefore contrary to Policy CH/4 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 and the South Cambridgeshire Local Development Framework 'Listed Buildings' Supplementary Planning Document 2009 that state planning permission will not be granted for development that would affect the wider setting of a listed building; and Policy DP/2 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 that seeks all new developments to incorporate high standards of design that respond to the local character of the built environment.**
2. **The proposed parking area to the front of the building would result in the loss of an attractive green space and lead to the creation of a hard landscaped area. This would visually erode the rural setting to the building when viewed from Pampisford Road and harm the character and appearance of the street scene and countryside. The proposal is therefore contrary to Policy DP/3 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 that states planning permission will not be granted where the proposed development would have an unacceptable adverse impact upon the countryside.**

28. If the application is approved, the following conditions and informatives are suggested: -

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. **The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing numbers 003_L-01, 02, 03, 04, 05, 06, 07, 10, and 11.**
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. **No development shall take place until details of the materials to be used for the extension, hereby permitted have been submitted to and approved in writing by the Local Planning Authority; the development shall be completed before the extension is occupied in accordance with the approved details and shall thereafter be retained.**
(Reason – To safeguard the character and appearance of the area in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
4. **No development shall take place until details of the stain/ paint finish of the cycle store have been submitted to and approved in writing by the Local Planning Authority; the development shall be completed before the dwelling is occupied in accordance with the approved details and shall thereafter be retained.**
(Reason – To safeguard the character and appearance of the area in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
5. **The use, hereby permitted, shall not commence until 9 parking spaces have been laid out on the site as shown on drawing number 003_L-10; the spaces shall be thereafter maintained for that purpose.**
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
6. **No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.**
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
7. **All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a**

programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

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

- 8. During the period of construction, no power operated machinery shall be operated on the site before 08.00 hours and after 18.00 hours on weekdays and before 08.00 hours and after 13.00 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.)

Informatives

1. In relation to condition 6, the landscape officer has requested that a hedge be planted along the front boundary of the site.

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

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents: Trees and Development Sites, Listed Buildings, and District Design Guide
- Planning Policy Statements 1 and 5
- Planning File References: S/1199/10/F, S/0710/10/F, S/1900/02/F, S/1850/00/F, and S/1301/98/F.

Contact Officer: Karen Pell-Coggins - Senior Planning Officer
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 October 2010

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)

**S/0457/10/F – BASSINGBOURN CUM KNEESWORTH
Demolition of Existing Bungalow and erection of 9 New Dwellings,
At 155 The Causeway for NDR Contracting Ltd****Recommendation: Approval****Date for Determination: 19 May 2010****Notes:**

This Application has been reported back to the Planning Committee for re-consideration as the officer's report to the September meeting incorrectly identified the status of the site under the adopted Core Strategy 2007

Departure Application**Background**

1. Members will recall discussing this application at the September meeting (Item 8) when it was resolved to approve the application. The decision notice has not yet been issued.
2. In reporting the application to Members officers advised that the site was within the village framework of Bassingbourn and that as the adopted Core Strategy 2007, under Policy ST/6, identified Bassingbourn as a Group Village the principle of the development, which proposed a net increase of 8 dwellings, was acceptable.
3. Since the meeting officers have realised that the above policy advice is incorrect. Although Bassingbourn cum Kneesworth is a single Parish for purposes of the adopted Core Strategy the area of Kneesworth is identified separately from Bassingbourn in that document as an infill only village. The application therefore falls to be judged against Policy ST/7 rather than ST/6.
4. The site is within the village framework for Kneesworth, as identified in Inset Map 63 of the LDF Adopted Proposals Map 2010.
5. Policy ST/7 states that residential development and redevelopment within the village frameworks of infill villages will be restricted to not more than 2 dwellings (indicative size), and includes in its definition the redevelopment or subdivision of an existing residential curtilage.
6. Policy ST/7 also states that in very exceptional circumstances a slightly larger development (not more than about 8 dwellings) may be permitted where this would lead to the sustainable recycling of a brownfield site bringing overall positive benefit to the village.

