

South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne  
Cambridge  
CB23 6EA

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



26 October 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.

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, 3 NOVEMBER 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

**The Council is committed to improving, for all members of the community, access to its agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you.**

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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 6 October 2010 as a correct record. These minutes are attached

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to the electronic version of the agenda, which can be accessed by following the links from [www.scambs.gov.uk/meetings](http://www.scambs.gov.uk/meetings)

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

<b>4.</b>	<b>S/0983/10/F- Cambourne (UC 11 Upper Cambourne)</b>	<b>3 - 16</b>
<b>5.</b>	<b>S/1247/10/F - Cottenham (50 Church Lane)</b>	<b>17 - 24</b>
<b>6.</b>	<b>S/1404/10/A - Duxford (42 Station Road East)</b>	<b>25 - 30</b>
<b>7.</b>	<b>S/0756/10/F &amp; S/0757/10/F - Foxton (Burlington Press 1, Station Road)</b>	<b>31 - 36</b>
<b>8.</b>	<b>S/1137/10/F - Fulbourn (Land off Cox's Drove)</b>	<b>37 - 44</b>
<b>9.</b>	<b>S/1297/10/F - Croydon (Croydon Farm, Lower Road)</b>	<b>45 - 58</b>
<b>10.</b>	<b>S/0244/10/F - Gamlingay (Unit 3 The Old Glove Factory, Church Street)</b>	<b>59 - 68</b>
<b>11.</b>	<b>S/1460/10/F - Histon (Etheldred House, Clay Street)</b>	<b>69 - 78</b>
<b>12.</b>	<b>S/1415/10/F - Shepreth (21 Meldreth Road)</b>	<b>79 - 86</b>
<b>13.</b>	<b>S/1101/10/F - Papworth Everard (Land West of Ermine Street South)</b>	<b>87 - 102</b>
<b>14.</b>	<b>S/1106/10/F - Great Abington (Barn Adjacent 44 North Road)</b>	<b>103 - 112</b>
<b>15.</b>	<b>S/1304/10/F - Landbeach (56 High Street)</b>	<b>113 - 122</b>
<b>16.</b>	<b>S/1679/09/F - Thriplow (Land to the South-West of 8 Woburn Mews &amp; 54 Woburn Place)</b>	<b>123 - 134</b>
<b>17.</b>	<b>S/1151/10/F - Bourn (Rockery Farm, Broadway)</b>	<b>135 - 144</b>
<b>18.</b>	<b>S/0816/10/F &amp; S/0817/10/LB - Kingston (The Old Rectory, Rectory Lane)</b>	<b>145 - 154</b>

#### **INFORMATION ITEMS**

<b>19.</b>	<b>Appeals against Planning Decisions and Enforcement Action</b>	<b>155 - 160</b>
<b>20.</b>	<b>Cambourne Drainage Update</b>	<b>161 - 162</b>

### **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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### **Toilets**

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

### **Disturbance by Public**

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

### **Smoking**

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

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## **EXCLUSION OF PRESS AND PUBLIC**

The law allows Councils to consider a limited range of issues in private session without members of the Press and public being present. Typically, such issues relate to personal details, financial and business affairs, legal privilege

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

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

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

### **Notes**

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

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## South Cambridgeshire District Council

## Planning Committee – 3 November 2010 – Declaration of Interests

Councillor .....

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

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

Reason:

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

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

Reason:

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

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

Reason:

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

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

Reason:

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

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

**Reason:**

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

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

**Reason:**

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

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**Reason:**

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

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**Reason:**

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

3 November 2010

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

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**S/0983/10/F - CAMBOURNE**  
**13 Dwellings (Affordable Housing) and Associated Works**  
**at East Part of Land Parcel UC11, Upper Cambourne**  
**for Cambridge Housing Society**

**Recommendation: Delegated Approval**

**Date for Determination: 25 October 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 whole of land parcel UC11 is 1.08 hectare and this application comprises just under half of the land parcel (approximately 0.3 hectares). UC11 is located in the heart of the northern part of Upper Cambourne and is accessed by the northern spine road (Stirling Way). To the north there is an area of existing hedgerow that forms part of the East West Greenway. To the south and east there are further housing development parcels that originally formed part of the 3300 consent and are now proposed to be developed as part of the 950 application (planning reference S/6438/07/O). The site is flat and vacant. A reserved matters application for 27 dwellings on the western part of UC11 went before the Planning Committee on 1 September and was approved.
2. This full planning application, received on 26 July 2010 and amended on 23 September 2010, proposes 13 dwellings and associated roads. The roadway runs in an east to west direction where it meets a cycleway that crosses the site in a north/south direction. A tree lined spur to the south links the development with land parcel UC15. The application proposes the development of three detached and ten semi-detached dwellinghouses. All of these dwellinghouses will be two-storey except for a single-storey dwelling on plot 24.
3. As amended, the west elevation of unit 30 now has a bay window and the rumble strips shown as traffic calming have been omitted in favour of 75mm ramps. The first of these changes was requested in order to ensure that there is greater natural surveillance from habitable room windows over the highway leading into land parcel UC15. The house types for several of the plots have also been amended at the case officer's request.

**Planning History**

4. **S/1371/92/O** - Outline permission granted for 3300 dwellings in April 2004.

5. **Upper Cambourne Development Briefing Document Revision H**, associated with this application, sets out the design principles for the site.

#### **Planning Policy**

6. Cambridgeshire and Peterborough Structure Plan 2003:  
**P9/8** Infrastructure Provision
7. South Cambridgeshire Local Plan 2004 (saved policies):  
**Cambourne 2** – Development in accordance with Cambourne Design Guide.  
**SE7** – New Settlement of Cambourne
8. Local Development Framework Core Strategy 2007:  
**STa-k** Objectives arising from the Strategic Vision for South Cambridgeshire  
**ST/4** Rural Growth Centres
9. Local Development Framework Development Control Policies 2007:  
**DP/1** Sustainable Development  
**DP/2** Design of New Development  
**DP/3** Development Criteria  
**DP/6** Construction Methods  
**HG/5** Exception Sites for Affordable Housing  
**NE/6** Biodiversity  
**NE/14** Lighting Proposals  
**TR/1** Planning for More Sustainable Travel  
**TR/2** Car and Cycle Parking Standards
10. Open Space in New Developments SPD – adopted 2009  
**Trees and Development Sites SPD - adopted 2009**  
**Affordable Housing SPD – adopted 2010**  
**District Design Guide SPD – adopted 2010**
11. **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.
12. **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**

13. **Cambourne Parish Council** recommended refusal of the original plans on the following grounds:
  - (a) The design and layout of the site is boring, unimaginative, lazy and too uniform.
  - (b) Excessive amount of tandem parking.
  - (c) There is no LAP.
  - (d) Concern that the % of affordable housing is high compared to market housing due to the delay in construction of market housing.
  - (e) Concern over lack of front gardens.
  - (f) Lack of consultation from the developers with the Parish Council prior to submission of the application.

- (g) There is insufficient information to satisfy the Council that the drain infrastructure has the capacity to take further dwellings.

The following proposal was agreed by the Council and will apply until it is satisfied that the drain situation has been resolved.

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.

14. **Ecology Officer** – considers the scheme of nest box provision to be satisfactory.
15. **Partnership Projects Officer** – “Circle Anglia submitted a bid for funding to the HCA, which the Local Authority supported by confirming that it is one of our top priority schemes needing the HCA's support. The deadline of 4<sup>th</sup> October was missed and the bid was not successful. Since then I've had discussions with the HCA and the RSL partners to look at our options. The HCA are aware that this site is of strategic importance to the Local Authority and we've agreed that the scheme will go into the "in yr bidding" programme and wait for any funding slippage within the current HCA programme. In the mean time the RSL and I are working to agree a flex within the tenure mix that would allow them to continue to progress the scheme, as this will then stand a better chance of attracting funding in the future.”
16. **Landscape Officer** – has no objection and has requested that a scheme of landscaping be submitted.
17. **Urban Design** – has no objection to the amended plans.
18. **Cambridgeshire Fire and Rescue** – has requested that adequate provision be made for fire hydrants.
19. **Local Highway Authority (Cambridgeshire County Council ('CCC'))** – has requested that several conditions relating to visibility and surface water drainage onto the public highway be attached to any consent that is granted. Concerns are also raised about the use of 'rumble' strips as traffic calming features and it is requested that they be changed to 75mm ramps.
20. **Police Architectural Liaison Officer** – has advised that plots 26 and 27 need protecting with defensible planting.
21. **Education (CCC)** – has confirmed that, as the application is for 100% affordable housing, no education contribution will be sought.
22. **Anglian Water** – has no objection and has confirmed that Uttons Drove Sewage Treatment Works has the capacity to accommodate the foul drainage from this development. Several informatives have been suggested.

### **Representations**

23. None received.

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

24. This application has been submitted as a full application due to the fact that the dwelling numbers fall outside of the 3300 dwellings that were originally approved at Cambourne under S/1371/92/O. The submission of this latest application is due to the fact that a bid had been submitted to the Homes and Communities Agency ('HCA') for a grant to fund forty affordable dwellings on land parcel UC11. These forty dwellings include the twenty-seven that were approved by Planning Committee on 1<sup>st</sup> September (S/0982/10/RM) and the thirteen dwellings that are proposed in this application. The somewhat complicated situation of submitting a reserved matters and a full application for different parts of the land parcel came about out of a need to meet the timeline to secure the funding for the delivery of the affordable housing. In the intervening period since approval of the reserved matters application this bid has been turned down, due to the fact that planning permission was not in place for all of the dwellings in the land parcel. However this application is still to be determined and the applicant is exploring means of securing alternative funding with the Council's Partnership Projects officer.
25. The submission of a full application means that planning issues that could not be considered during the determination of the reserved matters application, due to the fact that they were covered by the original outline consent, now need to be considered. These include issues such as drainage and the provision of open space and community facilities. In addition to these additional considerations, the Parish Council's and other consultees' comments about design and levels of affordable housing at Upper Cambourne are addressed below.

### ***Design***

26. The layout of the east part of land parcel UC11 is a continuation of the approved scheme for the west part and the dwellings have been located so that they positively address the highway and cycleway that cross through the site. The route through the land parcel to UC15 has also influenced the location of the dwellings within the site and allows for runs of houses to be continued into the neighbouring land parcel. Although not within the site edged red of this application, the LAP has a central location within the land parcel.
27. Other than the Parish Council there are no objections to the use of tandem parking, as it allows the dwellinghouses to present strong frontages to the highway, which would also be weakened by having front gardens. It is important for the occupants of the dwellings to have an area of 'defensible space' at the fronts of their properties, which this proposal achieves. The Police Architectural Liaison Officer's comments about defensible planting will be taken into consideration when a scheme of landscaping is submitted in order to discharge the relevant condition.

### ***Affordable Housing***

28. These additional thirteen units are outside the original outline consent, which achieved 30% affordable housing. As the application proposes 100% affordable housing within the village, policy HG3 of the adopted LDF is fully complied with.

### ***Drainage***

29. As this is a full application, drainage is one of the matters that need to be considered, especially in light of the present problems at Cambourne with surface water entering

the foul water system. An update on the issue of drainage, and the works to resolve it, will be given by Stephen Reid at the beginning of the meeting. The problems with flooding are not a result of the foul water system being unable to cope with the amount of housing at Cambourne and officers recognise that MCA is actively seeking a solution, which requires ongoing investigation works. Although Members and the Parish Council have concerns about the ongoing situation it should be recognised that resolution of this matter is not something that can be achieved by this applicant and the refusal of this application would delay the delivery of affordable housing. However, as foul drainage from the additional dwellings discharging into the existing system could exacerbate the problems of flooding after heavy rain events, a control mechanism is therefore considered necessary.

30. In order to mitigate any potential impact that these additional dwellings may have it is proposed to use a planning condition that would allow the dwellings to be constructed but not occupied until such time as officers were confident that the issues surrounding the existing foul and surface water drainage systems had been resolved. The applicant's agent has indicated that the build out of UC11 is unlikely to take place until next year, though they are keen to limit the costs of putting in the infrastructure for the thirteen dwellings by carrying out the works at the same time as putting in the infrastructure for the twenty-seven dwellings that have already been approved. If this infrastructure had to be put in at a latter date then it would have significant cost implications. With this condition in place the applicant would have to consider whether it had the confidence in MCA to resolve the drainage problems before work started on building out the additional thirteen dwellings. In addition to the aforementioned condition, the submission of details of the foul and surface water drainage will also be required by way of conditions. These conditions would allow the Council to ensure that the drainage scheme would not allow surface water to enter the foul water system and until the dwellings were occupied there would be no additional foul water entering the system.

***Section 106 requirements and conditions***

31. A full application of this scale would normally require financial contributions to be secured by way of a Section 106 agreement. Negotiations are ongoing with the applicant about the requirements of the S106, though officers have stated that the S106 would need to cover issues such as public art, public open space, community facilities, bins and possibly education. The County is reviewing its position on this last item. Delegated approval is therefore sought for this application on the basis that a S106 will be drawn up to secure relevant contributions
32. In addition to the requirement for a S106 there are also a number of conditions that were attached to the outline consent for Cambourne that are still relevant to this proposal and will therefore need to be attached to any consent that is granted. At the committee meeting of 6<sup>th</sup> October 2010 a question was raised about conditions 38 to 41 of the original outline consent, which relate to the protection of aquifers. These conditions will be attached to the planning consent and are therefore listed below.

## Recommendation

33. Delegated approval (as amended by drawings received on 11 and 26 August 2010) - subject to the following conditions and completion of a S106 legal agreement:

### 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 AA0724\_2.1\_10 rev B, AA0724/2.1/001 rev E, AA0724/2.1/03 rev D, AA0724-2.3-101 rev A, AA0724-2.3-102 rev A, AA0724-2.3-103 rev A, AA0724-2.3-104 rev A, AA0724-2.3-105 rev A, AA0724-2.3-106 rev A, AA0724-2.3-107, AA0724-2.3-108, AA0724-2.3-109, AA0724-2.3-110, AA0724-2.3-201 rev B, AA0724-2.3-202 rev B, AA0724-2.3-203 rev A, AA0724-2.3-204, AA0724-2.3-205 rev A, AA0724-2.3-206 rev A, AA0724-2.3-207, AA0724-2.3-301 rev B, AA0724-2.3-302 rev A, AA0724-2.3-303 rev A, AA0724-2.3-401 rev A, AA0724-2.3-501 rev A, AA0724-2.3-502 and AA0724-2.3-701.**  
(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 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.)
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 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.)

6. **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.)

7. **Development shall not take place within 100 metres of the boundaries of occupied dwellings other than in accordance with a scheme to be submitted to and approved by the Local Planning Authority specifying measures to be taken when carrying out construction work to protect those properties against the noise of construction works and construction traffic.**

(Reason – To protect residents of nearby occupied properties against the noise of construction work and construction traffic, in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

8. **Prior to the commencement of any development, a scheme for the provision and implementation of foul and 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 reduce the risk of pollution to the water environment and 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/11 and NE/10 of the adopted Local Development Framework 2007.)

9. **None of the dwellings, hereby approved, shall be occupied until it has been demonstrated to the satisfaction of the Local Planning Authority that any foul drainage or surface water drainage discharge will not exacerbate the issue of flooding elsewhere in Cambourne that has arisen as a result of surface water entering the foul drainage system.**

(Reason - To ensure that the risk of flooding elsewhere in Cambourne, as a result of surface water entering the foul drainage system, is not increased as a result of this development, in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

- 10. Prior to the commencement of any development, a scheme for the provision and implementation of pollution control 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 with the Local Planning Authority.**  
(Reason - To reduce the risk of pollution to the water environment in accordance with Policy DP/1 of the adopted Local Development Framework 2007.)
- 11. 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.)
- 12. The use, hereby permitted, shall not commence [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.)
- 13. 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.)
- 14. 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.)
- 15. 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.)

- 16. Save with the written consent of the Local Planning Authority all pipes, meter boxes, fibres, wires and cables required by statutory undertakers and all other appropriate bodies including cable T.V. operators shall be placed underground or in suitably concealed locations where this would not damage areas of ecological or archaeological importance.**

(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.)

- 17. 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.)

- 18. 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.)

- 19. 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.)

- 20. 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.)

- 21. 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.)

- 22. 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.)

- 23. Any oil or liquid chemical storage tanks and associated pipework shall be sited within an impervious bunded area details of which shall have been previously submitted to and approved by the Local Planning Authority.**

(Reason – To prevent water pollution.)

- 24. All chemical storage areas and associated vehicle unloading areas shall be undercover and drained to a watertight sump.**

(Reason – To prevent water pollution.)

- 25. Surface water from impermeable vehicle parking areas and service areas shall not be discharged other than through a storm by-pass oil interceptor the details of which shall have previously been submitted to and approved by the Local Planning Authority.**

(Reason – To prevent water pollution.)

- 26. All surface water from roofs, roads and hardstanding areas shall not be discharged other than to a piped positive system incorporating trapped road type gullies unless otherwise agreed by the Local Planning Authority.**

(Reason – To prevent water pollution.)

#### **Informatives.**

1. This Decision Notice is accompanied by a List of Approved Drawings.
2. This planning approval is subject to a Section 106 agreement covering.... (to be completed once negotiations have taken place)
3. The foul flows would discharge via Section 104 adoptable sewers. The owners would need to confirm approval/provide comments on available capacity of the private system, in conjunction with the agreed drainage strategy for the site. If the developer wishes to connect to Anglian Water's sewerage network they should serve notice under Section 106 of the Water Industry Act 1991.

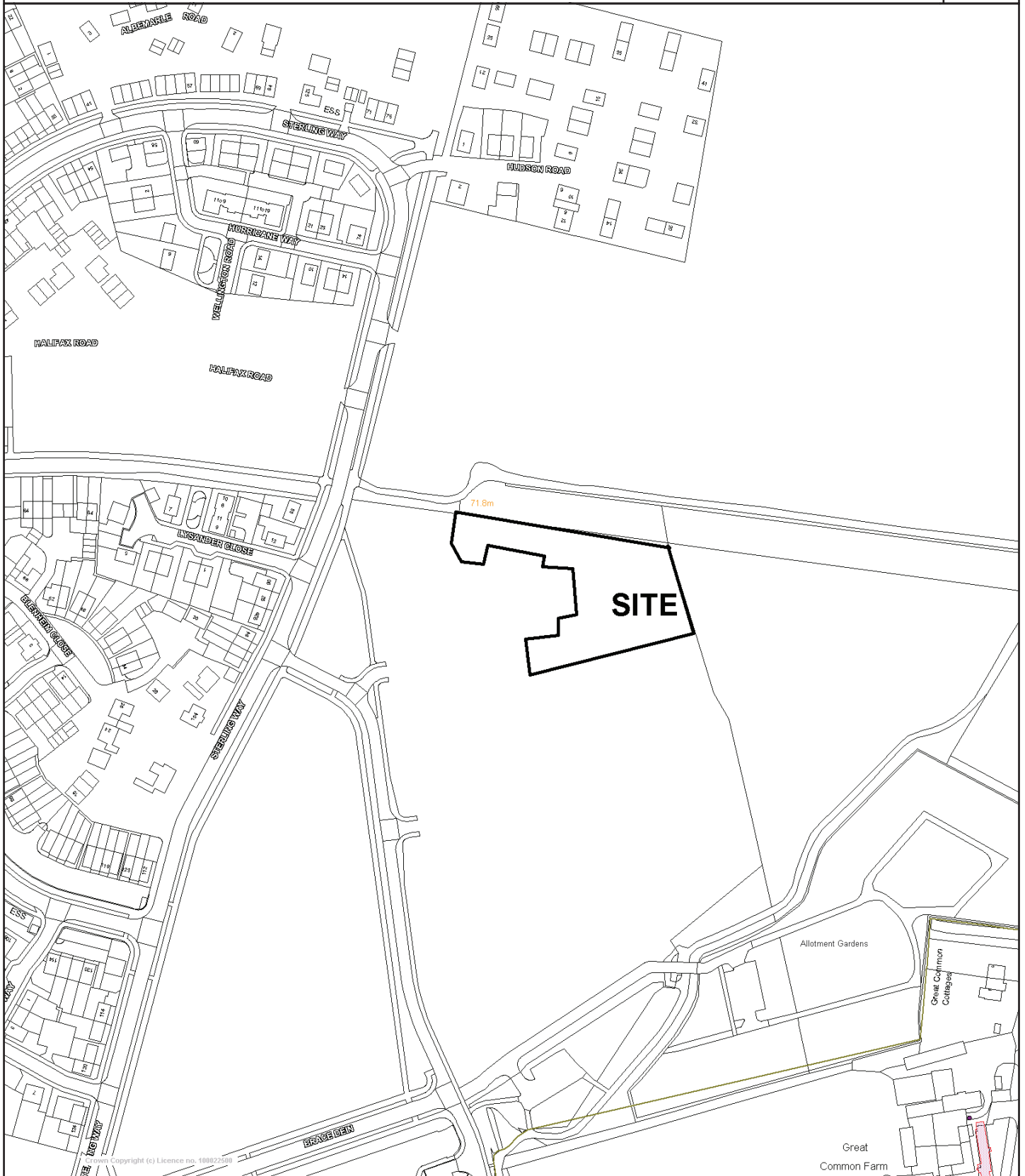
**Background Papers:** the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire LDF Development Control Policies DPD (adopted July 2007)
- South Cambridgeshire Local Plan 2004 (saved policies)
- Cambridgeshire and Peterborough Structure Plan 2003
- District Design Guide SPD
- Open Space in New Developments SPD
- Trees and Development Sites SPD
- Affordable Housing SPD
- District Design Guide SPD
- Planning File Ref: S/0983/10/F, S/1371/92/O, S/6438/07/O and S/0982/10/RM

**Contact Officer:** Edward Durrant – Senior Planning Officer  
Telephone: (01954) 713266

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S/0983/10 - Cambourne



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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

3 November 2010

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

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**S/1247/10 – COTTENHAM****Replacement Dwelling, 50 Church Lane, for Mr & Mrs Mac Churchman****Recommendation: Refusal****Date for Determination: 21 September 2010****Notes:**

**This Application has been reported to the Planning Committee for determination at the request of Cllr Lynda Harford.**

**Site and Proposal**

1. The application site comprises a residential site of approximately 0.4639ha. Church Lane lies to the north east of the village forming part of the rural edge and as such is outside of the Cottenham Development Framework boundary. No.50 lies just outside of the Cottenham Conservation Area and forms part of the setting of the Grade I Listed All Saints Church.
2. The application site comprises a small post war dwelling built from brick with a corrugated asbestos roof of mansard form. The external elevations are a mix of painted brick and render. The dwelling is of two-storey height, but due to its unusual roof form is very low comparative to the average two-storey dwelling. A relatively large single storey flat-roofed extension projects from the northwest elevation, which is contemporary to the dwelling. To the south east of the dwelling is a detached flat roofed garage of painted render.
3. Church Lane provides a single, un-metalled, track access to the dwelling and other small farm holdings to the southeast beyond. The dwelling is largely surrounded by open countryside and arable fields. However, there are a few sporadic dwellings on the north side of Church Lane within the first few hundred yards of the track. A soft boundary forms the frontage of the site and much of the side and rear boundaries. Where the landscaping is less dense a timber post a rail fence forms the boundary treatment. Adjacent to no.50 on the northwest side of the dwelling is No.40, an old bottling depot of simple, brick built and utilitarian character.
4. The full planning application, submitted on 27 July 2010, proposes the erection of a dwelling of barn-like character to replace the existing. The central element of the proposed dwelling is of two-storey height with single storey accretions projecting from the side, rear and front elevations. In addition a detached three bay garage structure is proposed, this is sited in front of the proposed dwelling. The principal dwelling proposed would have a ridge height of approximately 8.8m and would provide three bedrooms. The application is a resubmission following refusal of application ref. S/1904/09/F that sought erection of a replacement dwelling of almost identical design

to the current proposals. Application ref. An appeal against that refusal is currently being considered by the Planning Inspectorate.

5. The applicants have been informally liaising with the Planning Department regarding the redevelopment of this site since approximately July 2007 and have received pre-application advice stating that the scheme submitted is contrary to local and national policy.

### **Planning History**

6. **S/1904/09/F** – For the erection of a replacement dwelling of very similar design to the application under discussion was refused due chiefly to the fact that the size of the dwelling (in terms of height, floor area, and volume) was contrary to the stipulations of policy HG/7 (Replacement Dwellings in the Countryside) and was consequently found to harm the openness of the countryside. This refusal has been appealed and the Inspectors decision is pending.

### **Planning Policy**

7. **National Planning Policy**

Planning Policy Statement 7: Sustainable Development in Rural Areas states in paragraphs 17 and 19 that authorities considering applications for replacement dwellings in the countryside are required to have regard to certain matters, including the scale of replacement buildings and the impact upon the countryside. Paragraph 19 states that authorities should also set out the circumstances where replacement would not be acceptable and clarify the permissible scale of replacement buildings.

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

**DP/1** – Sustainable Development

**DP/2** – Design of New Development

**DP/3** - Development Criteria

**DP/7** – Development Frameworks

**HG/7** – Replacement Dwellings in the Countryside

**CH/5** – Conservation Areas

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

### **Consultations**

9. **Cottenham Parish Council** – Recommends approval and considers that the proposed dwelling would vastly improve the condition of the existing site.
10. **Conservation Officer** – Objects to the proposed development commenting that the proposed design is overly complex and overly domestic and would affect the rural setting of the Conservation Area.
11. **Local Highways Authority** - Raises no objection to the proposals.
12. **Landscape Design Officer** – The landscaping scheme proposed is an improvement on that previously proposed and apart from the two field maple planted near the building on the south east boundary, which is unwise, the planting is acceptable. Suggest that these acers are put closer to the road within the hedge mix B along the side boundary. The area of loose gravel at the front seems excessive. The overhead



cable pole should surely be in the lawn area in order to protect it. Suggests that a deeper lawn at the front would provide a better setting to the house.

### **Representations**

13. Comments received from the Cottenham Village Design Group stating; 'we support a replacement building on site...and welcome the principle of a barn-style unit. However, we still consider the proposed dwelling to have an overly complex footprint and roof plan; a simpler building with fewer projections would better reflect the local vernacular. We support the landscaping scheme'

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

14. The key issues to consider in the determination of this application are:
  - Policy HG/7 of the Local Development Framework – The impact upon the countryside
  - Whether the proposals overcome the reasons for refusal of application ref. S/1904/09/F

### ***Policy HG/7 and the Impact of the Proposals upon the Countryside***

15. The site is visible in views along Church Lane, however the current dwelling does not have a significant visual impact upon the surrounding countryside. This is due to its small floor plan and low height and the relatively mature boundaries that partially surround the site.
16. DCP Policy HG/7 supports the one for one replacement of a dwelling in the countryside (with a maximum enlargement of 15% of volume) providing the proposed replacement is in scale with the existing (is no higher), is in character with its surroundings and would not materially increase the impact of the site on the surrounding countryside.
17. Policy HG/7 alludes to a permitted 15% increase in volume for replacement dwellings over and above that of the existing. This element of the policy relates to permitted development rights. It is accepted that since this policy was adopted householder permitted development rights have been relaxed (October 2008) and thus it is potentially possible that a greater than 15% increase in volume over the original could be achieved outside of the scope of planning control. However it is considered that more pertinent than the prescriptive element of this policy are the considerations of the impact of re-development of the site upon the character and appearance of the surrounding countryside. This is the key objective of policy HG/7.
18. Notwithstanding the above, it is still expedient to look at the proportional relationship between existing and proposed volumes. For this we must rely upon the data provided by the applicant as the plans do not allow for a calculation of the existing volume. The volume of the existing dwelling is stated as being 356m<sup>3</sup> with the volume of outbuildings stated as being 160m<sup>3</sup>, giving a total of 516m<sup>3</sup>. The volume of the proposed replacement dwelling and outbuildings is stated as being 1421m<sup>3</sup>. Thus the proposed replacement dwelling has a volume that is 275% of that of the existing dwelling and outbuildings.

19. The additional volume of the proposed dwelling over that of the existing is emphasised by the substantial scale of the proposed dwelling, which at its highest point stands approximately 8.8m tall. The existing dwelling has a substantially lower maximum height standing at approximately 6.05m in height.
20. The proposed replacement dwelling is described as being barn-like. Whilst it is considered that a barn-like idiom is wholly appropriate for the site, the plan form and elevational form of the proposed dwelling are unduly complex and not reflective of traditional barn buildings in this part of the district. The proposed rear elevation departs almost entirely from the barn style that the proposal seeks to emulate and has a strong residential articulation that is conveyed by the fenestration on this elevation and a large chimney breast and stack. The vernacular architecture for barn structures in the area is conveyed by simple buildings of utilitarian character with few additional accretions or apertures. This is emphasised in the Cottenham Village Design Guide.
21. The additional scale and mass of the proposed replacement dwelling is considered to reduce the openness of the countryside at this point and to introduce a complex and alien form of structure that is not contextual to the rural surroundings or the vernacular of the adjacent settlement of Cottenham. The proposal is therefore contrary to criteria 1.b and 1.c of DCP policy HG/7.
22. It is acknowledged that the existing dwelling on the site is of little architectural merit and certainly the proposed dwelling is an architectural improvement. However it is reasonable to suggest that the same degree of architectural quality could be employed upon a replacement dwelling of a scale and mass that is in accordance with the stipulations of policy HG/7. To this end the Parish Council's assertions that the proposal is an improvement over the existing do not constitute a sufficient reason to disregard this adopted policy.

***Whether the proposals overcome the previous reasons for refusal of application ref. S/1904/09/F***

23. Application ref. S/1904/09/F was refused by virtue of the significant scale and mass of the proposed dwelling and the resultant impact upon the openness of the surrounding countryside relative to the current site.
24. The proposed scheme differs only subtly from the previously refused scheme. Three rooflights have been removed from the street fronting roof slope of the proposed dwelling and a second floor door and balcony on the south east elevation has been replaced with a vertically paneled timber door. The most notable revision is the reduction and re-orientation of a covered parking area in the front elevation. To the untrained eye the two proposed schemes would appear almost identical.
25. The scale (ridge height of 8.8m) of the proposed dwelling remains the same as the scheme previously refused. The volume of the proposed dwelling has been slightly reduced from that of the previously refused scheme which was stated as being 1488m<sup>3</sup> and is now 1421m<sup>3</sup>. This appears to have been solely achieved via the slight reduction in the size of the covered parking area proposed on the front elevation.
26. Having regard to the above it is considered that the proposals fail to overcome the reasons for refusal of the previous application on the site ref.S/1904/09/F and as such the proposals cannot be approved without undermining this previous decision.

**Recommendation**

27. **Refuse.**

**For the Following Reason:**

1. The proposed replacement dwelling is disproportionately larger than No.50 Church Lane, which it is intended to replace. The proposed design, although pursuing a barn-like ideal, is considered overly complex by way of its roof form, numerous accretions and the contradictory residential character of the rear elevation. Notwithstanding the proposed materials, the resultant structure is not contextual to the vernacular of traditional barn buildings in the area. By virtue of this disproportionate size and complexity the proposal is considered to have a materially harmful impact upon the relationship of the site to the surrounding open countryside, which largely comprises arable farmland. To this end the proposal is found to be contrary to policy HG/7 of the South Cambridgeshire District Council, Local Development Framework, Development Control Policies DPD, 2007 which seeks to ensure that all replacement dwellings in the countryside are in scale with the existing, are in character with their surroundings and would not materially increase the impact of the site on the surrounding countryside.

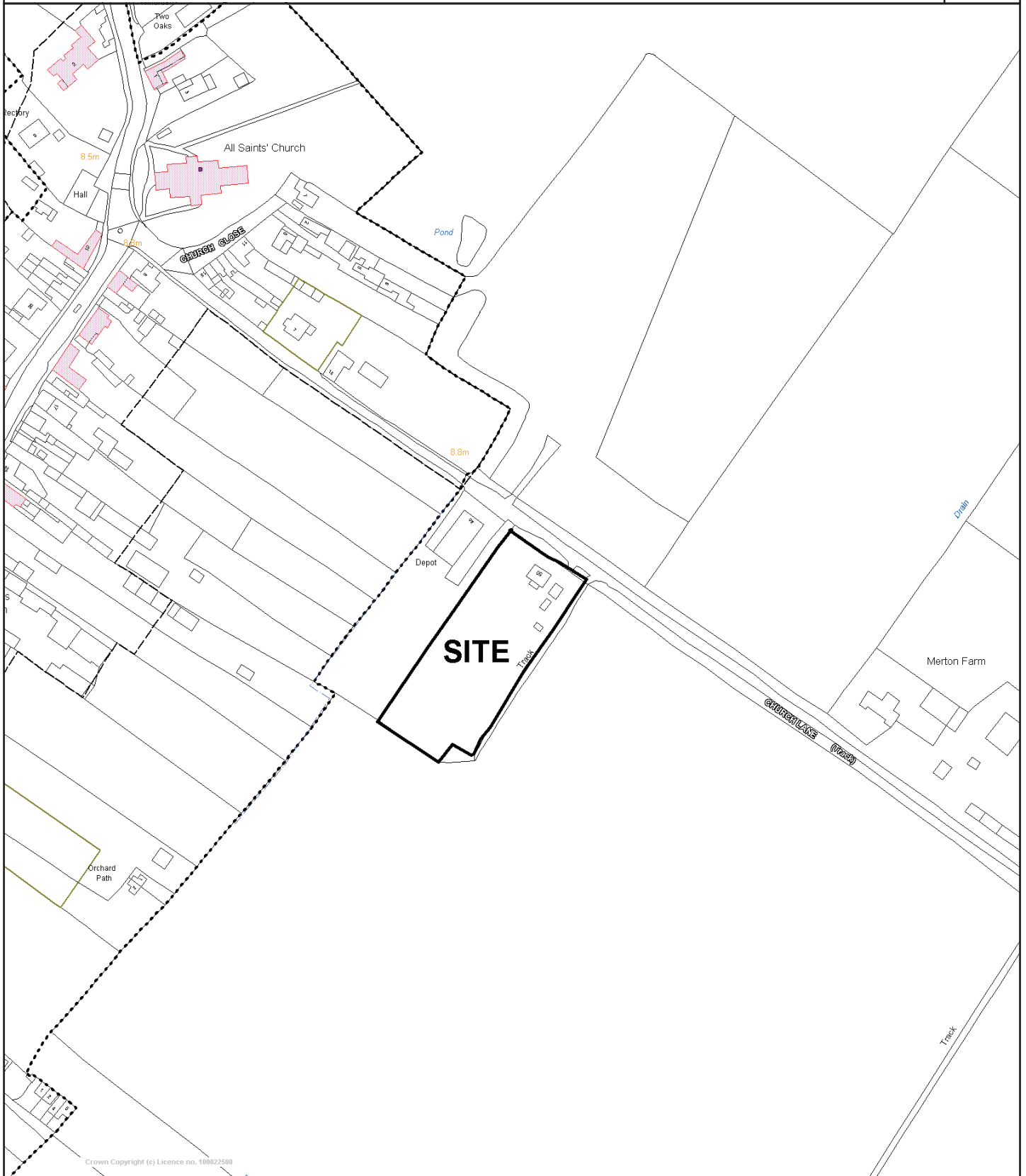
**Background Papers:** the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Development Framework 2007
- Planning Policy Statement 7: Sustainable Development in Rural Areas
- Cottenham Village Design guide

**Contact Officer:** Matt Hare – Senior Planning Officer  
Telephone: (01954) 713180

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S/1247/10 - Cottenham



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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

3 November 2010

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

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**S/1404/10/A - DUXFORD****Illuminated Wall Sign To South Elevation (Retrospective Application)  
At 42 Station Road East for Ms Sophie Gregorios Pippas****Recommendation: Refusal****Date for Determination: 15 October 2010****Notes:**

**This Application has been reported to the Planning Committee for determination at the request of Cllr Williams.**

**Site and Proposal**

1. This is a retrospective application for the display of an internally static illuminated sign on the consented Holiday Inn Express hotel building (under construction and close to completion). The sign is sited on the south elevation facing the A505. This is a Type 1 sign comprising H1.2m x W3.6m, projecting 170mm. Positioned 10.0m above ground level. The materials are acrylic face panels in an aluminium box.
2. The application has been supported by a Highway Statement prepared by Rutherfords Highway and Transport Planning.
3. The proposal relates to the grounds of The Red Lion Hotel, a grade II Listed building and Duxford Chapel, a grade II\* Listed building and a scheduled ancient monument. The chapel is also an Historic Property in the care of English Heritage and which is open to the public. The site lies within the village framework for Whittlesford Bridge (Inset Map 107 of the Adopted Proposals Map), adjacent to the railway line and Whittlesford Station, and an elevated section of the A505. To the east the site is adjoined by the railway station car park.
4. To the west, on the southern side of the A505, the Volvo premises have three flagstaffs on display. These are set back a considerable distance from the A505, but are visible to drivers on that road.

**Planning History**

5. **S/0453/10/A** – Display of 3 internally illuminated fascia signs and 1 entrance hanging sign. Part approved, part refused 23.6.10. In particular, Sign 1 South elevation facing A505. Sign Type 1 comprising H1.2m x W3.6m, projecting 170mm. Positioned 10.0m above ground level.- REFUSED
6. **S/1634/09/A** – Display of 3 fascia signs, entrance sign and three flagstaffs, part approved, part refused 8.1.10. In particular, Sign 1: South elevation facing A505. Sign

Type 1 comprising H1.5m x W4.5m, projecting 254mm. Positioned 9.2m above ground level. REFUSED.

7. There has been an extensive history of recent applications relating to the existing hotel, the hotel under construction and the grounds.

### **Planning Policy**

8. **South Cambridgeshire Local Development Framework Development Control Policies DPD 2007**  
**CH/8 (Advertisements)**

9. **DoE PPG Note No19 'Outdoor Advertisement Control'**

Consideration of 'amenity'

Paragraph 11. "In assessing an advertisement's impact on "amenity", LPAs should have regard to its effect on the appearance of the building or on visual amenity in the immediate neighbourhood where it is to be displayed. They will therefore consider what impact the advertisement, including its cumulative effect, will have on its surroundings. The relevant considerations for this purpose are the local characteristics of the neighbourhood, including scenic, historic, architectural or cultural features, which contribute to the distinctive character of the locality.

12. Where there is a group of buildings, whether in a city, town or village, the scale and massing of existing structures, the predominant land-use in the locality, the presence of "listed" buildings or a designated conservation area and any proposals (for example, in the development plan) for land-use change in the area will be relevant considerations. ... Whilst businesses located in the countryside will expect to be able to advertise their whereabouts, especially to visitors, care should be taken to ensure that signs are designed and sited to harmonise with their setting; and that a proliferation of individually acceptable advertisements does not spoil the appearance of open countryside.

10. **Circular 03/07: Town and Country Planning (Control of Advertisements) (England) Regulations 2007**

The site lies within an Area of Special Advertisement Control.

### **Consultation**

11. **Whittlesford Parish Council** Approval, commenting that the sign will serve a useful purpose 'unlike other signs in the near vicinity'.
12. **Duxford Parish Council** No comment received, but previously recommended approval with no further comment (S/0543/10/A).
13. **Local Highway Authority** - Objection on the grounds of highway safety, as the sign on the southern elevation is within an area of intense traffic movements and as such represents unnecessary and hazardous distractions to drivers.

Additional comments will be reported in an update.

14. **Highways Agency** – No comment to make. Refer to the Local Highway Authority.
15. **Council's Conservation Officer** No objection, commenting that the sign is within the settings of the grade II listed Red Lion and the grade II\* listed chapel. It is compatible with the character of the new hotel and therefore in the Conservation Officer's view



would not add significantly to the impact on the listed buildings. It would require the constant removal of branches to the adjacent tree but her understanding is that the tree is not protected.

16. **English Heritage** No comment received.

**Representations**

17. None received.

**Planning Comments**

18. The proposals relate to a large new building in a sensitive historic context. It is acknowledged that in this position it will not harm the setting of the listed building and scheduled ancient monument.
19. The sign that has been erected be prominent to view on the adjacent A505, which is its intention. The same sized sign and same siting was refused in S/0543/10/A on the grounds of highway safety following concerns expressed by the Local Highway Authority. A larger version of the sign in a slightly lower position was refused in S/1649/09/A on highway safety and conservation grounds, following concerns expressed by both the Local Highway Authority and the Conservation Officer. No appeals have been submitted against these decisions.
20. The submitted Highway Statement explains the need for the sign to enable customers to identify the position of the hotel from their car. It rejects the possibility of adding this information to existing signage on the A505 that serves the Red Lion Hotel as making the signs excessively large and potentially confusing. The report does not consider redesigning these signs in order to simplify them and to incorporate directional information. These signs are positioned at each approach to the entrance junction and would be suitable for this purpose. In any case, the sign that has been displayed does not include have any directional information to advise drivers of the distance to the turning, and so is less successful than a redesigned roadside sign could be in its function.
21. The report analyses the degree of driver distraction presented by the sign. In an easterly direction it is accepted that this sign is less likely to be a distraction for the reason that few drivers would be interested in it, having already passed the junction serving the hotel, therefore unlikely to be customers. When approaching from the west, the sign is higher and more distant than any roadside sign and so would cause drivers to turn their head to view it. This is a danger for road users, particularly customers seeking the site, but also is a further element of visual clutter for drivers in addition to the highway authority signage and Red Lion Hotel signage before reaching the Holiday Inn Express sign. The report draws attention to the visual clutter in the vicinity of Sawston Roundabout to the east, but this is not persuasive as a precedent as vehicle speeds here are appreciably lower.