S-0457-10-F



singbourn

orks

SITE

27.5m

ORCHARD CLOSE

THE CAUSEWAY

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September 2010 Planning Committee

7. Members are requested to refer to the officer's report to the September meeting for full details of the application and the replies to consultations. Since that report was written Anglian Water has confirmed that adequate capacity exists within the foul sewage system to cater for the number of dwellings proposed. This response was reported to Members at the September meeting and accepted.

Planning Comments

8. In giving pre-application advice to the applicant in January 2010 officers again referred to the site as being covered by Policy ST/6 rather than ST/7. At that time, and at the time of submission of the application in March 2010, the site would have been classified as brownfield land, however during the course of consideration of the application its status will have changed to greenfield land following the revisions to Planning Policy Statement 3 (Housing) published in June 2010.
9. The application has now been advertised as a departure from the development plan. In reconsidering the application against the criteria set out in Policy ST/7 officers are of the view that the application can be considered positively as a departure from the development plan for the reasons set out below.
10. Kneesworth has been indentified as being separate from Bassingbourn for the purposes of the Core Strategy as there is a physical gap between the two parts of the settlement, which is represented by a distance of 250m between the two village frameworks, and the fact that the main village services, in particular the Primary School, are located on the west edge of Bassingbourn away from Kneesworth. There is however a good footpath link and a bus route along The Causeway linking the two parts of the settlement.
11. The site brings forward 3 affordable dwellings as part of the scheme. Previously these dwellings would have been for general housing use however I am of the view that as the application is now a departure from the development plan the affordable housing should be treated in the same way as it would for an exception site, and priority now be given to qualifying persons from Bassingbourn cum Kneesworth. I will seek confirmation from the Housing Development and Enabling Manager that this can be secured in the legal agreement that will be required by condition.
12. Although no public open space is provided within the site itself, for the reasons set out in the September report, a contribution of just over £24,000 will be payable for the provision/improvement of existing recreational facilities in the village and a sum of just over £4,000 for the improvement of community facilities infrastructure.
13. At the previous meeting Members will have considered all other material planning considerations, including neighbour impact, highway safety, street scene and drainage and resolved that the application was acceptable in these respects.
14. Although the land is now greenfield by definition I am of the view that officers would have recommended to Members that given the date of submission and pre-application advice was before the previous brownfield status of the site was changed that approval of the application should be considered as a departure from the development plan in this case, for the reasons outlined above.
15. I am of the view that the application does not need to be referred to GO-East.

Recommendation

That subject to the expiry of the departure advert and the receipt of no materially new objections that delegated powers are given to officers to approve the application subject to the following conditions.

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. The development hereby permitted shall be carried out in accordance with the following approved plans: 15.09.10 Rev B franked 9th July 2010; 15.09.11 franked 9th July 2010; 15.09.12; 15.09.14 Rev A franked 9th July 2010; 15.09.15 Rev A franked 9th July 2010.**
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- 3. 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.)
- 4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment for each dwelling shall be completed before that dwelling is occupied in accordance with the approved details and shall thereafter be retained.**
(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- 5. 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.**
- 6. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.**
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

- 7. 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, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.**

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
- 8. Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.**

(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the adopted Local Development Framework 2007.)
- 9. No development shall commence until a surface water strategy/flood risk assessment has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the surface water strategy so approved unless otherwise approved in writing by the Local Planning Authority.**

(Reason - To prevent environmental and amenity problems arising from flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
- 10. No development shall take place until a plan showing the finished floor levels of the proposed dwellings in relation to the existing and proposed ground levels of the surrounding land has been submitted to and agreed in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.**

(Reason - In the interests of residential/visual amenity, in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- 11. During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.**