**Conclusion**

22. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that advertisement consent should be refused in this instance.

**Recommendation**

23. Refusal, In accordance with the application dated 16 August 2010:
1. The advertisement, as displayed, is conspicuous from the adjacent A505 in an area of intense traffic movements and as such the proposed sign would represent an unnecessary and hazardous distraction to drivers. The displayed sign does not comply with South Cambridgeshire Local Development Framework Development Control Policies Development Policy Document 2007 Policy CH/8 Advertisements, which requires proposals for advertisements not to prejudice highway safety.
24. Enforcement action to secure removal of the advertisement.

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

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- DoE PPG Note No19 'Outdoor Advertisement Control'
- Circular 03/07: Town and Country Planning (Control of Advertisements) (England) Regulations 2007
- Planning Files Ref: S/1404/10/A, S/0543/10/A and S/1634/09/A

**Contact Officer:** Ray McMurray - Principal Planning Officer  
01954 713259



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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

3 November 2010

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

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**S/0756/10/F & S/0757/10/F - FOXTON****Variations of Condition 5 of Planning Permission S/1913/79/F, and Condition 4 of  
Planning Permission S/0861/87/F to Allow Use of the Access onto High Street  
For Burlington Press 1, Station Road (Retrospective)****Recommendation: Approval****Date for Determination: 7 July 2010**

**This Application has been reported to the Planning Committee for determination because the Parish Council comments conflict with the officer recommendation on material planning grounds.**

**Site and Proposal**

1. The application site of the Burlington Press lies within the Foxton village framework. Originally, there was a small track access leading to a gate adjacent to High Street, set between the original wall along High Street. Vehicle access runs through from the access around the building, linking to the main car parking area and access onto Station Road. A new access has been created onto High Street, with a section of wall replaced, the gate removed, and an area laid to tarmac and gravel.
2. The full applications, both received on 12 May 2010, seek to regularise the use of the access to allow vehicles to enter the site in this location, whilst retaining exits for emergency use only. The applications are accompanied by a planning statement and details of the proposed barrier to facilitate the access/egress arrangements.
3. Members should be aware that the newly created access onto High Street, the proposed barrier and the subsequent hardstanding laid down in the site do not require planning permission in their own right. The applications are required given the previous conditional restrictions on access to High Street.

**Planning History**

4. There is a long planning history for the Burlington Press site. The applications listed below are directly related to this application.
5. Planning application **S/1913/79/F** granted consent for an extension of the Burlington Press. Condition 5 restricted the use of the access onto High Street to be for emergency only. The reason for this was to minimise interference with the safety and free flow of traffic at a point where the road was narrow and close to the poor junction of High Street and Stockers Lane.
6. Planning Application **S/0861/87/F** granted consent for the extension to the printing works at the Burlington Press. Condition 4 again restricted the use of the access onto High Street to be for emergency only.

7. Planning applications **S/1210/09/F** and **S/1043/09/F** were refused dated 15<sup>th</sup> October 2009 for the variations of condition 5 of Planning Permission S/1913/79/F, and condition 4 of planning permission S/0861/87/F to allow use of the access onto High Street (retrospective). Both were refused on grounds of highway safety given the poor visibility for vehicles exiting the site.

### **Planning Policy**

8. **Local Development Framework Development Control Policies 2007:** **DP/2** Design of New Development, and **DP/3** Development Criteria.
9. **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

### **Consultation**

10. **Foxton Parish Council** recommends refusal on the grounds that the applications to fail to meet the terms of the previous conditions originally imposed for highway safety reasons, and the proposals are therefore contrary to existing policy.
11. The **Local Highways Authority** originally recommended the applications be refused on highway safety grounds given poor visibility when leaving the site. Following further consultation, the Local Highways Authority are now satisfied provided a suitable worded condition is added to ensure the access shall only be used as an **entrance** and that no vehicles shall **exit**.

### **Representations**

12. The occupiers of **33 High Street** note a lot of surrounding dwellings do not have garages and therefore park on the main road. The proposal would add to traffic in the area and cause a highway danger.
13. The occupiers of **37 High Street** object on grounds of highway safety. It is noted that traffic on the High Street increased by 28% between 1992 and 2002, and congestion has been seen around the access. The proximity to the Station Road/High Street junction is also raised. Also concerns are raised regarding the increased visibility of the iron gate and fencing on the site which is not aesthetically pleasing, the materials used for the replacement wall, and the impact upon the trees on site.

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

14. The key consideration for the determination of this application is highway safety.

### **Highway Safety**

15. The previously refused applications (S/1043/09/F and S/1210/09/F) both sought the use of the access as an entrance and an exit to the site. These were refused on highway safety grounds, given the poor vehicle to vehicle visibility splays possible when exiting the site. High Street has a 30mph speed limit, and predicted splays of 22.8m to the northeast and 12.8m to the southwest, both of which are significantly lower than the expected 90m for such a speed limit.
16. The new applications differ in that they seek the use of the access as an entrance only, with any exiting to remain for emergencies only. An extra section of wall is

proposed, leading to a barrier. A letter dated 13<sup>th</sup> August 2010 notes how this barrier would be controlled, and it details three aspects on its future use. These are:

- (a) An override key for the entrance barrier would be held only by the caretaker and in a sealed glass unit adjacent to the main fire alarm panel. The key would be used to open the barrier in exceptional circumstances only, i.e. for use in an emergency.
  - (b) The barrier will be set up to open to allow access onto the site only and close once the vehicle has passed safely through. The width of the barrier would be such that two vehicles could not pass through side by side.
  - (c) Out of normal working hours and at weekends, the barrier will be set up to remain closed so no access through onto the site will be possible.
17. The Local Highways Authority have removed their original objection to the scheme, provided it shall only be used as an entrance and a suitably worded condition is added to any approval. Visibility from the previous access was poor, hence the need for the previous restrictive conditions. It is considered the revised design does not differ significantly from the previous layout, and that it would be suitable for emergency use only. The access has increased pedestrian visibility splays, allowing visitors to be better aware of pedestrians on the frontage footpath. With the use of a planning condition, there would be no serious impact upon highway safety as a result of the proposal.
18. As such, I am satisfied that the existing conditions are no longer necessary in the interests of highway safety, and that the suggested replacement conditions meet the tests set out in Circular 11/95.

***Other Matters***

19. Comments have been made regarding the impact on the street scene. The new entrance measures approximately 9.5m between the frontage piers, and is significantly wider than the previous gateway that measured approximately 3.5m. Behind the access, set adjacent to the nearby Press building, is an existing metalled gate and fence, running parallel with the road. This is set back approximately 20m into the site, but would become more visible. However, the fence and gate are meshed and therefore only the frame is easily visible. The impact upon the street scene is not considered serious enough to refuse the applications.
20. An existing section of wall has been replaced along the frontage, and the bricks used do differ from the original wall that continues eastwards towards the War Memorial. The replacement wall does require consent in its own right, although if three further brick courses are added, it would become permitted development. The site is not within the Foxton Conservation Area, and whilst the loss of the original wall is regrettable, I do not consider the replacement is incongruous in its use of materials. Given that the lower wall is preferred, I do not consider that the change in materials causes any serious harm to the street scene.
21. Comments regarding protected trees on site are also noted. The frontage yew tree along High Street is protected through a Tree Protection Order. The tree remains on site and is unaffected by the works.

### Recommendation

22. Recommend approval of both applications, with the following conditions below relating to both.

### Conditions

1. **The development hereby permitted shall be carried out in accordance with the following approved plans: 3847/3/A, 3847 23, 3847 21 Rev A & 3847 8 Rev A date stamped 12<sup>th</sup> May 2010.**  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
2. **Within three months of the date of this consent, the additional section of wall and the proposed barrier shown on approved plan 3847 8 Rev A date stamped 12<sup>th</sup> May 2010, hereby approved, shall be erected and thereafter retained on the site.**  
(Reason – In the interests of highway safety given the poor vehicle-to-vehicle visibility splays when leaving the site onto High Street, in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
3. **The barrier shall allow entrance into the site from High Street only, and would only allow vehicles to leave the site in emergency circumstances, using an override key held in a sealed glass unit. The barrier would be set to close once a vehicle has safely passed through.**  
(Reason – In the interests of highway safety given the poor vehicle-to-vehicle visibility splays when leaving the site onto High Street, in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
4. **The barrier shall only be operational between the hours of 07.30am and 18.00pm on weekdays, and at no point on Saturdays, Sundays or Bank Holidays. Outside of these times, it shall remain closed except for use in emergency situations.**  
(Reason – To prevent the site being used by through traffic in the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

### Informatives

The replacement wall along High Street measures 1.3m in height, and as a result, does require planning permission in its own right. An application should be submitted for this within one month of the date of this consent to regularise this section of wall.

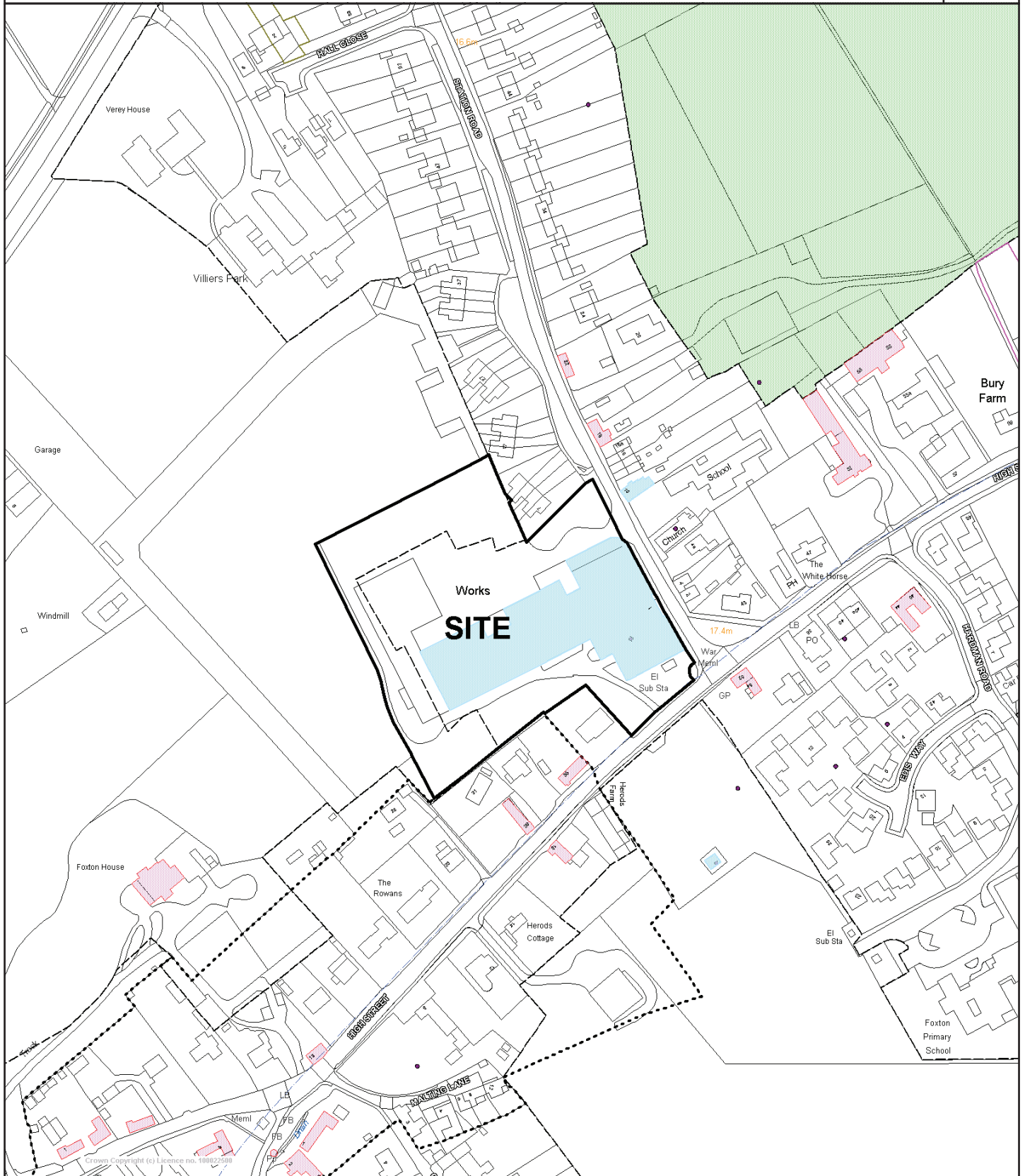
**Background Papers:** the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Development Framework Development Control Policies adopted 2007
- Circular 11/95 – The Use of Conditions in Planning Permissions
- Planning Files Ref: S/0756/10/F, S/0757/10/F, S/1210/09/F, S/1043/09/F, S/0861/87/F and S/1913/79/F.

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



S/0756/10 & S/0757/10 - Foxton



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## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

3 November 2010

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

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**S/1137/10/F – FULBOURN****Dwelling and Garage at Land off Cox's Drove for Mr Philip Law****Recommendation: Delegated Approval****Date for Determination: 24 September 2010****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. The site is a parcel of land located at the northern edge of the village of Fulbourn and just inside the village framework. It is occupied by a large single-storey garage building at its south-western end. The land directly to the north-east of the site comprises an L-shaped stable block and is located outside the framework and within the countryside and Green Belt. A row of mature trees, protected by a group Tree Preservation Order, defines the boundary between this land and the site. To the south-west is No.46's Cox's Drove, a two-storey part thatched and part tiled property. A number of single-storey buildings, used for commercial purpose, lie to the south-east whilst to the north-west is a small belt of trees beyond which is a railway line. The site is presently unused but, in the past, the garage has been used as a workshop and the land for open storage purposes.
2. The full application, registered on 30 July 2010, seeks to erect a detached five-bedroom dwelling, together with a detached double garage, on the site. The dwelling would be a 7.8 metre high two storey property comprising brick, render and timber walls under a natural slate roof. It would be sited approximately 12 metres back from the south-eastern/front boundary, with the double garage located between the dwelling and site frontage. The dwelling would be accessed via an existing access drive that also serves the commercial buildings to the south.

**Planning History**

3. None of relevance.

**Planning Policy**

4. South Cambridgeshire Local Development Framework Core Strategy Development Plan Document, adopted January 2007:

**ST/4 – Rural Centres**

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
    - DP/7** – Development Frameworks
    - GB/3** – Mitigating the Impact of Development Adjoining the Green Belt
    - HG/1** – Housing Density
    - NE/6** – Biodiversity
    - NE/15** – Noise Pollution
    - SF/10** - Outdoor Play Space, Informal Open Space and New Developments
    - SF/11** – Open Space Standards
  6. Supplementary Planning Documents:
    - Open Space in New Developments** – Adopted January 2009.
    - Trees and Development Sites** – Adopted January 2009.
    - District Design Guide** – Adopted March 2010.
    - Landscape in New Developments** – 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. **Fulbourn Parish Council** recommends refusal, stating:

“The siting of a residential property would be out of keeping with the environment which consists of a large garden and a field which is in the Green Belt. In addition the proposed property would be immediately adjacent to an industrial estate and has a number of well established trees on the site that need to be protected. The access is via the industrial estate which is narrow and not suitable for a residential dwelling. A site visit is requested. The Council draws your attention that the neighbouring property has also objected to this application.”
  10. **The Trees Officer** raises a holding objection, stating that a full BS5837 tree survey and arboricultural impact assessment will be required clearly setting out the impact of the development upon the adjacent protected trees.
  11. **The Landscape Design Officer** comments that the dwelling will have access onto a narrow shared access drive which has existing doors opening out on to it. Would this result in any safety issues? It is likely that there would be pressure on the trees along the north-east boundary. They should be protected so that any future work on them can be controlled. A smaller house with a footprint that does not encroach on the trees’ space would be preferable. Landscape conditions would be required as well as tree protection drawings.
  12. **The Environmental Health Officer** states that, due to the proximity of the railway line to the north of the site, an acoustic report will be necessary to determine which PPG24 noise category this dwelling will experience.

13. **The Local Highways Authority** raises no objections, but requests that the following conditions be added to any consent due to the increased vehicle movements that the development would be likely to produce: the first 6m of the access to be hard paved in a bound material; and all surface water generated by the site to be dealt with internally and not permitted to drain onto the adopted public highway.

### **Representations**

14. A letter of objection has been received from the owner of No.46 Cox's Drove, who expresses the following concerns:
- (a) The application includes some errors in that the site has never been used as a main commercial base. Its main use was as scrap land, and was originally part of No.46's back garden. In addition, the access is less than 4m wide.
  - (b) The development would compromise the adjacent chestnut trees.
  - (c) The small access would be very dangerous.
  - (d) The Drove has no pavements and is prone to flooding.
  - (e) The development would affect the light and outlook to No.46.
  - (f) The dwelling would overlook the rear garden of No.46 resulting in a loss of privacy.
  - (g) The house would be out of keeping with this predominantly commercial area.
  - (h) If approved, the development may set a precedent for development of the adjacent paddock land, which has previously been refused.

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

#### ***Principle of the Development***

15. Fulbourn is identified as a Rural Centre under Policy ST/4 of the Local Development Framework 2007. In such locations there is no maximum limit on the number of dwellings within individual scheme sizes, providing adequate services, facilities and infrastructure are, or can be made, available.
16. The site measures 0.083 hectares in area. The erection of one dwelling on the land equates to a density of 12 dwellings per hectare. This is below the requirement of 40 dwellings per hectare required by Policy HG/1 of the Local Development Framework. It is therefore necessary to consider whether there are any other material considerations that would indicate a different density would be more appropriate. The site is bounded by Green Belt land to the east and beyond the railway track to the north. In order to protect the character of the adjoining countryside and Green Belt, any development should not extend further north of a line drawn between No.46 Cox's Drove and the outbuilding on the land to the north-east. The proposed scheme achieves this. In addition, there is also a belt of protected mature trees adjacent to the north-eastern side boundary. In order to avoid harm to the roots of these trees, the width available for development is limited meaning that it would not be possible to site more than one dwelling across the site. Achieving a greater density of development would therefore involve developing in depth, and this would represent an overly urban form of development on the edge of the framework. On balance, therefore, it is considered that the erection of just one dwelling on this site is acceptable in principle.

#### ***Impact on the Character of the Area***

17. Concerns have been raised by the Parish Council and by the immediate neighbour on the basis that the proposed development would be harmful to the character of the area. The character of development in the vicinity of the site is extremely varied, and includes a two-storey thatched and mansard roof dwelling at No.46 Cox's Drove, a single-storey brick outbuilding/stable to the north-east, single-storey predominantly

render and timber commercial buildings to the south, and a bungalow and two-storey brick dwelling further to the south. There is therefore no defining architectural style in the immediate area that needs to be adhered to. Of greater importance on this site, is ensuring any development would not have an unduly intrusive impact upon its surroundings. In this instance, the dwelling has been sited so that it would be no closer to the north-western boundary than the dwelling at No.46 Cox's Drove and the outbuilding on the adjacent land to the north-east. Beyond both the north-west and north-east boundaries, the site is extremely well screened by mature trees whilst, from Cox's Drove itself, the dwelling would be seen in the context of the commercial buildings to the south and viewed against a backdrop of mature trees. The development is not therefore considered to result in demonstrable harm to the character and appearance of the area.

18. The immediate neighbour has also commented that, if approved, this would set a precedent for development of the adjacent paddock land, which has previously been refused. Unlike the application site, this land is sited outside the village framework and in the Green Belt, where there are strict controls over such development. Approval of this application would not therefore create such a precedent.

### ***Residential Amenity***

19. The owners of the adjacent dwelling, No.46 Cox's Drove, have expressed concerns regarding the impact of the development upon their amenities. No.46's garden is split into three different sections. The southernmost element is used as allotments/for growing fruit and vegetables. The central element, directly on the north-east side of the property, forms the main private garden area. Beyond this to the north-west is a chicken run and area of woodland and informal garden. The proposed dwelling would be sited approximately 24m away from No.46's rear elevation, and this distance is sufficient to ensure the occupiers of No.46 would not suffer an undue loss of light or outlook. No first floor windows are proposed in the side elevation of the dwelling looking towards No.46's private garden. Given the proximity of the development to the common boundary, any first floor windows in this elevation would result in an overlooking problem. Under the terms of the GPDO, any future first floor windows proposed for this elevation would need planning permission unless fixed shut and obscure glazed or designed with an opening part positioned at least 1.7m above the finished first floor level. The owner of No.46 has raised concern regarding overlooking from the rear first floor windows. However, these would look towards the more informal part of the garden, at an oblique angle, rather than directly over the private garden area. The development is not therefore considered to unduly harm the amenities of occupiers of No.46 by reason of a loss of privacy.
20. The Environmental Health Officer has raised concerns regarding the amenities of future residents of the proposed dwelling given its proximity to the railway line to the north. Any consent should therefore be conditional upon the submission of an acoustic assessment.

### ***Trees***

21. The Trees Officer has raised some concerns regarding the impact of the development upon the protected trees and has requested the submission of a full tree survey and arboricultural impact assessment. The application was accompanied by a pre-development tree survey, including plans showing tree protection details. Discussions have been ongoing between the Trees Officer and the applicant's consultant, and Members will be updated on the outcome of these discussions prior to the Committee meeting.

### ***Highway Safety***

22. The Local Highways Authority has raised no objections to the highway safety implications of the proposal. The access would be shared with that serving the adjacent commercial unit to the south. It is less than the usual 5 metre width required for a shared driveway but is located towards the end of the road, with the only property requiring vehicular access beyond this point being the residential dwelling at No.46 Cox's Drove. With regards to the conditions requested by the Local Highways Authority, the proposed access is presently hard surfaced. Additionally, the submitted Design and Access Statement confirms that surface water run-off would be managed by providing a porous surfaced driveway and parking area.

### ***Flood Risk***

23. The owner of No.46 has raised some concerns regarding the flood-risk implications of the development. However, the site is located within an area of low flood risk (Flood Zone 1), as defined by the Environment Agency. As such, there is no requirement for the application to be accompanied by a Flood Risk Assessment, but there is a need to ensure surface water run-off is managed appropriately. The Environment Agency's guidance on this issue should be forwarded to the applicant's agent with any planning permission.

### ***Infrastructure Requirements***

24. 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, the provision of indoor community facilities, and the provision of household waste receptacles. For the five-bedroom dwelling proposed, this results in a requirement for contributions of £4,258.90 towards open space, £718.78 towards community facilities, and £69.50 towards household waste receptacles, as well as additional costs towards Section 106 monitoring (£50) and legal fees (minimum £350). The applicant's agent has confirmed, in writing, his client's agreement to the payment of these contributions.

### ***Recommendation***

25. Subject to the resolution of the objection raised by the Trees Officer, delegated powers are sought to approve the application, subject to the following conditions:
1. SC1 – Full planning permission, time limit (3 years).
  2. No development shall take place until details of the materials to be used for the walls and roofs of the dwelling and garage hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (Reason – To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
  3. Sc5 – Landscaping (Rc5)
  4. Sc6 – Implementation of landscaping (Rc6)
  5. Sc7 – Trees (Rc7)
  6. Sc8 – Tree Protection (Rc8)
  7. Sc12 – Boundary treatment details (Rc12)

8. No development shall take place until a scheme for protecting the proposed dwelling from noise from the nearby railway line has been submitted to and approved in writing by the Local Planning Authority. All works that form part of the scheme shall be completed before the first occupation of the dwelling. (Rc37)
9. No power operated machinery shall be operated on the premises during the period of construction, before 0800 hours on weekdays and 0800 hours on Saturdays nor after 1800 hours on weekdays and 1300 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions. (Reason – To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the Local Development Framework 2007.)
10. No development shall begin until details of a scheme for the provision of recreational infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policy SF/10 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details. (Reason - To ensure that the development contributes towards recreational infrastructure in accordance with the above-mentioned Policy SF/10 and Policy DP/4 of the adopted Local Development Framework 2007 and to the Supplementary Planning Document, Open Space in New Developments, adopted January 2009)
11. 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 the Policy DP/4 of the adopted Local Development Framework 2007)

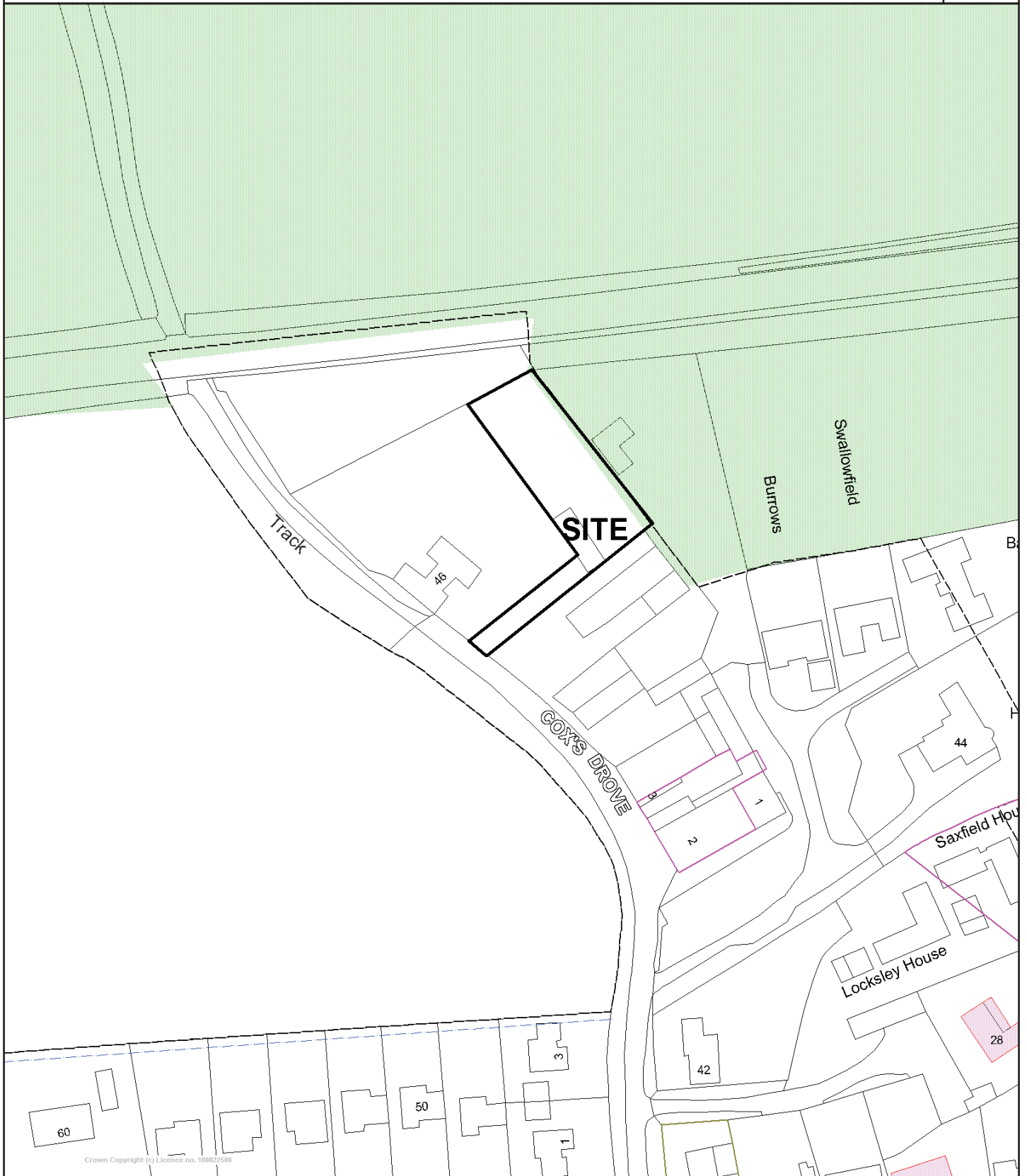
**Background Papers:** the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007
- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- Supplementary Planning Documents: Open Space in New Developments; Trees and Development Sites; District Design Guide; Landscape in New Development.
- Circular 11/95 and 05/2005
- Planning File Reference: S/1137/10/F

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



S/1137/10 - Fulbourn



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## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

3 November 2010

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

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**S/1297/10/F - CROYDON****Change of Use to Holiday Lets with Ancillary Swimming Pool and Games Room at  
Croydon Farm, Lower Road for Mr and Mrs Moon****Recommendation: Approval****Date for Determination: 11 October 2010****Notes:**

**This application has been reported to the Planning Committee for determination, as the Officer recommendation is contrary to the response from the Parish Council on material planning grounds**

**Site and Proposal**

1. The application site measures approximately 0.33ha of land comprising unused agricultural buildings. The majority of the courtyard buildings are single storey and of timber construction. The two buildings to the south of the site are open storage buildings comprising concrete posts with corrugated metal sheet roofing. The site is located on the south of the B1042 in the Parish of Croydon outside of the village framework boundaries. It is close to the Parish of Tadlow, although again some distance from the Tadlow framework boundaries. The sites situation in the countryside and the existing character is reflective of its old use. The site is accessed from the north off the B1042 and shares access with a livery yard and car repair use located to the east of the application site. To the west is Croydon Farm House, this was once associated with the farm use but is now a stand alone residential dwelling. To the north and south is open countryside. The neighbouring uses are all closely knitted together and it is apparent to see that this was once one large site that has since been split up into different uses. It still retains a very agricultural character.
2. The full application received 5 August 2010 proposes the change of use of the agricultural buildings to holiday lets. The application proposes the existing buildings be converted into four separate units with a total of 11 bedrooms. The change of use also includes a games room/store/office building and an indoor swimming pool, both of which are to be used in connection with the holiday lets. The scheme provides 11 parking spaces on site, including 1 disabled parking bay and two for staff/owner. Submitted with the application are a draft legal agreement, a landscaping plan, Design and Access Statement, Bat, Owl and Ecology surveys, Structural Statement, Foul Sewerage and Utilities assessment, Phase One Desk Study, and a Planning Statement.

**Planning History**

3. **S/1092/08/F** – Change of use from agricultural barn to residential dwelling – Refused.

4. **S/0425/07/F** – Extension and change of use from agricultural barn to Swimming pool – Refused.
5. **S/2335/06/F** – Extension and change of use from agricultural barn to Swimming pool – Refused.
6. **S/1068/05/F** – Conversion of Agricultural Buildings to 4 Holiday lets – Approved subject to S106 Agreement.
7. **S/1190/01/F** – Stables, Tackroom and Menage (Retrospective) and proposed exerciser for horses – Approved.
8. **S/0307/93/F** – Conversion and Extension to Existing workshop to 3 light industrial units – Approved.
9. **S/0308/07/F** – Change of use from agricultural buildings to light industrial – Approved.

### **Planning Policy**

10. 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/7** - Development Frameworks

**ET/10** - Tourist Facilities and Visitor Accommodation

**NE/6** – Biodiversity

11. Supplementary Planning Documents, adopted 2009:

**Biodiversity SPD – Adopted July 2010**

**District Design Guide SPD – Adopted March 2010**

12. **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.
13. **Circular 05/2005 (Planning Obligations)** - Advises that planning obligations must be relevant to planning, necessary, directly relevant to the development to be permitted, fairly and reasonably related in scale and kind and reasonable in all other respects.

### **Consultations**

14. **Tadlow Parish Council** recommends refusal, stating:

At a parish meeting on 20 September 2010, there was unanimous consent to requesting that the Planning Application either is:

15. **REJECTED** - on the basis that the traffic on the B1042 being at an unregulated speed (i.e. the national limit) it would be unsafe for existing traffic and additional traffic to be joining and leaving the carriageway, including during the construction period.

Previous planning applications in the village that required to access the B1042, and were within the 50mph limit, have been rejected on the basis of road safety. Therefore approval of this application would be unjust and inequitable.

Or

16. **APPROVED** - subject to a Section 106 agreement being entered into and agreed prior to approval being given by the Council, that the following traffic calming measures be funded and undertaken, before any part of the proposed development is commenced:
- (a) Reduction of the current 50mph limit to 40mph on the B1042
  - (b) Extension of the above said speed limit on the B1042, to at least 400 metres to the East of the proposed development, extending to its current end point at the West, close to the County boundary
  - (c) To lay double white lines to the full extent of the whole of the area in which the new 40mph speed limit is operable, i.e. from the current end near the County boundary, in the Parish of Tadlow, to the Eastern-most point of the 40mph speed limit, which would lie within the Parish of Croydon.

**Notes:**

17. The basis for forming the conclusion that the B1042 is unsafe is based on the following:
- (a) There have been 2 fatal accidents on the B1042 since 2008, between the A1198 and the County boundary
  - (b) In about the same period, there has been one fatal accident on the B1042, in Eyeworth, in the County of Bedfordshire
  - (c) Other accidents have occurred, which have not been fatal, leading to costs and damage to road users, adjoining residents and also to the County Council, from repairing road signage
  - (d) The costs of the above measures will be met by the property owner/applicant, who shall provide an legal undertaking to the Council, and place sufficient funds to carry out the works in a separate bank account monitored by trustees, to be jointly agreed and appointed by the Chairs of the Parishes of Tadlow and Croydon.
18. The reason for promoting road-calming measures is:
- (a) Frequent traffic offences are occurring in Tadlow Parish, from speeding above the current 50mph and 60mph limits, and overtaking across the current double white lines, leading to accidents, costs and fatalities.
  - (b) Traffic calming will enable businesses to locate safely to the Parish, leading to a stable future and prospects for local employment from small and medium enterprises (SME) locating in Tadlow
  - (c) There will be prospects for the village to be able to sustain future growth, and to provide funding for services in the future, if SMEs are encouraged to locate, or relocate into the Parish.

- (d) Tadlow is one of the five smallest Parishes in South Cambridgeshire, and therefore unlikely to figure highly on the District's priorities for funds, therefore we need to be self-sustaining.

19. **Croydon Parish Council** recommends approval but also states the following:

"Whilst the Council has no significant objections to the development the B1042 is a fast and dangerous road and access and exit to the site will be extremely hazardous. During the speed limit review, the 50MPH limit should be extended from Toll Bar Cottage to Tadlow and long visibility splays added, before the site is operational. Bat and owl boxes should be erected as Council is concerned about loss of habitat for these creatures."

20. **Ecology Officer** - I am happy to accept the findings of the Barn Owl and Bat surveys. Whilst it is accepted that there are no Barn Owls nesting at the site a barn owl nest box should be secured through condition to ensure that the application delivers enhancements.

21. **Environmental Health Officer** - raises no objections with regards to noise or environmental pollution.

22. **Environmental Health Officer (Contaminated Land)** - I wish to confirm that I have received a copy of the above application, in particular the "Phase One Desk Study Report, June 20102" by Richard Jackson, and have considered the implications of the proposals.

The above report has been sent to an external consultant for review (see attached) and I am in agreement with their recommendation that further information is required. I therefore recommend that 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.

23. **Environment Operations Manager** has not commented to date. Members will be updated on any comments received prior to the Committee meeting.

24. **Local Highways Authority** - Raises no objection and provides the following comments:

Prior to commencement of the development visibility splays with dimensions 2.4 metres by 215 metres as measured from and along the nearside edge of the carriageway shall be provided on both sides of the access. The area within each

splay shall be kept clear of any obstruction exceeding 600mm in height at all times. A condition should be added requiring that the access be provided as shown on the approved drawings and a width access of 5 metres provided for a minimum distance of ten metres from the highway boundary and retained free of obstruction.

25. **Cambridgeshire Fire and Rescue Service** has not commented to date. Members will be updated on any comments received prior to the Committee meeting.
26. **Trees Officer** - Raises no objections
27. **Landscape Officer** - I should like landscape conditions applied. I suggest that on the north side the patio areas should be enclosed by hedge rather than picket fence. However the subdivisions could be created from the picket fence. Hornbeam would be satisfactory. The same arrangement should apply to the rear patios on the south side of the development. Hedges will unify the scheme, concealing the paraphernalia of holidaymakers.
28. **Building Control Manager** – The report by Gawn Associates of the structural suitability of the above barns is a reasonable analysis of the existing buildings. A more detailed programme of works would be requested before work commences.
29. **Police Planning Liaison Officer** - I have not been to see the site, but the photos within the application gives a good indication of a farmyard in decline. The original plans show a gate, whereas the plans submitted for the holiday lets shows no such barrier. In view of the location, the perimeter is not easily accessible from outside from the south/west and eastern elevations; therefore the planned boundary treatment would be fine.
30. Having looked at the plans and elevations, I note with interest the planned defensible space, especially that leading from the northern elevation. I suppose picket fencing would be a reasonable treatment albeit would suggest a) it be of sufficient height (1.4m) & b) that it be possible to secure the gate from inside. Otherwise it would be possible to walk off the green to the front and into the two apartments via open French doors.
31. The only other thing of note is the cycle storage area. I feel the location of the farm with the main route outside it is probably unlikely too many will cycle. However Sheffield style hoops within a covered cycle space would be fine. Would parking for four cycles be adequate given there are 2 x 2 b/r, 1 x 3 b/r and 1 x 4 b/r apartments proposed.
32. There would be no grounds to object to this proposal from a crime reduction or community safety perspective. However I would recommend the following:
  - (a) Gate leading from B1042 be retained/updated to enable the site to be shut off, particularly 'out of hours'
  - (b) That external doors meet PAS 24 standards
  - (c) Windows meet BS 7950 standard and be fitted with restrictors to minimise gap when in open position.

### **Representations**

33. One representation has been received from the occupier of Croydon Farm located to the west of the application site. The dwelling is the original farmhouse to the site. This was later split from the redundant barns when Mr and Mrs T Foulds sold the barns to a third party following the receipt of planning consent under S/1068/05/F. The following objections have been raised:

1. **Noise and disturbance**
  - (a) from the users of the holiday lets
  - (b) Loss of privacy
  - (c) Patio areas noise and privacy problems
  - (d) Proposed screening inadequate
2. **Access and Parking**
  - (a) Existing access already heavily used
  - (b) Intensification of vehicles unacceptable
  - (c) Noise and odour pollution from further car use
  - (d) Safety hazard with all vehicles using single access
  - (e) Over provision of parking facilities – unsustainable and not very ‘green’
3. **Application Content**
  - (a) Proper high fencing is required along the shared boundary
  - (b) Application is incorrect that it is not near a water course, a water course runs directly behind the proposed swimming pool area
  - (c) No evidence that there is a reduction in floor area
  - (d) No detailed number of employees given
  - (e) No details of opening hours for the games room/swimming pool. Who will be responsible for keeping things under control? Will staff be there 24/7?
4. **Usage**
  - (a) The application states the site will be controlled via a S106 Agreement, how will this be monitored?
5. **Lighting**
  - (a) Not keen on the central light for the courtyard as it will be visible through our upstairs window and will disturb us if left on.
6. **Contractors**
  - (a) Protection is required during construction and demolition
  - (b) We are very exposed to noise and dust unless protective boarding is erected along our boundary
7. **Plans**
  - (a) The boundary at the southern end of the site is drawn in the wrong place; my boundary is 1.9 metres off the corner barn. This means that the proposed patio opening will be opening onto my garden boundary, which will cause noise and disturbance.
8. **Conclusion**
  - (a) How can it be assured that potentially many more people who are not staying in the holiday lets are not using these facilities?
  - (b) Negative impact on the quality of life and loss of privacy that the change of use will bring.

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

34. The key issues to consider in this application are the principle of development, the impact on neighbour amenity, impact on highway safety, impact on the character of the area and the control over the change of use proposed.

#### ***Principle of Development***

35. Planning Policy ET/10 of the LDFDCP supports changes of use of this kind subject to meeting specific criteria. Planning consent has already been granted for this



under S/1068/05/F and therefore the principle is clearly already established. The structural report indicates that the buildings are still worthy of conversion and the earlier consent could still be implemented under the above reference. The circumstances have marginally changed from the original approval as the site now includes more land to the south to include provision for a games room and swimming pool by utilising the existing building structures to the rear of the site. Additionally, the site is no longer linked with the main dwelling house, Croydon Farmhouse. The application site has since been separated from the unit. At present this property is occupied by family members of the applicant of the original and still extant planning consent.

36. There are design changes to the internal and external layout from the previously approved scheme. All of which have been discussed with officers during pre-application discussions. There are still some reservations with regards to landscaping and fenestration though it is considered by officers that the principle of development is well established and the units are still capable of being used productively. The securing of the units to be used only as holiday lets is an area that needs to be carefully addressed to ensure the impact on the countryside and neighbour amenity is not adversely affected and this is discussed later in the report. It is considered by officers to be a vital part of this scheme if Members are minded to approve the development proposed.