(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

- 12. The access and driveway shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority.**
(Reason – In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- 13. The permanent space to be reserved on the site for turning and parking shall be provided before the use commences and thereafter retained.**
(Reason – In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- 14. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.**
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- 15. Visibility splays shall be provided on both sides of the access and shall be maintained free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the highway boundary.**
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- 16. Prior to the first occupation of the development the junction of the access with the highway carriageway shall be laid out with 6m radius kerbs as shown on Drawing No 15.09.10 Rev B.**
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- 17. No development shall commence until details of a method statement relating to the process of construction of the dwelling and any effects this may have on the adopted public highway. In particular reference should be made to the control of debris, mud and dust, pedestrian and vehicle movements and the control of contractors parking. Development shall be carried out in accordance with the approved details.**
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- 18. Before development commences, a plan specifying the area and siting of land to be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction, shall be submitted to and approved in writing by the Local Planning Authority; such space shall be maintained for that purpose during the period of construction.**
(Reason – In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- 19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A and B of Part 1 of Schedule 2 of the Order shall take place, in respect of Plots 3 and 4, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.**
(Reason - In the interests of the amenity of the occupiers of adjacent properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

20. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the east facing elevations of Plots 2 and 4 and the west facing elevations of Plots 1, 3 and 5 at and above first floor level unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.**
(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
21. **Apart from any top hung vent, the proposed first floor windows in the east facing side elevations of Plots 2 and 4 and west facing side elevations of Plots 1 and 3, hereby permitted, shall be fitted and permanently glazed with obscure glass. Apart from any top hung vent, the proposed first floor en-suite window in the rear elevation of Plot 4, hereby permitted, shall be fitted and permanently glazed with obscure glass, and shall be permanently fixed.**
(Reason - To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
22. **No development shall begin until details of a scheme for the provision of affordable housing to meet the needs of the development in accordance with adopted Local Development Framework Policy HG/3 has 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 affordable housing in accordance with the above-mentioned Policy HG/2 and Policy DP/4 of the adopted Local Development Framework 2007.)
23. **No development shall begin until details of a scheme for the provision of recreational infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policy SF/10 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.**
(Reason - To ensure that the development contributes towards recreational infrastructure in accordance with the above-mentioned Policy SF/10 and Policy DP/4 of the adopted Local Development Framework 2007 and to the Supplementary Planning Document, Open Space in New Developments, adopted January 2009.)
24. **No development shall begin until details of a scheme for the provision of community facilities infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policy DP/4 has 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 community facilities infrastructure in accordance with Policy DP/4 of the Adopted Local Development Framework 2007.)

- 25. No development shall begin until details of a scheme for the provision of waste receptacles to meet the needs of the development in accordance with adopted Local Development Framework Policy DP/4 has 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 waste infrastructure in accordance with Policy DP/4 of the adopted Local Development Framework 2007.)

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Supplementary Planning documents
- Planning File Refs: S/0457/10/F

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

Presented to the Planning Committee by: Paul Sexton

`APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

TOWN AND COUNTRY PLANNING ACT 1990

This item is intended to update Members on appeals against planning decisions and enforcement action. Information is provided on appeals lodged, proposed hearing and inquiry dates, appeal decisions and when appropriate, details of recent cases in interest.

1. Decisions Notified By The Secretary of State

Ref No.	Details	Decision and Date
S/0796/09/LB	Mr G Wieland Pynes House 8 Chapel Street Duxford Orangery to rear elevation	Dismissed 10/08/10
S/0795/09/F	Mr G Wieland Pynes House 8 Chapel Street Duxford Addition of Orangery	Dismissed 10/08/10
S/0945/09/LB	Mr & Mrs M Talbot Cherry Holt Potton Road Guilden Morden Single storey lean-to –extension	Dismissed 12/08/10
S/0944/09/F	Mr & Mrs M Talbot Cherry Holt Potton Road Guilden Morden Single storey lean-to –extension	Dismissed 12/08/10
S/1538/09/F	Cambridgeshire County Council Worts Farm, High Street Landbeach Single-storey lean-to extension of granary to create office/studio (B1 use)	Dismissed 13/08/10
S/1731/09/LB	Cambridgeshire County Council Worts Farm, High Street Landbeach Single-storey lean-to extension of granary to create office/studio (B1 use)	Dismissed 13/08/10
S/1403/09/F	Dr & Mrs Gibson Avondale, 122 Bridge Street Whaddon Two single –storey rear extensions and other minor alterations	Allowed 20/08/10