### ***Residential amenity***

37. The design of the development has attempted to take on board the separation of the units from the residential farmhouse. The units are very close together and the proper separation of them has to be carefully considered so as not to compromise character without failing to address neighbour amenity.
38. The west facing elevation has no more openings than what was approved under the earlier consent that overlook land in the applicants' ownership. No overlooking is considered possible from these windows if the right level of screening is agreed. It may be possible for the owners of the neighbouring farmhouse to view into the patio area of the holiday let from the first floor. The distance between the two measuring approximately 15metres.
39. There is, however, a new patio area on the west elevation close to the rear garden area of the neighbouring property. This is proposed to be appropriately screened and is considered to present no more disturbance than neighbouring residential properties would. In light of the proposed use, it is very likely to be used less than a regular rear garden patio area. The plan shows the patio area being no deeper than 2.5 metres and opens up to the rear of the site to the south. It is likely that the users of this unit will sit on the area that overlooks the countryside to the south, however, as land in the ownership of the applicant it would seem odd not to incorporate it into the design of the scheme. Whilst it is appreciated this is close to the garden of Croydon Farmhouse officers do not consider this part of the scheme to have an adverse impact on neighbour amenity if the boundary treatment is appropriately agreed.
40. The north facing elevation proposes 6 new openings. This includes two sets of doors opening up to patio areas for units 1 and 2. This is an increase to the originally approved scheme and patio areas were not then included. The distance between the closest patio area to the neighbouring property is approximately 2.5 metres. The proposed boundary treatment along this shared boundary comprises post and rail fencing. An existing boundary of trees and bushes currently separate the site though this is sparse, has large gaps and the front elevation of the house is clearly visible at ground level. It is agreed by officers that this proximity could cause a conflict in neighbour amenity and post and rail fencing may not be appropriate for

the first few metres of this shared boundary. Closer inspection of the plans confirm that the patio area for unit 2 could be moved away from the shared boundary to provide for additional planting that may help towards noise mitigation.

41. The proposed lighting in the centre of the courtyard is not detailed in the application and could be designed to ensure minimal neighbour disturbance. There are windows at first floor of the neighbouring unit that look into the courtyard of the proposed scheme and excessive lighting could have a negative impact on the amenity of the occupiers if not appropriately agreed. Officers consider lighting should be conditioned if members are minded to approve and that the environmental health team are involved in the scheme to be finally agreed.
42. The swimming pool areas and games room are located much further away from the neighbouring property compared to the units. The neighbouring property is approximately 43 metres from the swimming pool building and 38 metres from the proposed games room. The swimming pool will have to be built in accordance with current building regulations and appropriately insulated. Additionally the pool plant area has been specifically located in the furthest part of the building from the neighbouring residential unit. The games room is marginally closer though the units between the house and the proposed games room will mitigate potential noise coming from the building.
43. Whilst it is agreed that the circumstances have changed since the separation of the dwelling and the agricultural units, neighbour amenity issues would have had to be considered during the determination of the previous scheme. Previous correspondence shown on the earlier file between the Council and Heckford and Norton, the then acting solicitor for the applicants, clearly indicated that the applicant would be selling the converted units on to a third party and that the dwelling house was not part of the scheme. This clearly shows that the determination of the previous scheme considered the change of use without tying the dwelling house to the use of the units and thus the impact on neighbour amenity was also considered.
44. Small details to the proposed scheme can help improve neighbour relationships, the majority of which can be conditioned as part of an approval. It is the view of the officers that neighbour amenity will not be adversely affected provided boundary treatment and lighting are appropriately conditioned and the level of holiday use agreed.

### ***Impact on Highway Safety***

45. As per paragraph 24 the Local Highway Authority (LHA) do not raise any objections with regard to the proposal subject to the applicant being able to meet the required visibility splays. The Parish Council of Tadlow raise objection to this scheme unless further enhancement to the road can be achieved through a specific S106 Agreement. In light of these requests I have sought further advice from the LHA who give the following additional comments:

“The proposal to require the applicant to reduce the speed limit to 40mph cannot be delivered as the process of doing so is undertaken by a third party, in this case the Highway Authority, under separate legislation, which provides no guarantee of success. Not only that neither the applicant or the Planning Authority has any powers to insist that the Highway Authority undertake the work. If suitable inter-vehicle visibility splays for the current application can be provided, the Highway Authority would be unable to sustain an objection at appeal on the grounds of highway safety.

However, I would suggest that it may be possible to require that the applicant fund and undertake a speed survey to see if the reduction in speed limit as proposed by

the Parish Council would meet the criteria of the Highway Authority. If these were the case, then it might be possible to require the applicant to fund the advertisement of the speed limit reduction and assuming that this in turn were successful, fund the required works. As you will see changing the speed limit has a number of processes to go through and may at any stage fail."

46. Tadlow Parish Council has been appraised of these comments. It wishes to sustain its objection on highway safety grounds and adds the following for consideration:

"In the light of the Highways comment, which you have attached, the Parish's view is that the application should be refused for consistency with previous refusals by South Cambridgeshire, which has been made on the basis of the speed and dangers of the B1042.

Additionally, there was a serious RTA in the evening of 13 October 2010, which resulted in the road being closed for 3 hours. This caused considerable problems for residents of Tadlow and other road users. I have yet to be informed by Cambridgeshire Police, as to whether this was a fatal accident.

In addition to the attached, I have received the comments below regarding the B1042, which are relevant to this application:

- (a) In the last 2 years, motor vehicle accidents have resulted in 2 fatalities on the B1042 between its junction with the B1198 and the county border. There was another fatality on the B1042 in Bedfordshire in the same period.
  - (b) Other incidents involving foot traffic and push bicycles, do not happen as locals realise it is a far too dangerous to use. There is no footpath at all.
  - (c) Overtaking regularly occurs across double white lines
  - (d) Driving misdemeanours take place most frequently in the morning and evening rush hours and at weekends
  - (e) With increasing traffic volumes, another catastrophic accident is more probable
  - (f) Business based planning permissions have been turned down by the local authority due to the speed and frequency of passing traffic, which result in businesses being dissuaded in locating or investing in the parish
  - (g) Further traffic entering and leaving the B1042 will increase the risk of accidents, unless the speed on the B1042 can be successfully lowered.
  - (h) Other villages have either a 30mph or 40mph speed limit
  - (i) By constructing more dwellings, this increases traffic movements, onto and exiting the B1042.
  - (j) As these dwellings are to be holiday lets, people will be unfamiliar with the excessive speeds on the B1042, and this increases risk
  - (k) Pedal cycle storage is indicated in the plans submitted to this application, whereas it is believed that use of pedal cycles is absolutely dangerous to life on the B1042."
47. It is clear to see that there are still major concerns with regard to the development of the holiday lets and the impact on it will have on highway safety.
48. The site was once a working farm and large slow vehicles would have used this access regularly. The level of activity and speed of vehicles has changed over time; however, the location of this site in relation to the village frameworks for both Croydon and Tadlow is some distance away. This is a rural country road and not a high street. Whilst it is appreciated that the road can be dangerous and vehicles do move at high speeds along this stretch of road, drivers do so along the majority of the neighbouring country roads and the Council have little power over the control of this. Driver's familiarity of roads such as these can be very dangerous though it is

considered unreasonable to refuse a scheme where the speed of the vehicles cannot be directly controlled by the applicant and their proposal.

49. The previous application under S/1068/05/F also considered the highway safety implications of this site and took on board the additional uses on the neighbouring sites. The neighbouring garage business is primarily for renovation rather than for repair so the tenant is primarily the only person using the entrance on a daily basis for this specific business use. The Flying Cat Livery Yard next door is a use expected to be in this countryside location and the comings and goings are reflective of its use. The level of use this scheme proposes is very likely to be lower than that of a B1/B2 business use, and far more neighbour friendly than that of a light industrial use that was granted consent in 2007 under planning reference S/0308/07/F
50. The conclusion of officers is that highway safety be appropriately addressed by ensuring the correct visibility splays, as required by the LHA. Anything over and above this is down to whether the applicant wishes to improve the safety of the road for its future users of the holiday lets in line with the LHA specifications.

### ***Impact on the character of the Area***

51. The design has tried to keep the scale of the proposed scheme as close to that of the original as possible. The fenestration of the development has changed considerably and the floor to ceiling openings in the previously approved scheme that looked into the courtyard has been changed to smaller openings. There is potential for a higher number of visitors on site than previously approved with an increase of approximately 4 visitors.
52. The parking is contained within the courtyard area and this was also considered an option in the earlier approved scheme. This ensures parking is not visible from outside the site and protects views of the wider countryside. The courtyard is large enough for the required manoeuvrability and by keeping the cars within this courtyard area also allows for natural surveillance, providing a level of security to those using the holiday lets.
53. The buildings to the south of the site are currently shells, with concrete posts and a metal roof. The buildings proposed to replace these will be using materials in keeping with the agricultural surroundings and windows facing the open countryside will be kept to a minimum.
54. Officers are of the view that the proposed designs are in keeping with the surrounding character of the area. Landscaping and lighting will be fundamental to this and this will be conditioned to ensure that urban/alien features are avoided in the vicinity.

### ***S106 Agreement***

55. The application was submitted with a draft S106 Agreement detailing the proposed level of use. This is very similar to the agreement that was completed for the previous scheme. However, officers now consider that the wording of that agreement is not appropriate and allows for little control over the level of use of the proposed holiday lets. The wording of the current draft agreement states that the units shall not be occupied at all (meaning no personal possessions other than those of the owner shall remain there) for the period of two consecutive weeks in January in every year or such other two week period as shall have been agreed with the Council in writing. It is considered that this period is too short and a more limited use be given, particularly in light of the separation of the units from the

neighbouring property. It is considered by officers that the agreement, in part, should read as follows:

1. The holiday lets shall not be used or occupied by any person(s) permanently as his/her or their home nor occupied or let upon any terms which provide or confer security of tenure; and they shall not be occupied at all (meaning no personal possessions other than those of the owner that are associated with the holiday lets, shall remain there) for a period of more than 4 consecutive weeks by the same person(s) unless previously been agreed with the Council in writing. Evidence of this will be required from the owner when Council monitoring takes place following the commencement of the use, hereby permitted.
56. Officers consider the above wording allows for a more restricted use, though it still allows the applicant to get the most out of the site and strictly for holiday let purposes. The more constrained agreement also allows for a potentially better neighbour relationship.

### ***Other Matters***

57. The employee question on the application has not been answered, as the applicant is unaware of how many staff are likely to be employed at this site at such an early stage of the development. Staff may be employed for cleaning and maintaining the site before and after guests arrive, though at present the number is unknown. There will be no full time accommodation on site for staff and therefore it is considered reasonable that staff are likely to be present on site during normal working hours (8am –6pm). The employment opportunities on site are likely to be predominately cleaning and maintenance and this is unlikely to cause too much noise and disturbance once the development is completed.
58. It is likely that the opening hours of holiday lets are not restricted other than in accordance with the legal agreement over the level of use. It is common with holiday lets that the owner will provide welcome packs with the units to advise of the neighbour situation and that guests respect the neighbours around them, particularly with horses on site next door also.
59. It is agreed that construction noise should be kept within the prescribed timeframes due to neighbour amenity and neighbouring uses.
60. Boundary queries raised by neighbour have been passed on to the applicant and further feedback will be provided to Members once clarification of boundaries has been received.

### **Recommendation**

61. Delegated powers to approve/refuse subject to the approval of the details of the legal agreement agreeing terms of use and the following conditions:
  1. Sc1 – Full Planning Permission time limit
  2. Sc95 – Approved Plans
  3. Sc13 – Materials
  4. Sc5 – Landscape Scheme
  5. Sc6 – Landscape Implementation (Rc6)
  6. Sc27 – Contamination (Rc27)
  7. Sc38 – Noise during construction (Rc38)
  8. Sc23 – Foul Water
  9. Sc24 – Surface Water
  10. Sc20 - Vehicle Visibility (2.4m x 215m)

11. Sc54 – Bird Nest boxes

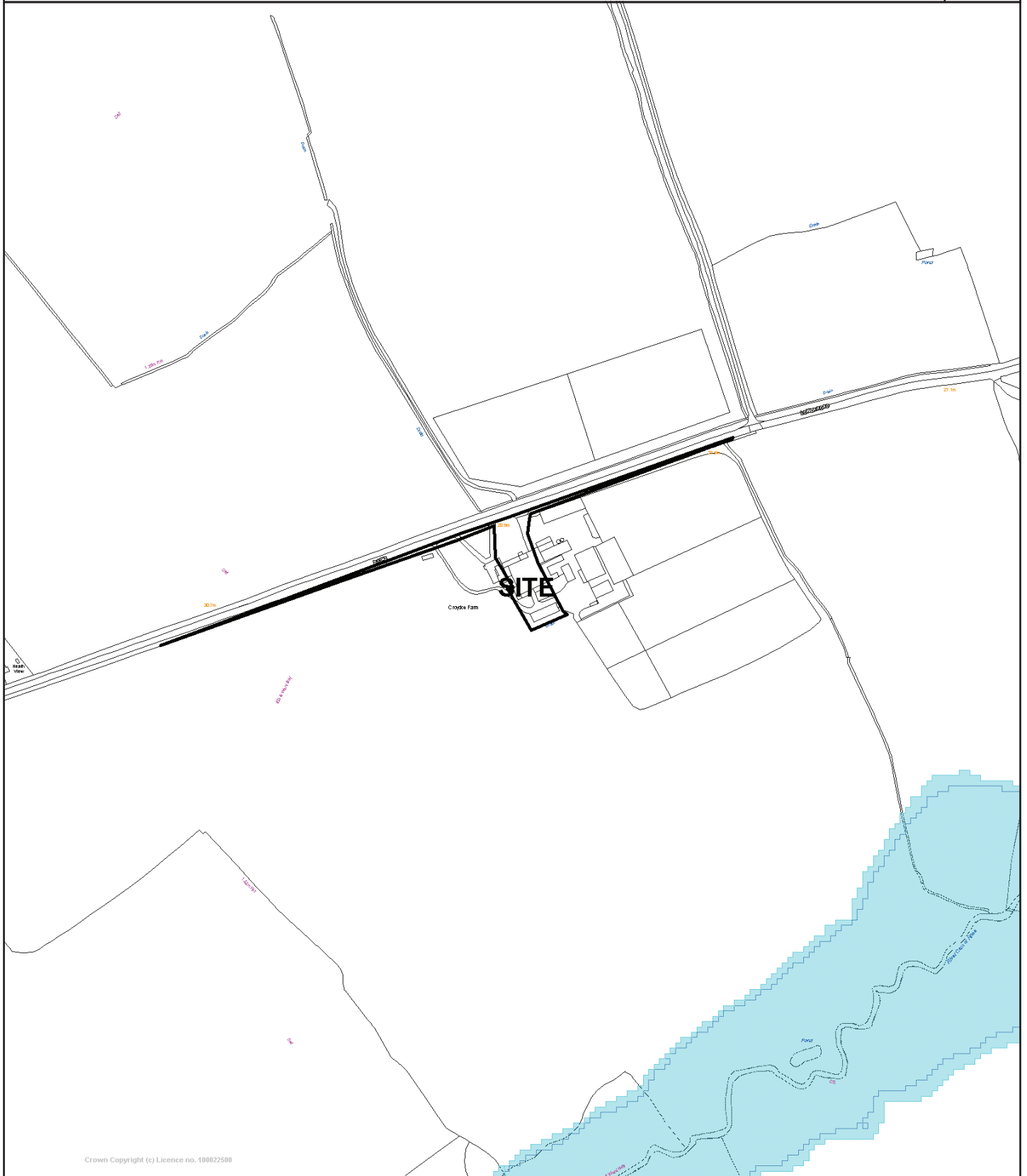
12. Sc58 – Lighting

**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.
- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007.
- South Cambridgeshire Local Development Framework (LDF) Supplementary Planning Documents: Biodiversity; District Design Guide.
- Circulars 11/95 and 05/2005.
- Planning File Refs: S/1068/05/F and S/1297/10/F

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

S/1297/10 - Croydon



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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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<b>REPORT TO:</b>	Planning Committee	3 November 2010
<b>AUTHOR/S:</b>	Executive Director (Operational Services)/ Corporate Manager (Planning and New Communities)	

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**S/0244/10/F - GAMLINGAY**

**Change of Use of Store and Office to Children's Nursery.  
Alterations and Conservatory at Unit 3 The Old Glove Factory, Church Street,  
for Mrs P Jenkins (The Children's Montessori Nursery)**

**Recommendation: Refusal**

**Date for Determination: 13 May 2010**

**Notes:**

**This application has been reported to the Planning Committee for determination at the request of the local member, Councillor Kindersley.**

**Members will visit this site on Wednesday 3 November 2010**

**Site and Proposal**

1. The old glove factory is a single storey, brick built industrial unit to the north of 33 Church Street. To the north the application site abuts a taller and larger industrial unit. To the west the site abuts the Gamlingay telephone exchange. There is an area of grass to the rear of the building, which is separated from the grass area surrounding the telephone exchange by way of a tall chain link fence. To the front of the building the application site includes a hard surfaced parking area and the access road leading south towards Church Street. This access road also serves the industrial unit to the north and runs alongside the close-boarded boundary fences and hedges of the curtilages of 33 Church Street and residential properties in Coach House Court. At its narrowest point the access road measures less than four metres, which continues for approximately 20 metres before it widens out to in excess of 5.5 metres before it meets Church Street.
2. This full application, received on 18 February 2010 and amended on 13 April 2010, proposes the change of use of unit 3 of the old glove factory from an industrial use (B2) to a children's nursery (D1). In addition to the change of use it is proposed to extend the building by way of a conservatory to the rear and provide eight parking spaces at the front of the building, as well as internal and external alterations. A new shed is also shown on the plans but no elevations have been provided. The amended plans included a revised site plan and copies of certificate B's showing that notice was served on the owners of parts of the access road. Additional information in the way of a Transport Statement was submitted on 30 July.

**Planning History**

3. **SC/0054/48/** - erection of new factory block – approved
4. **SC/0022/57** – erection of restroom - approved

5. **SC/0108/57** – erection of canteen for female employees - approved
6. **SC/0265/49** – erection of W. C. – approved
7. **SC/0097/61** – erection of new factory block - approved
8. **SC/0814/64** – erection of new office - approved
9. **SC/0728/65/D** – extension to factory - approved

#### **Planning Policy**

10. Local Development Framework Core Strategy 2007:  
**N/A**
11. Local Development Framework Development Control Policies 2007:  
**DP/1** Sustainable Development  
**DP/2** Design of New Development  
**DP/3** Development Criteria  
**TR/1** Planning for More Sustainable Travel  
**TR/2** Car and Cycle Parking Standards

#### **Consultations**

12. **Gamlingay Parish Council** recommends that the application be approved and adds that it allows a local facility to remain in the village.
13. **Environmental Health Officer** – is concerned that problems could arise from noise and has suggested that a number of conditions be attached to any planning consent in order to minimise the effects of the development to nearby residents or occupiers and to investigate the potential for soil and groundwater contamination. The applicant is also advised to contact the Food Health and Safety Team to register any food operations.
14. **Highways Officer** – originally objected to the application due to the fact that a Transport Assessment had not been submitted. Following the submission of the Transport Statement the Highway Authority still has concerns that due to the fact that there will be an intensification of the access, as acknowledged within the Transport Statement, which would be detrimental to Highway Safety.

#### **Representations**

15. A number of representations have been received from the owner/occupiers of 33 Church Street. Who are concerned about the following:
  - (a) health and safety, especially mothers and children sharing the same access as commercial vehicles;
  - (b) that the access road is not entirely within the applicant's ownership or control and that its use will exacerbate issues with trespassing onto their property;
  - (c) the impact upon amenity from the nursery use and people using the access road, and the effect that it will have upon vulnerable members of their family; and
  - (d) whether it would lead to further development of the site.

They also questioned whether an alternative building, like the church hall or proposed eco hub could be used and whether the applicant has the right to use the access for the proposed use.

Following the submission of the Transport Statement concerns have been raised about the following:

- (a) the reference to traffic flows on Church Street being low is incorrect as it is often 'jammed up' and there have been meetings to discuss how to manage the high volume of traffic;
- (b) as the nursery would be located closer to the shops parents would use the car park whilst visiting the shops instead of just to drop off/pick up children as is presently the case; and
- (c) whether the factory has an asbestos roof.

They have also reiterated their concerns about commercial vehicles passing young children using the access road and that the site will be used for further development in the future as well as raising concerns about inconsistencies in the stated opening hours.

16. A representation has been received from D H Barford, on behalf of LJA Miers Executive Pension Fund, who objects to the application. This objection is based on the land ownership of the access being incorrectly shown and no notice being served on their client; the increase in traffic movements and the impact upon highway safety; and there being insufficient parking, resulting in further congestion on Church Street, Stocks Lane and the access road to the site. Concern is also raised that the argument for the low traffic movements is based on the fact that the majority of the parents walk to the present site, and this is something that the applicant cannot guarantee will continue as well as the fact that the narrow access road, which is used daily by heavy goods vehicles for the distribution of goods to and from the industrial unit at the rear of the site, has insufficient width for two vehicles to pass each other. Finally concerns are raised about the impact upon the amenities of the commercial premises to the north and the adjoining residential properties as a result of unacceptable levels of noise and disturbance. The boundary treatment proposed for the nursery garden area is considered to be wholly inadequate and there is a deficiency of any consideration towards landscaping and noise attenuation measures.
17. Representations have been received from the occupier of Unit 1 Church Street who is concerned about the fact that HGVs and forklifts use the area near the building; all of the land owners were not properly notified; the remaining two units of the old glove factory, which have a larger square footage, will be left without parking or a drop off point as a result of the development; and there is insufficient parking if all the staff chose to drive, which could exacerbate the issue of parking in the locality. Inconsistencies in the design and access statement are identified and concerns about any disruption for works to the main drain are also raised as well as the need for signage. There is also concern that the site edged red includes land that the applicant does not have access rights over.
18. A representation has been received from the owner/occupier of 4 Brookfields, Potton, who has two children that attend the nursery and urges that the application be supported.
19. A representation has been received from the owner/occupier of 9 Sutton Road, Potton, who would like to wholeheartedly support the application as the curriculum that the nursery offers is unique and not offered by other pre-schools within the area.

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

20. As this application proposes physical alterations to the part of the old glove factory, in addition to its change of use the issues to consider in the determination of the application are the appropriateness of the proposed alterations and the impact of the change of use on neighbour amenity and highway safety and the levels of parking that would be provided.

### ***Alterations and Conservatory***

21. The most significant material change to the exterior of the building is the addition of the conservatory to the rear. Given the modest scale of this conservatory and the limited views that there would be of it there is no objection to this part of the proposal. Similarly there is no objection to any of the other external changes. No details have been provided of the new shed that is detailed on the drawings, though this could be secured by way of a planning condition. Apart from a security gate to the south of the building there are no other boundary treatments proposed.

### ***Access Ownership***

22. Initially a number of the representations questioned whether all of the access road was in the applicant's ownership and/or control. The agent subsequently served notice of the application on the other landowners and submitted the relevant certificates. It appears that there is still some dispute about who owns parts of the access road and what permission the applicant would have to use it. However, this is a legal matter that would need to be resolved between the relevant landowners.

### ***Impact upon amenity***

23. Although the rear garden of number 33 Church Street abuts the site and its access any noise from the use of the site and vehicular movements would be experienced during the working day. Given the fact that the site has an extant B2 use, which could potentially produce more noise than the proposed use, the impact upon neighbour amenity would not be sufficiently adverse to result in a reason for refusal. However, given the potential for disturbance from children playing in the rear garden area it would be sensible to replace the existing chain link fence with a close-boarded fence. If the application were to be approved this is something that could be secured by way of a boundary treatment condition. Similarly it would be appropriate to attach the conditions requested by the Environmental Health officer, to further limit the impact upon neighbour amenity, if consent were granted.

### ***Highway Safety and Parking***

24. The Transport Statement considers the trip generation during the peak hours of 08:00 – 09:00 and 17:00 – 18:00 and officers accept that at peak periods the change of use will not have a significant impact. Officers also accept that the proposal will result in the redistribution of traffic that is presently within the village. However, the existing and proposed sites are different in character and the nature of the surrounding development and uses that surround them.
25. The Transport Statement acknowledges that the use would generate more traffic than the industrial use outside peak hours. Given the use of the industrial unit to the north, and the potential B2 use of the rest of the old glove factory, there is clearly the potential for conflict to arise when vehicles access the narrowest stretch of the access

road. The use of the access road by pedestrians, with children, throughout the day also raises concerns about the potential for conflict between users.

26. Although the issues relating to the ownership of all of the access road are a legal matter it does highlight the fact that the use of the wider section, where vehicles are expected to wait whilst other vehicles and pedestrians traverse the narrower section, is not entirely within the applicant's control. Therefore if this land were to be developed or sectioned off then it would potentially result in vehicles having to wait on Church Street for vehicles to leave the access road. Moreover the land to the east of the access is a green/gravel verge with signage on it and although the land to the west is hardstanding it is directly outside one of the windows of 33 Church Street. Vehicles waiting on this land would have the potential to impact upon the amenities of the occupiers of this residential property.
27. If the application is approved then it is requested that a condition be used to secure an area of land where vehicles can wait clear of the public highway prior to entering the narrowest part of the access road. The applicant would have to provide evidence that they could comply with such a condition prior to any development commencing.

### ***Parking***

28. The requirement to meet the maximum parking standards of 1.5 spaces per 2 staff would be met by 6 of the proposed parking spaces, to cater for the 6 part time staff and 1 full time staff member. Given the concerns about vehicular parking outside the site, and the impact upon the locality, there is no objection to the additional 2 'drop off spaces'. The parking area proposed for use by unit 3 presently serves all of the units of the old glove factory.
29. No details of cycle parking have been provided. The requirement would be for 1 secure cycle space per 2 members of staff working at the same time. Although the provision of secure cycling spaces would have space implications this is something that could easily be secured by way of a planning condition.
30. In terms of the remaining two units they have a gross floor area of approximately 249 sq. metres. On the application forms the existing use is given as B1c (light industrial), B2 (general industrial) and B8 (storage and distribution). The Transport Statement considers the existing use as being B2 and the planning history relates to the use of the site as a glove factory, which would fall within a B2 use class. If planning consent were granted for the erection or change of use of a similar scale of B2 unit there would be a requirement for 5 car parking spaces and 6 cycle spaces.
31. Although the Council cannot retrospectively require that these units, which have had an established planning use for a number of decades, have sufficient parking provision the issue of whether granting permission for the proposed change of use would have an adverse impact upon parking in the vicinity needs to be taken into consideration. Essentially, if consent were granted for the proposed change of use and the other two units, which are presently unoccupied, were subsequently let for a B2 use then any employees or people visiting these units would have no choice other than to park on Church Street or one of the surrounding streets. The argument made by the applicant that there is parking between the remaining two units is not accepted. This land would not be suitable in terms of its area for the suitable parking of vehicles and the limited visibility that it would provide for vehicles manoeuvring out of the spaces onto the access road would be an issue.

***Inconsistencies in the information submitted***

32. The previous comments are based on the opening hours that have been stated in the Transport Statement, which are 09:00 to 15:00. However, in the covering letter it states that there will be the option of children coming from 08:30 to 15:30 and the application forms detail opening hours of 08:00 to 17:00. Finally in an e-mail from the agent, with further information from the applicant, states that there is an extended learning group that runs from 16:00 to 17:15 on Thursday afternoons, during term times.
33. Similarly the design and access statement states that the site will be used for children between the ages of 2 and a half and 5, whilst the covering letter states that in addition to the nursery the site will also be used for a holiday club for children aged between 2 to 9. Although the latter is not material to the proposal the inconsistencies in the information about opening hours does call into question the accuracy of the Transport Statement and the conclusions it draws.

**Recommendation**

34. Refuse – for the following reasons:
  1. In order to meet the Local Planning Authority's parking standards the area of hardstanding that presently serves as parking for the entire industrial unit known as the Old Glove Factory would be used to serve unit 1, which has a gross internal floor area of approximately 154 sq. metres. The remaining units, which have a gross internal floor area of approximately 249 sq. metres and an extant B2 use, would subsequently be left without any parking. If this situation were permitted then the lawful occupation of the remaining units would result in additional pressure on the on street parking areas of the locality, namely Church Street, which would be harmful to the general amenity and highway safety of the area. The proposed change of use is therefore contrary to policies DP/3 and TR/2 of the South Cambridgeshire Local Development Framework, adopted 2007.
  2. The existing access road meets Church Street at a point that can suffer congestion as a result of parked vehicles on the public highway and the periodic loading and unloading of commercial vehicles that serve the nearby retail units. The further intensification of this access, at off peak times, as a result of the proposed change of use would have the potential to exacerbate this situation. Moreover, the limited width of approximately 20 metres of the access road means that two vehicles would not have sufficient space to pass each other. Although there is space for vehicles to pull clear of the public highway just off Church Street this is limited by a verge to the east and the boundary of the curtilage of 33 Church Street to the west. Therefore the intensification of the access would result in vehicles potentially having to wait on Church Street in order to access the site, especially when waiting to pass larger commercial vehicles accessing the industrial units to the north and slower moving pedestrians accessing the nursery, which would have a detrimental impact upon highway safety. The proposed change of use would therefore be contrary to policy DP/3 of the South Cambridgeshire Local Development Framework, adopted 2007.

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

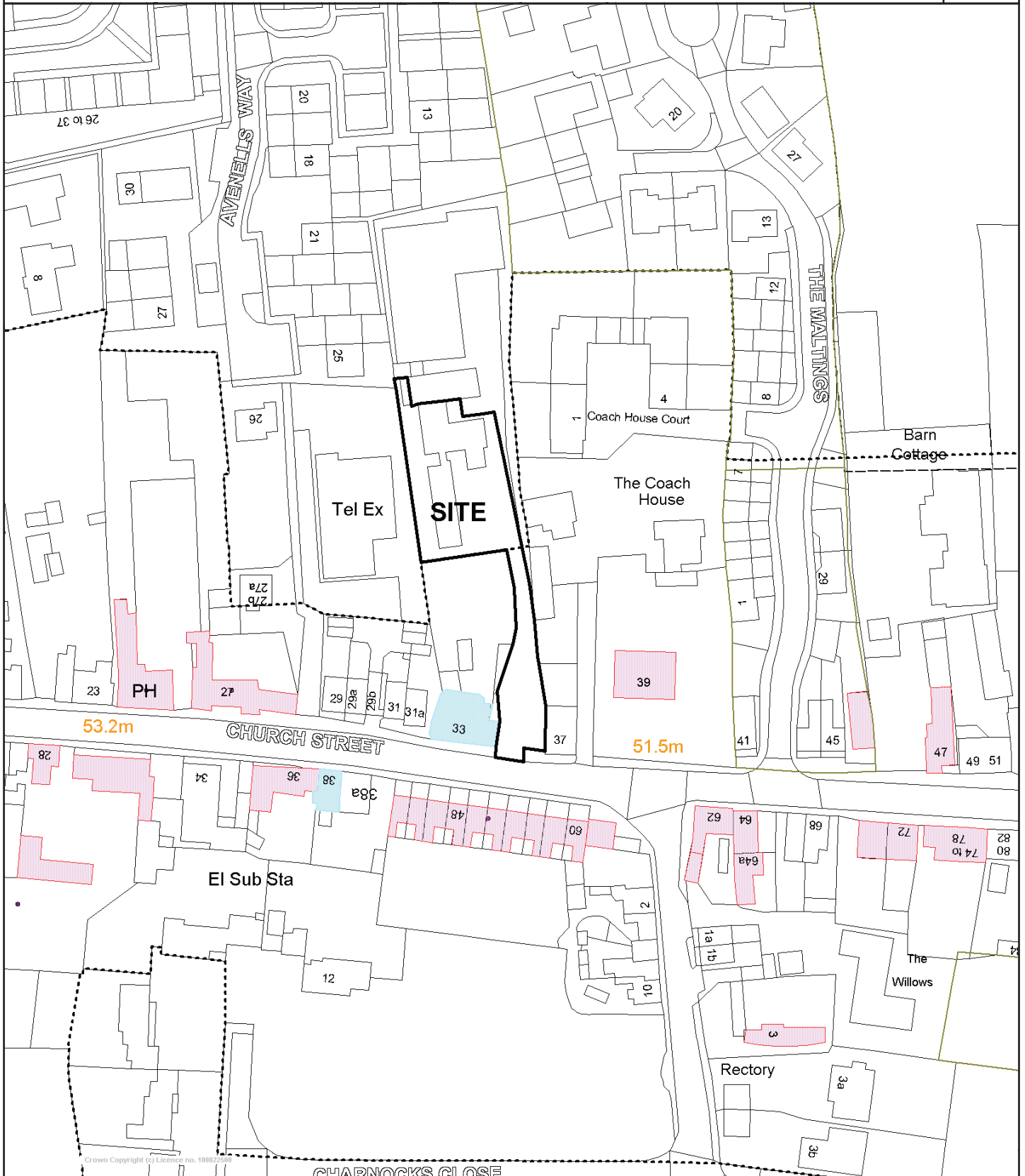
- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- District Design Guide SPD
- Planning File Ref: S/0244/10/F

**Contact Officer:** Edward Durrant – Senior Planning Officer  
Telephone: (01954) 713266

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S/0244/10 - Gamlingay



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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

3 November 2010

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

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**S/1460/10 - HISTON****The Erection of a Staff Accommodation Building with Associated Landscaping and Alterations to the Existing Car Parking Arrangements at Etheldred House, Clay Street, Histon for Alison Simpson, Excelcare Investments Ltd.****Recommendation: Approve****Date for Determination: 19 October 2010****Notes:**

**This Application has been reported to the Planning Committee on the grounds that the Histon & Impington Parish Council recommendation of refusal conflicts with the officer recommendation.**

**Site and Proposal**

1. Etheldred House is a residential care home located within the Histon Development Framework. The application site measuring 0.12 hectares, lies to the southeast corner of the care home site and currently comprises car parking and low level landscaping. The care home was approved in 2005 and comprises one and a half storey building built in buff brick and slate roof. It includes large dormer windows within its elevations. The original planning consent for the home did include the erection of a single storey district nurses centre within the southeast corner of the site. This building has not been built but could still be implemented under the original consent.
2. The application site is adjacent to a public footpath that lies between the eastern boundary of the site and rear property boundaries of 22-29 Burkett Way and nos.1, 3 and 5 Clay Street. The rear gardens and elevations to these dwellings face the site. There is a pine tree, which sits within the application site and a mature tree within the curtilage of no.1 Clay Street.
3. The proposal comprises the erection of a one and half storey building to provide residential staff accommodation including eight bedrooms. The proposal would also involve the creation of a private residential garden to serve as amenity space for the building, additional landscaping and alterations to the site's existing parking layout.

**Planning History**

4. Planning application **S/1173/09/F** for the erection of a building for nursing accommodation was refused and dismissed on appeal on the grounds that the building would be visually prominent from the rear elevations of 22, 23 and 24 Burkett Way. The application was refused due to the detrimental impact upon the outlook and private amenity areas of properties to the rear of the proposed building within Burkett Way.

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

### **Planning Policy**

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

**DP/1** Sustainable Development

**DP/2** Design of New development

**DP/3** Development Criteria

**DP/7** Development Frameworks

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

**NE/6** Biodiversity

**NE/15** Noise Pollution

**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):**

Trees and Development Sites, 2009

Biodiversity, SPD, adopted in July 2009.

Landscape in New Developments, SPD, adopted March 2010.

Open Space in New Developments, SPD, adopted January 2009.

District Design Guide, SPD, adopted March 2010

8. **Government Circulars:**

**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.

**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**

9. **Histon Parish Council** – Recommend Refusal commenting that the level of accommodation for 8 members of staff (but up to 16 due to double rooms) could result in parking and noise issues that would impact upon neighbouring properties, particularly in summer months from open windows and mechanical ventilation. The use of mechanical ventilation onto the boundary with Burkett Way could result in excessive noise from fans. The original approved district nursing building was single storey only and to be used during the day only.
10. **Landscape Design** – No comments have been received.
11. **Environmental Health** – No comments have been received.

## **Representations**

12. Two letters of representation have been received from nos. 23 and 25 Burkett Way, which raise concerns over the following issues:
- (a) The 24 hour use of the building will generate noise through the nature of unsociable working hours;
  - (b) The use of mechanical ventilation upon the southeast elevation could cause noise at unsociable hours;
  - (c) The application fails to address that the site abuts a public footpath;
  - (d) Noise from the current building is disturbing, therefore an additional building within closer proximity to Burkett Way would exacerbate this issue.

Notwithstanding the above, one letter comments that it is pleasing to see that the current application has moved the structure away from the boundary, reduced its ridge height, provides landscaping and would use more colourful red plain roof tiles.

## **Planning Comments – Key Issues**

13. The key issues to consider in this instance are the impact of proposals upon the residential amenity of neighbouring dwellings, the public realm, car parking provision, public open space and community infrastructure provision.

### ***Public Realm***

14. The proposed building would replicate the form of the existing care home and previously approved districted nurse's centre through its low-lying, hipped/flat roof form and buff facing brick elevations and use of dormer windows to facilitate first floor accommodation. The building would only be clearly visible from the public footpath that runs along the site's eastern boundary fence (approximately 1.8m high) and this would mainly involve views of the side and rear of the building comprising in the main of its roof. The proposal would be 0.60m higher than the original approved structure but with dormer windows in the front elevation and 1.2m lower than the refused design. Given the modest proportions of the building and its increased distance from the public footpath (5m) the building would have an acceptable impact upon the public realm.
15. The proposal would be sited off the boundary to the adjacent public footpath and would therefore allow for a planting scheme along this boundary. This detail will be secured by condition and would provide a visual screen and green backdrop to the site to the enhancement of the public realm and surrounding residential amenity.

### ***Car Parking Provision***

16. The original planning approval contained 29 car parking spaces. This proposal would not deplete this number of car parking spaces but would involve a use whereby 8 members of staff could be located onsite over night. The previously approved building did not provide accommodation, as it was a meeting and consultation centre. Nevertheless, given the site's central location within the village and that the accommodation would be for staff based at the adjacent care home it is not considered that the proposal would require any additional car parking. As staff occupying the building would be working within the adjacent site the proposal would not be considered to have any adverse impact upon highway safety. A condition will be added to the permission to ensure that the building's use is solely ancillary to the primary use of the site as a care home.

### ***Residential Amenity***

17. The proposal comprises of a building of a similar scale to that previously approved, which could still be implemented. However, the proposal would involve first floor accommodation with the building being 0.60m higher than that originally approved and the building's location would be sited 5m away from eastern boundary. Furthermore, the building would provide accommodation with staff occupying the structure throughout the day and night. Despite the building's increase in height to that previously approved, the structure would be located approximately 21m away from the rear elevations of properties within Burkett Way. This distance would adhere to the South Cambridgeshire Design Guide, SPD, 2010, which states that a 12m distance is an acceptable distance from a blank wall onto neighbouring rooms. In addition the building would be separated from the adjacent neighbouring properties by a public footpath, with fence lines on opposite sides of the path along with the provision of additional landscaping to be secured by condition. In light of the above the proposed building is considered to result in no significant impact upon the amenities currently enjoyed by the neighbouring properties through loss of daylight/sunlight or by way of an overbearing visual impact.
18. Notwithstanding the above, the use of the proposed building would introduce residential activity to an area where there was previously approved to be very little human activity. In addition the building may require forms of mechanical ventilation upon its rear elevation facing properties in Burkett Way. Both of these issues have raised concern locally with regard to the potential for noise and disturbance to nearby residential properties. The previously refused application for staff accommodation was not refused on the grounds of potential noise and disturbance nor did the inspector upon appeal raise this matter. It is considered that the building would not be fully in use at any one time with occasional use of the private garden areas due to shift patterns of working. Furthermore, the building would contain no windows facing the residential properties in Burkett Way to the east. A condition requiring details of plant and machinery will ensure that any form of ventilation is agreed in writing in consultation with the Council's Environmental Health Officers prior to development commencing on site. In light of the above it is considered that the proposal would not result in any noise or disturbance to the detriment of local residential properties than would normally be found within a residential area.

### ***Infrastructure***

19. The proposal would provide a four+-bedroom property and in order to meet the requirements of this development in respect of the increase in the capacity of occupants to the village the proposal would require the provision of an off-site contribution towards off-site public open space within the village. This has been calculated at £11,901.13 (Index-Linked). In addition the development would also require a contribution towards community infrastructure for the village by way of a commuted sum of £4,641.76 (Index-Linked). The applicant has agreed to these payments, which will be secured by way of condition.

### ***Conclusion***

20. 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 granted in this instance.

**Recommendation**

21. Approve

**Conditions**

- 1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**

(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)

- 2. The development hereby permitted shall be carried out in accordance with the following approved plans: EOS10061-03 & EOS10061-01.**

(Reason – To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990).

- 3. The building, hereby permitted, shall not be occupied until covered and secure cycle parking has been provided within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.**

(Reason - To ensure the provision of covered and secure cycle parking in accordance with Policy TR/2 of the adopted Local Development Framework 2007.)

- 4. During the period of construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.**

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

- 5. No external lighting shall be provided or installed within the site other than in accordance with a scheme, which has first been submitted to and approved in writing by the Local Planning Authority.**

(Reason -To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/14 of the adopted Local Development Framework 2007.)

- 6. No development shall take place until a scheme for the siting and design of the screened storage of refuse has been submitted to and approved in writing by the Local Planning Authority. The screened refuse storage shall be completed before the building is occupied in accordance with the approved scheme and shall thereafter be retained.**

(Reason - To provide for the screened storage of refuse in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- 7. No development shall 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.)

- 8. 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, 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.)