S/1404/09/F	Dr & Mrs Gibson Avondale, 122 Bridge Street Whaddon Two single –storey rear extensions and other minor alterations	Allowed 20/08/10
S/1216/09/F	Mr J Webb 23 Barley Road Great Chishill Dwelling	Dismissed 24/08/10
S/1522/09/F	Mr M R Scurll Rear of 30-34a Schole Road Willingham Erection of new dwelling	Dismissed 31/08/10
S/1467/09/F	Mrs D Reeve NE of 37 Cambridge Road Impington Detached Dwelling	Dismissed 06/09/10
S/1622/09/F	Mr P Thwaites Kingston Pastures Farmhouse Old Wimpole Road Kingston C of U agricultural barn/stable to an office/domestic use	Allowed 06/09/10
S/1624/09/LB	Mr P Thwaites Kingston Pastures Farmhouse Old Wimpole Road Kingston C of U agricultural barn/stable to an office/domestic use	Allowed 06/09/10
S/1929/09/F	Mr I McArdle 36 Barton Road Comberton Conversion and alteration works to a cartilage listed barn and cart-lodge range to form a one0bed annex. The works include a single-storey infill section of new build linking the 2 existing structures	Dismissed 06/09/10
S/1930/09/F	Mr I McArdle 36 Barton Road Comberton Conversion and alteration works to a cartilage listed barn and cart-lodge range to form a one0bed annex. The works include a single-storey infill section of new build linking the 2 existing structures	Dismissed 06/09/10

S/0429/10/F	Mr & Mrs Franklin The Old Dairy Wimbish Manor Estate Fowlmere Road Shepreth Extension and Dormer Windows	Dismissed 07/09/10
S/1741/09/F	Ms F Roberts 48 Fen Road Milton Single storey Dwelling	Dismissed 08/09/10
S/0415/10/F	Mr J Harrow 25 Cherry Orchard Fulbourn 2 storey side extension	Dismissed 08/09/10
S/1694/09/F	Mr & Mrs Sharpe Sycamore House Restaurant 1 Church Street Little Shelford Dwelling and parking to No 1 Church Street	Allowed 09/09/10
S/0742/10/F	Miss Lucas 14 Cottenham Road Histon Extension	Dismissed 15/09/10
S/1497/09/LB	Dr & Mrs Tew 48 West Green Barrington Replacement windows	Dismissed 16/09/10
S/1332/09/F	AMA Development Plot 7 The Willows Highfields Caldecote Erection of a dwelling	Dismissed 20/09/10
S/1546/09/F	Mr & Mrs Binks Rear of 25 Hollytrees Bar Hill Detached Bungalow	Dismissed 21/09/10
S/1249/09/F	Mr Morison 5 The Valley Comberton Extension and Alterations to form a new dwelling	Dismissed 21/09/10

2. Appeals received

S/0570/10/F	Mrs S Shadbolt 14 Sheralds Croft Lane Thriplow Change of Use of land to form part of garden area	06/08/10 Delegated Refusal
S/0114/10/F	Mr Hubbs 16a Norman Way Industrial Estate Over Change of Use from light industrial to licensed premises (private members club)	16/08/10 Delegated Refusal
S/1904/09/F	Mr & Mrs Mac Churchman 50 Church Lane Cottenham Replacement Dwelling	16/08/10 Delegated Refusal
S/0234/10/F	Mr G Nelson 12 Green Street Willingham 9 Dwellings following demolition of existing	19/08/10 Committee Refusal
S/0831/10/A	Russells (Mr R Russell) 70 High Street Sawston Sign	26/08/10 Delegated Refusal
S/1397/09/O	Banner Homes Ltd Rear 18-28 Highfields Road Caldecote 97 dwellings	25/08/10 Committee Refusal
S/0700/10/F	Shelford Properties Ltd NE of 11 Cambridge Road Great Shelford Dwelling with attached Garage	03/09/10 Delegated Refusal
S/1178/09/F	Mr P McCarthy Plot 12 Victoria View Smithy Fen Cottenham Temporary permission for chalet, touring caravan and wooden day room	10/09/10 Committee Refusal

S/0765/10/F	Mr P Lewis 8 Kirbys Close Over Extension	07/09/10 Refusal
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S/1608/09/F	S Taylor The Old School High Street Fen Drayton Change of Use from Offices to Childrens Nursery	17/09/10 Committee Refusal
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3. Local Inquiry and Informal Hearing dates scheduled before the next meeting on 6 October 2010

None

4. Appeals withdrawn or postponed:

None

**5. Advance notification of future Local Inquiry and Informal Hearing Dates
(subject to postponement or cancellation)**

Plaenf 3837	Mr F Cooke	Hill Trees Shelford Bottom Stapleford	Inquiry Confirmed 12/10/10
S/0180/10/F	Mr A Houghton	47 London Road Harston	Hearing Confirmed 26/10/10
S/0177/03/F	Mr Biddall	Biddalls Boulevard Meldreth	Inquiry Confirmed 02/11/10
S/0147/10/LDC	Mr J Calladine	Green Acre Farm Oakington	Inquiry Confirmed 23/11/10

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 October 2010

AUTHOR/S: Executive Director (Operational Services) / Corporate Manager
(Planning and New Communities)

CURRENT ENFORCEMENT ACTION CASES

Purpose

1. To update Members about current enforcement action cases as at 20 September 2010

Ref No	Village	Location	See Page No for full update	Remarks
18/98	Cottenham	Setchell Drove	1 – 4	Plots 7, 7A and Four Winds being monitored.
34/98	Milton	Camside Farm Chesterton Fen Road	4 – 10	Defendants appeared before Cambridge Magistrates Court on 15 th May 2007. Each given a conditional discharge for 18 months with £200 costs. Planning permission S/1653/07/F approved 12 th August 2008. Letter received from defendants Solicitors regarding current circumstances – File submitted to Legal for opinion. Defendant's circumstances remain unchanged. Legal Officer informed.
10/03	Cottenham	Plot 12 Victoria View, Smithy Fen	10 – 13	<p>Site being monitored. Not currently proceeding with legal action as a result of decision by Planning Sub-Committee on 18th June 2007. Further assessment of the current occupants medical needs to be carried out in order that the Planning Sub-Committee can be informed of the current position at plot 12 Victoria View.</p> <p>Further planning application submitted reference no S/1178/09/F - Refused at Planning Committee 3rd March 2010. Report to be submitted to Planning Sub Committee.</p>

Ref No	Village	Location	See Page No for full update	Remarks
19/03	Histon	Land adjacent to Moor Drove Cottenham Road	13 - 15	Application for injunction refused by the High Court, 5 th June 2008. Planning Appeal allowed, planning conditions to be monitored. All schemes required as part of the planning conditions have been submitted within timescale. The planning officer has requested further information in order that the schemes relating to conditions can be discharged.

Ref No	Village	Location	See Page No for full update	Remarks
9/04	Swavesey	Land adjacent to Cow Fen Drove	15 - 19	<p>Defendant appeared at Cambridge Magistrates Court on 10th January 2008. Each fined £700 with £200 costs.</p> <p>Refusal of planning permission S/1823/07/F and S/1834/07/F appealed. Hearing date listed for 6th January 2009</p> <p>S/1823/07/F "Appeal B" dismissed - Legal Officer to issue an Injunction in the High Court.</p> <p>S/1834/07/F "Appeal A" allowed subject to conditions.</p> <p>Defendants currently in discussions/ negotiations with housing and legal departments to comply with cessation of residential use.</p> <p>Negotiations have failed to provide an acceptable solution. Legal Officer to pursue Injunctive action.</p> <p>Injunction Order granted 4th November 2009 by His Honour Justice Seymour, requiring the Owners to cease residential occupancy by the 2nd December 2009.</p> <p>Site inspection carried out on the 3rd December 2009 revealed that the Order had not been complied with. Legal Officer informed.</p> <p>Formal warning letter issued to the defendants to vacate the premises.</p> <p>Further inspections confirmed that although the touring caravan had been removed from the site the defendants were still residing at the premises contrary to the Injunction Order.</p> <p>Committal Order instigated</p> <p>Defendants found guilty of contempt and were ordered to be committed to prison for a period of three months, suspended provided that the residential use of the land ceased and residential paraphernalia removed by the 4th June 2010. In addition the defendants were ordered to pay costs totalling £9556</p> <p>Further inspection carried out confirmed compliance with the Order. Monitoring to continue.</p>
13/05	Cottenham	Plots 5, 5a, 6, 10 & 11 Orchard Drive	19 - 21	<p>Planning Appeal dismissed. Further report to be considered by Planning Sub Committee.</p> <p>No change - Needs Audits to be carried out</p>