- 9. The building, hereby permitted, shall not be occupied until details of a scheme for the provision of outdoor sports, play, informal open space and community infrastructure to meet the needs of the development in accordance with Policies DP/4, SF/10 and SF/11 of the Local Development Framework Development Control Policies 2007 has been submitted to and approved in writing by the LPA.**

(Reason - To ensure the development provides a suitable level of public open space for occupants of the development, in accordance with Policies DP/4, SF/10 and SF/11 of the South Cambridgeshire Local Development Framework 2007.)

- 10. 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 and DP/3 of the adopted Local Development Framework 2007.)

- 11. Details of the location and type of any power driven plant or equipment including equipment for heating, ventilation and for the control or extraction of any odour, dust or fumes from the building but excluding office equipment and vehicles and the location of the outlet from the building of such plant or equipment shall be submitted to and approved in writing by the Local Planning Authority before such plant or equipment is installed; the said plant or equipment shall be installed in accordance with the approved details and with any agreed noise restrictions.**

(Reason - To protect the occupiers of adjoining buildings (dwellings) from the effect of odour, dust or fumes in accordance with Policy NE/16 of the adopted Local Development Framework 2007.)

- 12. The building, hereby permitted, shall not be occupied at any time other than for purposes ancillary to the use of the residential care home known as Etheldred House.**

(Reason - To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)



### **Informatives**

1. In relation to Condition 9 above, the provision of recreational and community 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 £16,542.89 (index-linked) as calculated at the date of this decision. The applicant has agreed to such a contribution and a document under S106 (Scheme) is required to secure this.
2. See attached Environment Agency advice regarding soakaways.

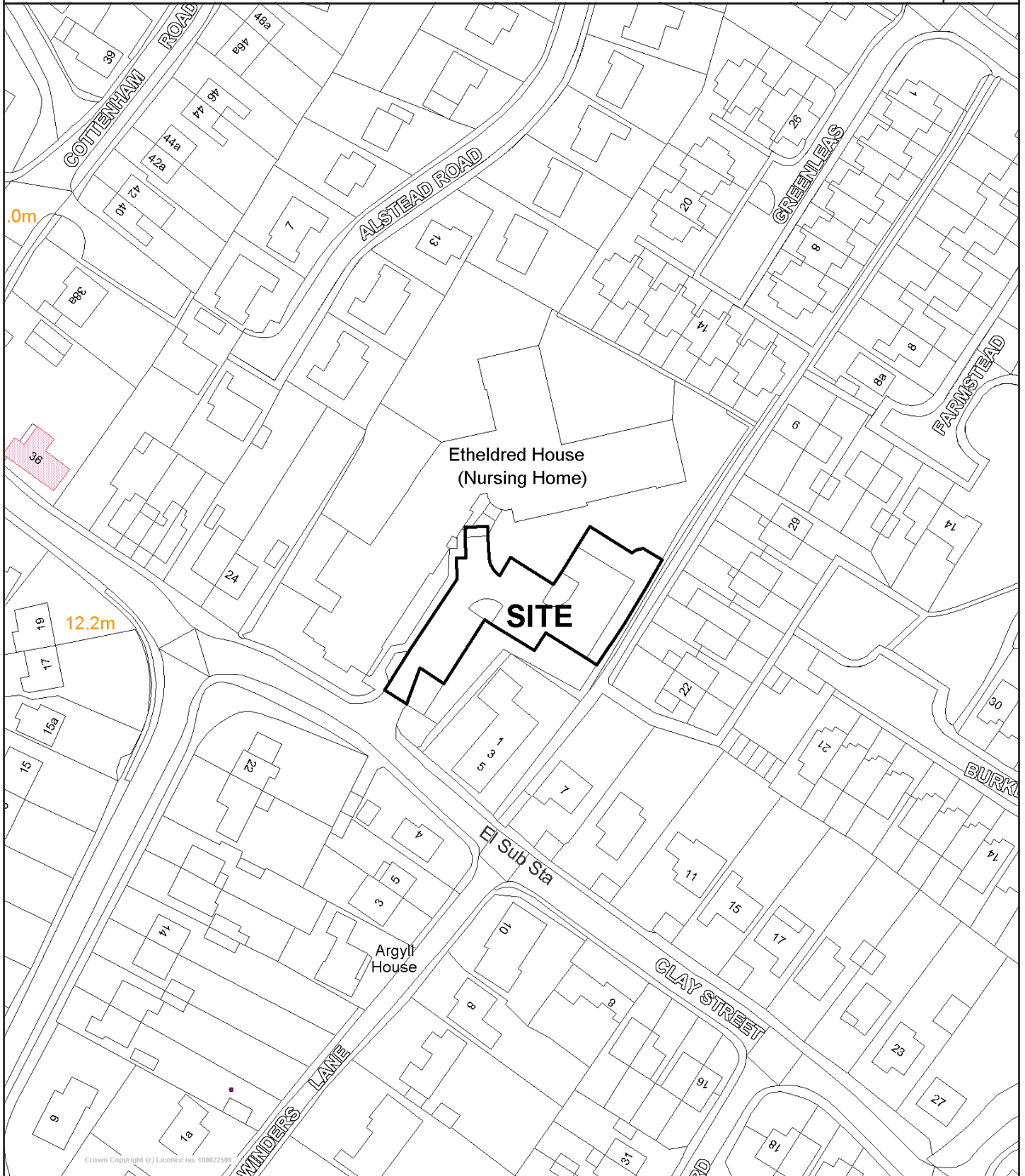
**Background Papers:** the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Development Framework Development Control Policies, DPD, 2007
- South Cambridgeshire LDF Supplementary Planning Documents (SPD):
- Planning Files Ref: S/1173/09/F and S/1460/10

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

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S/1460/10 - Histon



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## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

3 November 2010

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

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**S/1415/10 - SHEPRETH**
**Erection of Two Dwellings Following Demolition of Existing Bungalow  
At 21 Meldreth Road for Boswell Izzard**
**Recommendation: Delegated Approval/Refusal****Date for Determination: 14 October 2010**

**This Application has been reported to the Planning Committee for determination because the recommendation of the Parish Council differs to that of the case officer on material planning grounds.**

**Site and Proposal**

1. The site is located within the designated Shepreth village framework and upon submission of the application, there was a bungalow on site. This has since been removed. To the southwest of the site is an existing bungalow of 21a Meldreth Road, whilst to the northeast is an area of grassland, beyond which are further dwellings. To the south of the site is the dwelling and garden of 51 Blenheim Close, located behind a screen of leylandii hedging. There is a hedge along the frontage of the site, and the land on the opposite side of Meldreth Road is outside of the designated village framework.
2. The application, validated on 19 August 2010, seeks the replacement of the original bungalow with two dwellings, each with first floor accommodation. The application is accompanied by a Design and Access Statement.

**Planning History**

3. Application **S/0789/10/F** was withdrawn for the erection of two dwellings following the demolition of the existing bungalow on the site dated 29 July 2010.

**Planning Policy**

4. **South Cambridgeshire Local Development Framework (LDF) Core Strategy: ST/7 Infill Villages**
5. **Local Development Framework Development Control Policies (LDF DCP) 2007: DP/1 Sustainable Development, DP/2 Design of New Development, DP/3 Development Criteria, DP/4 Infrastructure and New Development, DP/7 Development Frameworks, HG/1 Housing Density, HG/2 Housing Mix, SF/10 Outdoor Playspace, Informal Open Space, and New Developments, SF/11 Open Space Standards, NE/6 Biodiversity, NE/15 Noise Pollution & TR/2 Car and Cycle Parking Standards.**
6. **Open Space in New Developments SPD, Trees and Development Sites SPD & District Design Guide SPD.**

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.

#### **Consultation**

9. **Shepreth Parish Council** recommends refusal of the application on grounds of the dwellings being too large for the plot, considerably higher than the neighbouring properties and not sympathetic to the street scene; the loss of the frontage hedge; overlooking towards 51 Blenheim Close; and insufficient off-street parking.
10. The **Local Highways Authority** originally recommended refusal of the application on grounds of restricted vehicle-to-vehicle visibility splays that would be detrimental to highway safety. Following further negotiations, the Local Highways Authority has accepted that reduced splays are acceptable provided they can be demonstrated on plan form.
11. The **Council's Landscape Officer** requests conditions regarding landscaping and boundary treatment.
12. The **Council's Trees Officer** requests a condition regarding foundation detail to protect existing planting on the site.

#### **Representations**

13. No further representations have been received.

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

14. The key considerations regarding the application are the principle of development, the impact upon the street scene, the impact upon the amenity of occupiers of neighbouring properties, highways safety and parking, the loss of the frontage hedge, and open space provision.

#### ***The Principle of Development***

15. Shepreth is classified as an Infill Village in the LDF Core Strategy, where residential development and redevelopment within village frameworks will be restricted to not more than two dwellings given four different criteria. Criteria b allows such redevelopment of an existing residential curtilage. There is in-principle support for the development, subject to site specific issues.
16. Policy HG/1 of the LDF DCP 2007 seeks residential developments to make best use of sites by achieving average net densities of at least 30 dwellings per hectare. The site has an area of approximately 0.056 hectares. The existing dwelling on the site would represent development at 18 dwellings per hectare. The redevelopment to allow two dwellings increases the density of development on site to 36 dwellings per hectare, and would represent a more efficient use of the land. Policy HG/2 of the LDF DCP 2007 seeks a mix of units providing accommodation in a range of sizes to meet local needs. The proposal would provide a two-bed unit and a four-bed unit, which

would meet the requirements of the policy. There is no requirement for affordable housing as part of the scheme as there is a net gain of only one dwelling.

### ***The Impact Upon the Street Scene***

17. No. 21 Meldreth Road was a bungalow located to the western side of the site, allowing a small side garden to the east. It was located close to 21a, whilst to the east remains an area of grassland that creates a further open space in the street scene. The proposed dwellings would create a significant increase in bulk across the frontage of the plot. They would each be located just 0.7m from their respective boundary, with a 1.8m gap between the two. This is not uncommon in the locality. Nos. 17a and 17b extend across the majority of their plot, as do nos. 13 and 15.
18. There are a variety of dwelling types along Meldreth Road, with no one distinct character of dwelling. The proposed dwellings have a low eaves height, which would reduce their bulk when viewed from Meldreth Road, with the tall roof sloping away, albeit steeply, from the road. The dwellings would be taller than the bungalow at 21a Meldreth Road. This dwelling is set slightly of the boundary, giving a break between the dwellings. The proposal would be of a similar height to 17a and 17b Meldreth Road. There are examples of frontage rooflights in the locality. There is also a large gravelled parking area to the frontage of 17a and 17b.
19. Whilst the proposal would lead to taller dwellings, and an increase in footprint across the site, it is not considered that the dwellings would significantly harm the setting of the street scene. The issue regarding the frontage hedge is discussed below.

### ***The Impact Upon the Amenity of Occupiers of Neighbouring Properties***

20. Plot 2 would be located on a similar building line to 21a Meldreth Road, although the rear two-storey element would extend further into the plot. This dwelling has three facing ground floor windows facing the site. Of these, one is obscure glazed serving a bathroom, one serves a study and one is a secondary window to the lounge. The boundary between the plots is currently a low fence with trellis, giving good views into the site from these windows. The proposal shows a 1.5m fence to be constructed along the boundary, although this is likely to be further considered through a boundary detail condition. Whilst the development would be visible from these three windows, given the orientation no loss of light would result. Given the previous location of 21 Meldreth Road on the plot, I do not consider that any serious increase in overbearing towards 21a Meldreth Road would result. A condition can ensure no windows are added to the first floor facing elevation of plot 2.
21. The rear boundary of the site is a row of tall leylandii hedging within the application site, beyond which is the side elevation of 51 Blenheim Close. Should the hedge be removed, the dwellings would be visible from the rear garden of this property. It is not considered that any serious harm would result from this. However, the bathroom window of plot 2 would allow views straight into the rear garden. This window is now shown to serve a bathroom and being fixed and obscure glazed. This is considered essential to prevent future overlooking towards 51 Blenheim Close.
22. The area of land to the east is currently grassed approximately 9m in width. This site does have a planning history for a dwelling, but the last extant application expired in 2009. Beyond this are 17a and 17b, which has a blank facing elevation. The proposal shows three rooflights in the side elevation at first floor level at plot 1. Clarification is sought as to whether these would be set at high level to prevent overlooking towards the rear garden of 17b Meldreth Road. Members will be updated on this matter.

23. Subject to the potential overlooking towards the rear garden of 17b Meldreth Road, it is considered that no loss of amenity would occur subject to a number of restrictive conditions.

***Highway Safety and Parking***

24. The Local Highways Authority originally recommended refusal of the scheme, as the dwellings would be served by a shared access and no vehicle-to-vehicle visibility splays have been submitted. The Local Highways Authority have been sent speed data direct from the applicant, and it is considered that Manual for Streets guidance could be considered for the site. This would allow a reduced visibility splay of 2.4m by 43m. A plan has been submitted showing this, although it is overly complicated, and therefore a further plan has been requested. Members will be updated on the further negotiations regarding visibility.
25. There are local concerns regarding the number of parking spaces on the site. Each unit has two designated spaces. The Council's maximum parking standards seeks 1.5 dwellings per unit, with space for visitors. The parking provided on the site therefore meets these standards and is considered acceptable for the scale of the development.

***The Loss of the Frontage Hedge***

26. The site has a frontage of approximately 21m along Meldreth Road. Prior to the demolition of the existing dwelling, a hedge ran across the frontage, broken by the single vehicle and pedestrian accesses. The hedge continues along the frontage of 21a Meldreth Road. The introduction of a shared access requires a wider access than usual. The proposed plan shows the access measuring 10m in width. This is excessive and requires the loss of a significant amount of the hedge, with little space to plant a suitable replacement. Further negotiations will take place to attempt to allow space for more planting across the frontage, in order to retain the green frontage. Members will be updated on this matter.
27. The Trees Officer has no objections to the scheme subject to a standard condition regarding submission of foundation details. No vegetation on the site is protected in its own right, but it does add to the green nature of the area. Any approval should include such a condition.

***Open Space Provision***

28. The applicant notes in the Design and Access Statement his willingness to contribute towards open space infrastructure and community facilities infrastructure. This follows previous correspondence from application S/0789/10/F. Given the change to the mix of dwellings, the required contributions are less than previously noted. The open space contribution will be £3,399.42, whilst the community infrastructure contribution totals £573.73, with both to be index-linked. The previous correspondence also mentioned the need for provision of waste receptacles and the Section 106 monitoring fee.

***Recommendation***

29. Delegated approval/refusal subject to confirmation from the Local Highways Authority regarding the safety of the shared access, and confirmation that the bedroom rooflights to plot 1 would not cause overlooking to 17b Meldreth Road. If the



application were approved, conditions would be required regarding the plans to be approved, open space provision, community facilities provision, the section 106 monitoring fee, provision of waste receptacles, restrictions on the hours of construction, prevention of windows to the rear elevations, obscure glazing to the relevant windows, foundation details, landscaping and boundary treatments.

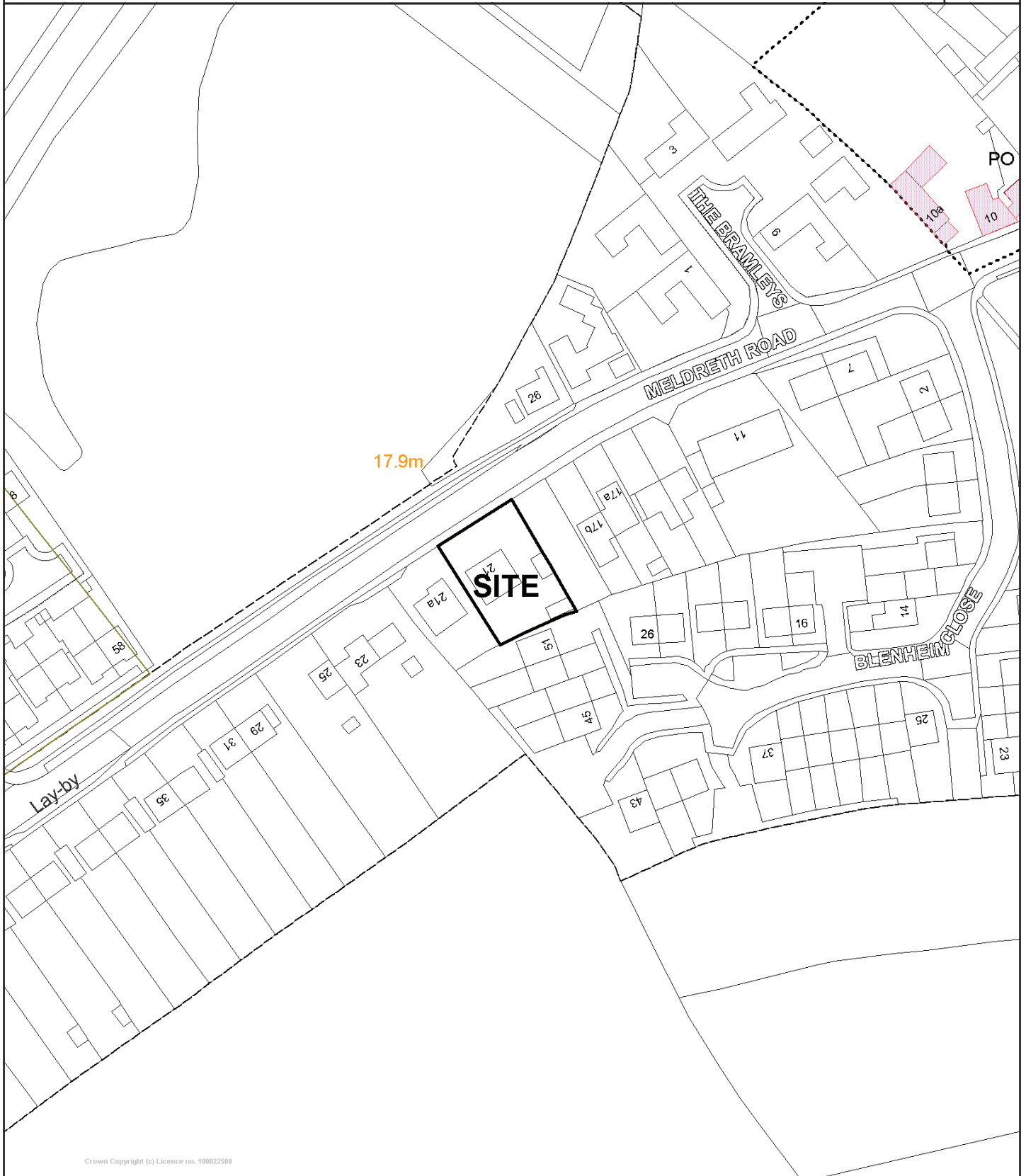
**Background Papers:** the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Development Framework (LDF) Core Strategy
- Local Development Framework Development Control Policies 2007
- Open Space in New Developments SPD, Trees and Development Sites SPD & District Design Guide SPD
- Circular 11/95 – The Use of Conditions in Planning Permissions.
- Circular 05/2005 - Planning Obligations
- Planning Files ref: S/1415/10 and S/0789/10/F

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

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S/1415/10 - Shepreth



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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

3 November 2010

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

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**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.

4. It should be noted that if the application was approved then 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** – (29/09/2010) The Parish Council has stated that it does not recognise the layout plan on which this application is based as an approved plan. It is not the layout of S/1688/08/RM; therefore, the Council recommends refusal.
14. 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.
15. **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.
16. **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.
17. **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.”

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

#### **Representations**

19. **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.
20. 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.
21. (The 'blue form' – your ref S/1101/10 – will be returned to SCDC by post).
22. 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.
23. 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**

24. 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.
25. 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.

26. With regard to the Parish Council's comments I would refer members to paragraph 2 of the report with regard to the purpose of the application. In order to provide the necessary amendments officers agreed with the developers that a single composite layout to address the design changes was the most pragmatic approach. It was therefore necessary for a new layout plan to be submitted in order to demonstrate a single workable scheme.
27. 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.
28. 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.
29. 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.

30. 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.
31. 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 2m<sup>2</sup> 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 Condition 2 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 bundary 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.