Ref No	Village	Location	See Page No for full update	Remarks
4/06	Cottenham	Plot 15 Water Lane Smithy Fen	21 - 22	Appeal dismissed on 29 th January 2007. File submitted for an application for an injunction. Report to be considered by Planning Sub Committee No change - Needs Audits to be carried out
8/06	Melbourn	1 London Way Clunchpits	23 - 24	Appeal allowed in part and dismissed in part. Partial compliance. Landscaping scheme now approved. Highways & Environmental Health issues reviewed on site. Findings to be published shortly. No Change – Matter to be referred back to Planning Officer Institute Occupational Management to undertake a further risk assessment on the right of way / asbestos issue
7/07	Barton	The Drift Cambridge Road	24 - 25	Appeal dismissed on the 1 st April 2008. Compliance date 1 st October 2008 Partial compliance. Discussions continue.

Ref No	Village	Location	See Page No for full update	Remarks
12/07	Whittlesford	The Firs 117 Duxford Road	26 - 27	<p>Enforcement Notice issued for unauthorised wall. Appeal dismissed. Planning application S/0360/08/F approved 25th April 2008. Monitoring planning conditions. Further planning application S/1701/08/F submitted. Refused at Chairman's Delegation 10th December 2008 – Enforcement Notice effective in three months unless a planning application is submitted that significantly lowers the height of the wall/fence, brick pillars and gates. Discussions relating to the submission of a further application currently taking place. Further Appeal submitted - Appeal dismissed. Original approved planning permission S/0360/08/F expired. Fresh application submitted under planning reference S/0054/10/F. Waiting decision. Application successful, subject to completion within timescale of three months i.e. 16th June 2010. Partial compliance – Waiting for replacement gates currently on order</p>
16/07	Willingham	38 Silver Street	27 - 28	<p>Enforcement Notice issued 28th September 2007 for unauthorised work on Listed building. At Cambridge Magistrates Court on 10th January 2008 the owner was fined £10,000 for unauthorised works. A Listed building application S/0192/08/LB, approved 19th March 2008 complies with first part of the Enforcement Notice. Site is being monitored for compliance. Owner interviewed regarding failure to instigate remedial works. Timetable agreed. Works commenced</p>

Ref No	Village	Location	See Page No for full update	Remarks
5/08	Milton	27/28 Newfields Fen Road Chesterton	28 – 29	Enforcement Notice appealed. Hearing date to be confirmed. Fresh application submitted. Appeal dismissed 6 th May 2009, four months compliance period. Further planning application received and registered. Application S/1170/09 approved 24 th November 2009, Conditions to be monitored. Further planning application submitted – Ref: S/0246/10/F. Pending Decision.
6/08	Milton	6 Sunningdale Fen Road Chesterton	30	Enforcement Notice appealed. Inquiry date 10 th February 2009 Appeal allowed on ground (a) Conditional planning permission granted. Compliance period six months i.e. by 18 th August 2009. Planning application received and registered. Application S/1154/09 approved 5 th October 2009 – Conditions to be monitored. Original building not removed as per condition – File to be submitted to Legal
12/08	Histon	Plot 4 Moor Drove	31	Prosecution file submitted to Legal regarding failure to comply with a “Temporary Stop Notice” Enforcement Notice Issued. Retrospective planning application submitted. Approved at Committee 10 th June 2009 Conditions to be monitored

Ref No	Village	Location	See Page No for full update	Remarks
13/08	Melbourn	49 High Street	31 - 32	<p>Enforcement Notice issued. Prosecution file submitted to Legal for failing to comply with the Enforcement Notice. Defendants found guilty at Cambridge Magistrates Court.</p> <p>Enforcement Notice still not complied with. Further prosecution file submitted Hearing date set for 9th July 2009. Male Defendant ejected from court, case adjourned until 23rd July 2009. Both Defendants found guilty at Cambridge Magistrates Court, and fined £1000 each with costs totalling £520</p> <p>Enforcement Notice not complied with, Prosecution file submitted, Hearing date set for 17th December 2009</p> <p>Both defendants found guilty at Cambridge Magistrates Court and fined £2195 each including costs of £180 each and £15 each victim surcharge.</p> <p>Enforcement Notice still not complied with. File submitted to Legal to instigate formal action.</p>
01/09	Great Abington	82 High Street	32 - 33	<p>Listed Building Enforcement Notice no 3342 issued 6th January 2009 for unauthorised works on a Listed building. Compliance period 3 months.</p> <p>Appeal submitted out of time – Prosecution file to be submitted to Legal. Discussions continue to resolve.</p> <p>Listed Building Enforcement Notice complied with in part – Negotiations continue.</p> <p>Planning Appeal dismissed 26th May 2010.</p>

Ref No	Village	Location	See Page No for full update	Remarks
06/09	Over	16a Norman Way Industrial Units	33 - 34	<p>Enforcement Notice issued for change of use of premises without consent. Appealed. Appeal allowed on ground (g) and enforcement notice varied by the deletion of three months and substitution of six months as the period for compliance. Subject to this variation the enforcement notice is upheld. Further planning application submitted, validated 27th January 2010. Planning reference S/0114/10/F. Planning application unsuccessful, formal notice to cease unauthorised use issued.</p> <p>Warrant obtained and executed, evidence obtained regarding the continued breach of the Enforcement Notice, reference no 3457 issued 7th April 2009. Owner and Operator summoned to appear at Cambridge Magistrates Court 16th September 2010.</p> <p>Court date deferred until 7th October 2010</p>
07/09	Sawston	163 High Street	34 - 35	<p>Listed Building Enforcement Notice issued for dismantling and removal works without authorisation. Appealed – Hearing date 5th January 2010.</p> <p>Appeal withdrawn.</p> <p>Formal discussions with Conservation Team as to next steps.</p>

Ref No	Village	Location	See Page No for full update	Remarks
12/09	Histon	6 Cottenham Road	35	<p>Enforcement Notice issued in respect of breaches of control – Compliance period six months i.e. by 30th March 2010. Appealed – Hearing date 9th March 2010.</p> <p>Appeal 1 – Appeal dismissed and Enforcement Notice upheld. Appeal 2 – Appeal allowed only in part and planning permission granted subject to condition. i.e. The use of the extension permitted shall be confined to domestic purposes incidental to the enjoyment of the dwelling house only and no business or trade shall be carried on from the extension.</p>
16/09	Milton	The Barn, Chesterton Fen Road,	35 - 36	<p>Enforcement Notice issued in respect of breaches of control – Compliance period four months i.e. by 6th February 2010. Appealed – Inquiry 13th & 14th April 2010 Inquiry date moved to 18th & 19th May 2010.</p> <p>Appeal dismissed – Compliance period 9 months i.e. February 2011.</p>
01/10	Histon	Land at Moor Drove	36	<p>Enforcement Notice issued – Compliance period to cease the unauthorised use two months i.e. by 15th April 2010 – Appeal submitted</p>
02/10	Stapleford	Hill Trees Babraham Road	36	<p>Enforcement Notice issued - Compliance period to cease the use of the land for motor vehicle sales and repairs one month i.e. by 15th April 2010 Appeal submitted.</p> <p>Public Enquiry date 12th October 2010</p>
03/10	Milton	2 Grange Park Chesterton Fen Road	36 - 37	<p>Enforcement Notice issued - Compliance period to demolish and remove materials from the land three months i.e. by 15th June 2010. Enforcement Notice Appealed.</p>

Ref No	Village	Location	See Page No for full update	Remarks
05/10	Great Wilbraham	9 Toft Lane	37	<p>Enforcement Notice issued - Compliance period to remove the mobile home six months i.e. by 15th September 2010 and one month for the two sheds and storage container i.e. by 15th April 2010.</p> <p>Part compliance – Steel storage container, and mobile home removed. Rear wooden structure dispute, waiting for further evidence.</p> <p>Referred back to planning officer</p>
06/10	Great Abington	Land at Pampisford Road,	37	<p>Enforcement Notice issued - Compliance period to remove unauthorised portable building three months i.e. 15th June 2010 Enforcement Notice Appealed.</p> <p>Enforcement Notice withdrawn on Legal advice and reissued. See case 20/10.</p>
13/10	Whaddon	North Road Farm Ermine Way	38	<p>Listed Building Enforcement Notice issued – Compliance period one calendar month, i.e. by 22nd April 2010</p> <p>Appeal submitted 4th March 2010.</p> <p>Appeal dismissed – New planning application (S/0292/10/LB) refused, further appeal lodged.</p> <p>Enforcement Notice withdrawn – Planning and Conservation Officers currently in negotiation with Owner</p>
17/10	Croxton	The Car Wash facility St. Neots Road	38	<p>Enforcement Notice issued – Compliance period to cease using any part of the land for residential use, two months i.e. by 12th June 2010. Enforcement Notice Complied with – Site to be monitored for 3 months.</p> <p>Dawn inspection revealed that residential occupation had recommenced – Prosecution file raised</p>

Ref No	Village	Location	See Page No for full update	Remarks
18/10	Harston	4 Home Farm 89 High Street	38 – 39	Enforcement Notice issued – Compliance period to remove the unauthorised satellite dish two months i.e. by 8 July 2010. Unauthorised satellite dish removed – Remove from active list
19/10	Stow-Cum-Quy	Park Farmhouse Station Road	39	Listed Building Enforcement Notice issued – Compliance period to remove the unauthorised gates three months i.e. by 8 August 2010. Notice Appealed. Listed Building Enforcement Notice withdrawn and reissued – See case 24/10
20/10	Great Abington	Land at Pampisford Road,	39	Enforcement Notice issued – Compliance period to remove unauthorised building, three months i.e. 15 th September 2010 Enforcement Notice Appealed.
21/10	Fowlmere	22 Pipers Close	39	Enforcement Notice issued – Compliance period to cease the use of the land for the purpose of motor vehicle sales and associated motor vehicle valeting, three months i.e. 8 th November 2010.
22/10	Little Abington	41 Cambridge Road	40	Enforcement Notice issued – Compliance period to remove the unauthorised development from the land, one month i.e. 1 st August 2010 Enforcement Notice complied with – Remove from Active list
23/10	Meldreth	Field Gate Nurseries 32 Station Road	40	Enforcement Notice issued – Compliance period to dismantle or demolish the structure of the extension and remove all resulting materials, rubble and /or spoil from the site, one month i.e. 12 th August 2010

Ref No	Village	Location	See Page No for full update	Remarks
24/10	Stow-Cum-Quy	Park Farm Station Road	40	Enforcement notice issued – Compliance period to remove unauthorised gates, one month i.e. by 6th September 2010
25/10	Thriplow	19 Whitehall Gardens	41	Enforcement Notice issued – Compliance period to restore the use of the land to that of a single dwelling and remove all development work which has been undertaken to enable the land to be used as four self-contained flats. Notice withdrawn – Negotiations with Owner continue

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

- Enforcement Action Progress Report as at 20th September 2010 (attached to the electronic version of the agenda on the Council's website)

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