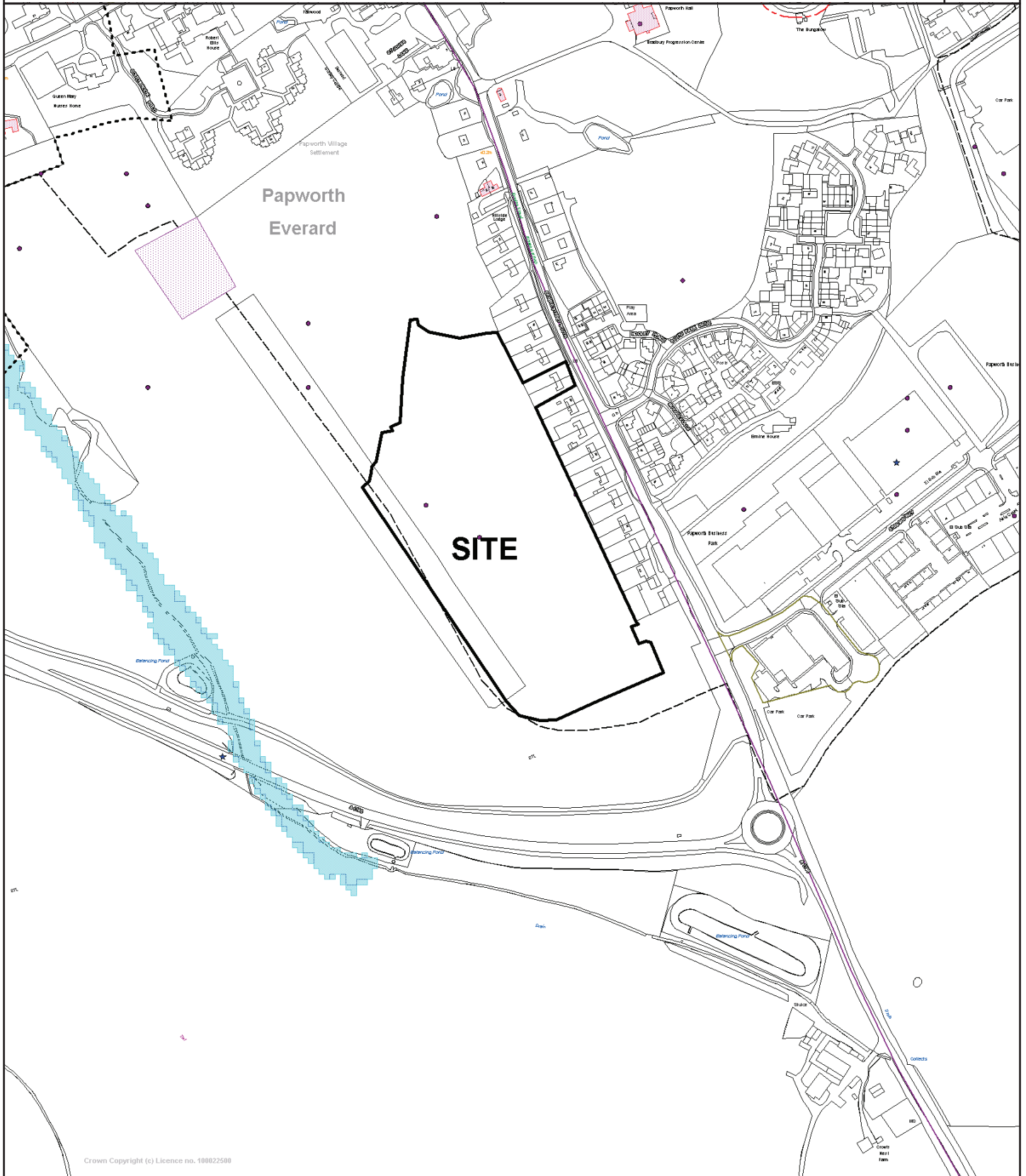
With reference to **Condition 7 (Details of boundary treatment) (S/1688/08/RM)**. The parish council cannot recommend discharge of the Condition dealing with boundary treatments without the amendments proposed having been made.

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.

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

3 November 2010

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

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**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: 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 and because the Parish Council's recommendation conflicts with the officer recommendation.**

**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 conversion to a residential dwelling and external alterations that comprise new openings in all elevations. 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 to provide separate access from the road. 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.

## **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. Considers the use of bound gravel unacceptable, for despite the control measures proposed, loose material could still spread on to the adopted public highway. Such a material represents a hazard to footway users. 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 night time investigation the ecologist does not consider the site to be a significant roost (i.e. a maternity roost) for the Pipistrelle 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 that whilst the market has been depressed during the marketing period, the site has a number of factors that would detract from its saleability including its rural location, restricted means of access, significant costs of conversion, limited plot size, and lack of any planning consent prior to selling. The guide price is therefore considered excessive and in light of the above factors, the property’s open market, freehold, vacant possession as existing with potential for alternative uses without planning permission value is £150,000 as at September 2010 but would have remained unchanged since April 2009. In addition, it is considered that there has been very limited marketing of the site other than advising local agents and displaying within shop windows and websites.
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 for the commercial user. 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 is that the property is worth £150,000 and has been marketed at an excessive price given its rural location, restricted means of access, significant costs of conversion, limited plot size, and lack of any planning consent prior to selling. Therefore, whilst it is noted that the property market is slow, the Council considers that the price should be reduced to reflect its true value and marketed widely at that price for a period of 12 months before conversion to a dwelling is deemed acceptable in principle.
26. With regards to the other 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 bins. 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 design and 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, a 'group village', 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 with Cambridge and 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. Given the rural nature of the site and the use of unbound gravel to the driveway to the existing dwelling, the use of bound gravel is considered acceptable. A block paved driveway would have an urban appearance that would be out of keeping with the character of the area.

### ***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. Refusal

The Council considers that the applicants have not demonstrated through market demand or planning considerations that the existing agricultural building is inappropriate for conversion to any suitable employment use or part employment/residential use. Whilst it is acknowledged that the property has been marketed for a period of time, the price was not considered to accurately reflect the current use value, potential employment use or employment/residential use of the building. The conversion of the barn to a residential dwelling is therefore unacceptable in principle and the proposal is contrary to Policy HG/8 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 that seeks to resist the conversion of rural buildings residential use outside village frameworks and in the countryside.

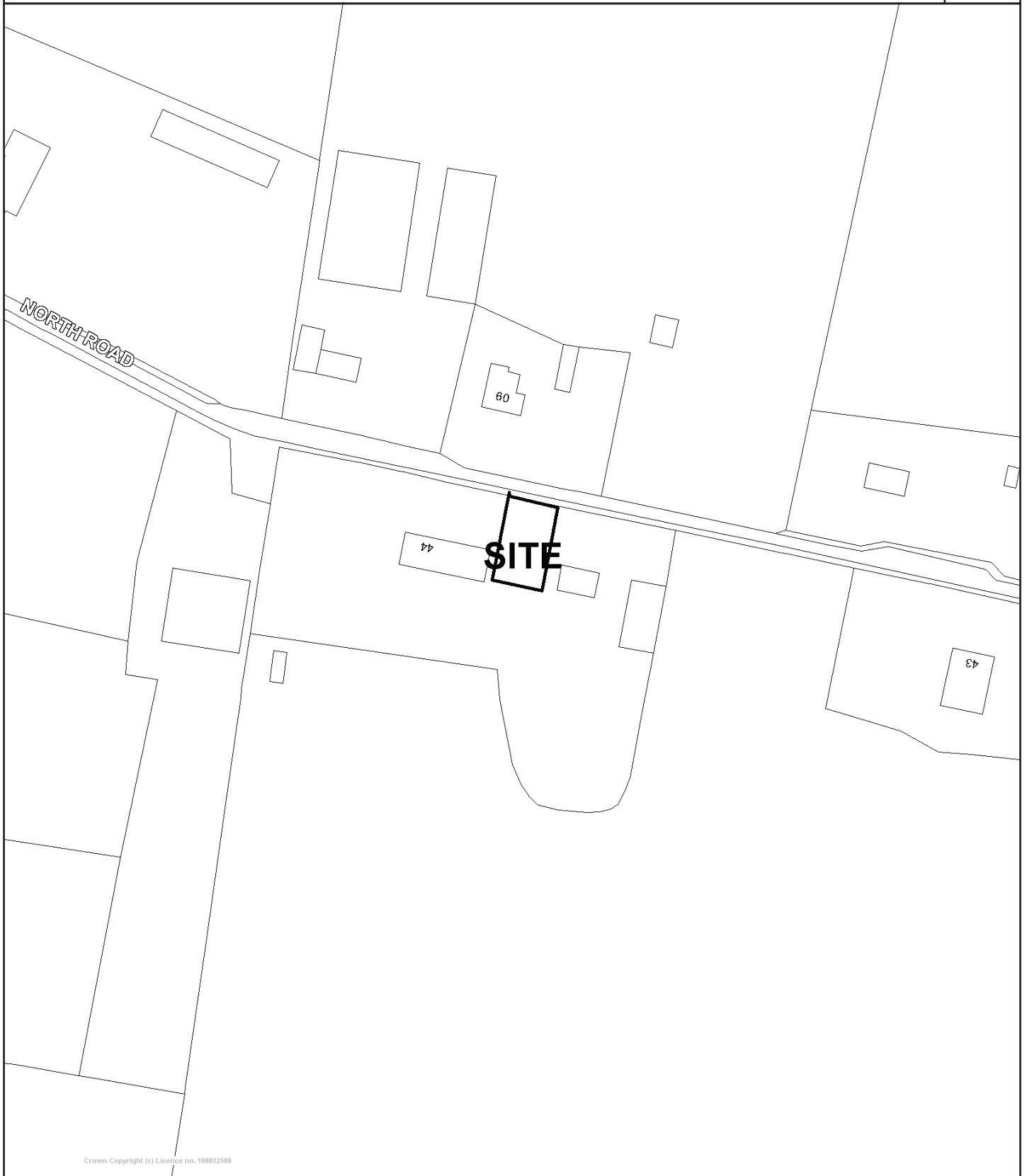
**Background Papers:** the following background papers were used in the preparation of this report:

- 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

**Contact Officer:** Karen Pell-Coggins - Senior Planning Officer  
Telephone: (01954) 713230

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S/1106/10 - Great Abington



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## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

3 November 2010

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

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**S/1304/10 – LANDBEACH**
**Erection of Dwelling and Conversion of Existing Dwelling to Garaging/Stores/Ancillary Accommodation at 56 High Street for Mr & Mrs S. Barry**
**Recommendation: Approval****Date for Determination: 14 October 2010****Notes:**

**This application has been reported to the Planning Committee for determination as the officer recommendation conflicts with the Parish Council recommendation.**

**Site and Proposal**

1. The site is located within the Landbeach village framework and partly within and partly outside the conservation area. No. 56 High Street is a detached, two-storey, , two bedroom, gault brick and tile dwelling that is situated gable end to the road with its side elevation abutting the northern boundary with No. 54 High Street. Access is to the south via a shared driveway with the adjacent bungalow at No. 60 High Street. A number of single storey outbuildings are situated within the garden area to the west (rear). Open Green Belt land lies beyond the garden.
2. This full planning application, received 19 August 2010, proposes the erection of a detached, two-storey, barn style dwelling with a brick plinth/ weatherboard walls and slate roof. It would be set back over 50 metres from the road to the rear of Nos. 56 and 60 High Street. The existing dwelling at No. 56 High Street is proposed to be converted to garaging/stores and ancillary accommodation. The shared access will remain as existing. Proposed planting includes a new native hedge to replace the wall along the front boundary, new hedges along the northern and southern boundaries, and a row of native trees to replace the existing leylandii along the rear boundary of No. 60 High

**Planning History**

3. A planning application (**reference S/0834/10/F**) for the erection of a detached, two-storey dwelling of a similar design was withdrawn in July 2010.

**Planning Policy**

4. Local Development Plan Policies:

**South Cambridgeshire LDF Core Strategy DPD, 2007:**  
**ST/7 Infill Villages**

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

**CH/5** Conservation Areas

**NE/6** Biodiversity

**NE/11** Flood Risk

**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

South Cambridgeshire LDF Supplementary Planning Documents (SPD):

Open Space in New Developments SPD - Adopted January 2009:

**Development Affecting Conservation Areas SPD** - Adopted January 2009

**Biodiversity SPD** - Adopted July 2009

**Landscape in New Developments SPD** - Adopted March 2010

**District Design Guide SPD** - Adopted March 2010

5. National Planning Guidance

**Planning Policy Statement 1** (Delivering Sustainable Development)

**Planning Policy Statement 3** (Housing)

**Planning Policy Statement 5** (Planning for the Historic Environment)

6. Circulars

**Circular 05/2005** Planning Obligations

**Circular 11/95** The Use of Conditions in Planning Permissions

**Consultation**

7. **Landbeach Parish Council** – Recommends refusal and comments that there are concerns about the proposal for a large backfilled development as it would set a precedent in the village for further back filled development and a house would be lost to become a garage. This is not an extension but a completely new build. It does against the village planning criteria that states Landbeach is an infill only village. Historically, there are two other refusals in the High Street for back development, permission was granted for a new dwelling but the applicant had to bring the footprint in line with other High Street properties, although the applicants preference was to build much further back on the land.
8. **Local Highways Authority** – Has no objections providing the ancillary building is not used as living accommodation.
9. **Conservation Officer** – Recommends approval and makes the following comments  
56 High Street dates from the nineteenth century or earlier and is within the Landbeach Conservation Area. The house has had unsympathetic alterations during the twentieth century that have almost entirely hidden the evidence of its historic appearance, and the proposal is to reinstate original features such as original doorways and window openings as part of the redevelopment of the site.



The proposed dwelling is intended to respond to the agricultural roots and history of the site as a group of buildings set back from the site frontage. Its form follows pre-application discussions and overcomes the primary concerns previously expressed.

Requests conditions in relation to materials, details of the porch, windows, doors, eaves and verge, a scheme for the alterations and reinstatement of original features of the existing house, and removal of permitted development rights for fences & means of enclosure, dormers, porches, windows/doors.

10. **Trees and Landscape Officer** – Has no objections.
11. **Landscape Design Officer** – Requests a landscape condition to cover the proposed new tree and hedge planting.
12. **Ecology Officer** – Has no objections and comments that the dwelling does not appear to be old and is constructed from modern building methods, and the outbuildings are constructed from metal sheeting. The opportunities for roosting bats are limited. Requests condition for scheme of ecological enhancement i.e. bird boxes.
13. **Environmental Health Officer** – Comments are awaited.

#### **Representations**

14. The occupiers of **Nos. 30/32, 50A, 55, 60 and 63 High Street** support the application. Comments include that the new dwelling is well designed and appropriate for the site, and that the alterations to the existing cottage and site frontage will enhance the area.

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

15. The key issues to consider in the determination of this application are the principle of the erection of one dwelling on the site and the impacts of the development upon the character and appearance of the conservation area, the visual amenity of adjacent Green Belt land, highway safety, and the amenities of neighbours.

#### ***Principle of Development***

16. The site is located within the village framework of an infill village where the erection of one dwelling is acceptable in principle subject to all other planning considerations.
17. The site measures 0.47 of a hectare in area. The proposed density of the development would equate to 2 dwellings per hectare. Whilst it is acknowledged that this would result in a very low density that would not meet the requirements of 30 dwellings per hectare under Policy HG/1 and make the most efficient use of land, it is considered appropriate given the sensitive location of the site within the conservation area and adjacent open Green Belt land and the character of the surrounding area. It also reflects recent advice in Planning Policy Statement 3 (Housing) that seeks to resist the development of rear gardens in order to protect the character and appearance the surroundings.
18. Policy DP/7 of the LDF does not restrict new residential developments to infill between existing dwellings. Given that there are already a number of existing dwellings set back from the High Street, particularly in close proximity to the site at No. 50A High Street, such development is considered satisfactory in relation to the pattern of development in the area.

***Character and Appearance of the Conservation Area and Visual Amenity of Adjacent Green Belt***

19. The previous application was withdrawn due to the objection from the conservation officer in relation to the details of the new dwelling and alterations to the existing dwelling.
20. The scale, form, design, details and materials of the new dwelling are now considered appropriate and responds to the agricultural roots and history of the site as a group of buildings set back from the site frontage.
21. The proposed alterations to the existing cottage are considered to bring it back to its original state and enhance the character and appearance of the conservation area.
22. Conditions will be attached to any consent to agree samples of materials, details of the porch, windows, doors, eaves and verge, a scheme for the alterations and reinstatement of original features of the existing house, and removal of permitted development rights for fences and means of enclosure, dormers, porches, windows/doors.
23. Although it is noted that the proposed dwelling would be closer to the Green Belt than the surrounding dwellings, it is not considered to harm its visual amenity, as it would be set off the boundary, have the appearance of an agricultural building, and be screened by landscaping.

***Trees and Landscaping***

24. The proposal would not result in the loss of any important trees. Whilst the existing leylandii trees along the boundary with the neighbour at No. 60 would be lost, they would be replaced with a row of new trees that would be more appropriate to the rural character and appearance of the area. The existing low wall along the front boundary would be replaced with a native hedge. The proposed landscaping scheme would be a condition of any consent.

***Highway Safety***

25. The proposed development is not considered to be detrimental to highway safety. Whilst it is acknowledged that the existing access does not currently meet local highway authority standards as the width and vehicular visibility splays are substandard, it is considered acceptable as its use would not be intensified as a result of the development and the existing situation would remain i.e. one household.

***Neighbour Amenity***

26. The proposed dwelling would not be unduly overbearing in mass or result in a significant loss of light to neighbours, given its siting in relation to the surrounding properties. The dwelling would be positioned 6 metres from the boundary with No. 60 High Street and orientated to the west, 1.5 metres off the boundary with No. 52 High Street and orientated to the south, but adjacent a parking area, and 6 metres off the boundary with the new development and orientated to the north west.
27. The proposed dwelling would not lead to overlooking that would result in a severe loss of privacy to the neighbours. The first floor windows in the front elevation would be set off the boundary with No. 60 High Street by 16 metres, behind a tree screen, and serve the landing and bathroom which are non-habitable rooms.

28. The proposed alterations to the existing cottage would not materially change the impact of the development with respect to the amenities of neighbours.
29. A condition will be attached to any consent to control the hours of use of power operated machinery during demolition and construction to ensure the development would not result in an unacceptable level of noise and disturbance to neighbours.

#### ***Developer Contributions***

30. The South Cambridgeshire Recreation Study 2005 identified a shortfall of play space within Landbeach. No such space has been provided on site. The increase in demand for playspace as a result of the development therefore requires a financial contribution of £2,014.00 (index linked) towards the provision and management of open space off-site and within 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 agent has confirmed that the applicant would be willing to contribute towards this requirement.
31. The South Cambridgeshire Community Facilities Assessment 2009 states that Landbeach has indoor community space that is of a good standard, although some investment in the near future may be required. Due to the increase in the demand for the use of this space from the development, a financial contribution of £339.91 (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 agent has confirmed that the applicant would be willing to contribute towards this request.
32. A contribution towards waste receptacles is not required in respect of this development, as the existing bins for No. 56 would be used.

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

33. The use of the existing cottage will be limited by a condition of any consent to be occupied as accommodation ancillary to the new dwelling.
34. There are no local development plan policies that seek to retain the existing dwelling, but the new dwelling would be a replacement due to the change of use of the existing dwelling to an ancillary outbuilding.

#### **Conclusion**

35. 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 granted in this instance.

#### **Recommendation**

36. Approval subject 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: 1:1250 site location plan and drawing numbers 10/1248:001 Revision B, 002 Revision B, 003 Revision B, and 005 Revision B.**  
(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 samples 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. The samples shall include the bricks, render colour and texture, a panel of flintwork with brick quoins, and weatherboard for the walls, and tiles for the roof of the dwelling and garage. Development shall be carried out in accordance with the approved details.**  
(Reason - To ensure the development preserves the character and appearance of the conservation area in accordance with Policy CH/5 of the adopted Local Development Framework 2007.)
- 4. No development shall commence until detailed drawings at a scale of 1:10 of the porch, windows, doors, and eaves and verge 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 preserves the character and appearance of the conservation area in accordance with Policy CH/5 of the adopted Local Development Framework 2007.)
- 5. No development shall commence until a scheme for the alterations and reinstatement of original features of the existing house 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 preserves the character and appearance of the conservation area in accordance with Policy CH/5 of the adopted Local Development Framework 2007.)
- 6. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the 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 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.)

- 8. 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.)
- 9. 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.)
- 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 development within Classes A, B and D 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 preserve the character and appearance of the conservation area in accordance with Policy CH/5 of the adopted Local Development Framework 2007.)
- 11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or openings of any kind shall be constructed in the first floor north elevation or roof slope of the ancillary building 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.)
- 12. The existing cottage shall not be occupied at any time other than for purposes ancillary to the residential use of the new dwelling subject to this planning permission.**  
(Reason - To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- 13. During the period of demolition and 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.)

- 14. No development shall begin until details of a scheme for the provision of recreational and community services infrastructure 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 and community services infrastructure in accordance with the above-mentioned Policies SF/10 and DP/4 of the adopted Local Development Framework 2007.)

#### **Informatives**

1. See attached Environment Agency advice regarding soakaways.
2. Should pile driven foundations be proposed, then before works commence, a statement of the method of construction for these foundations shall be submitted and agreed by the Environmental Health Office 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 District Environmental Health Officer in accordance with best practice and existing waste management legislation.

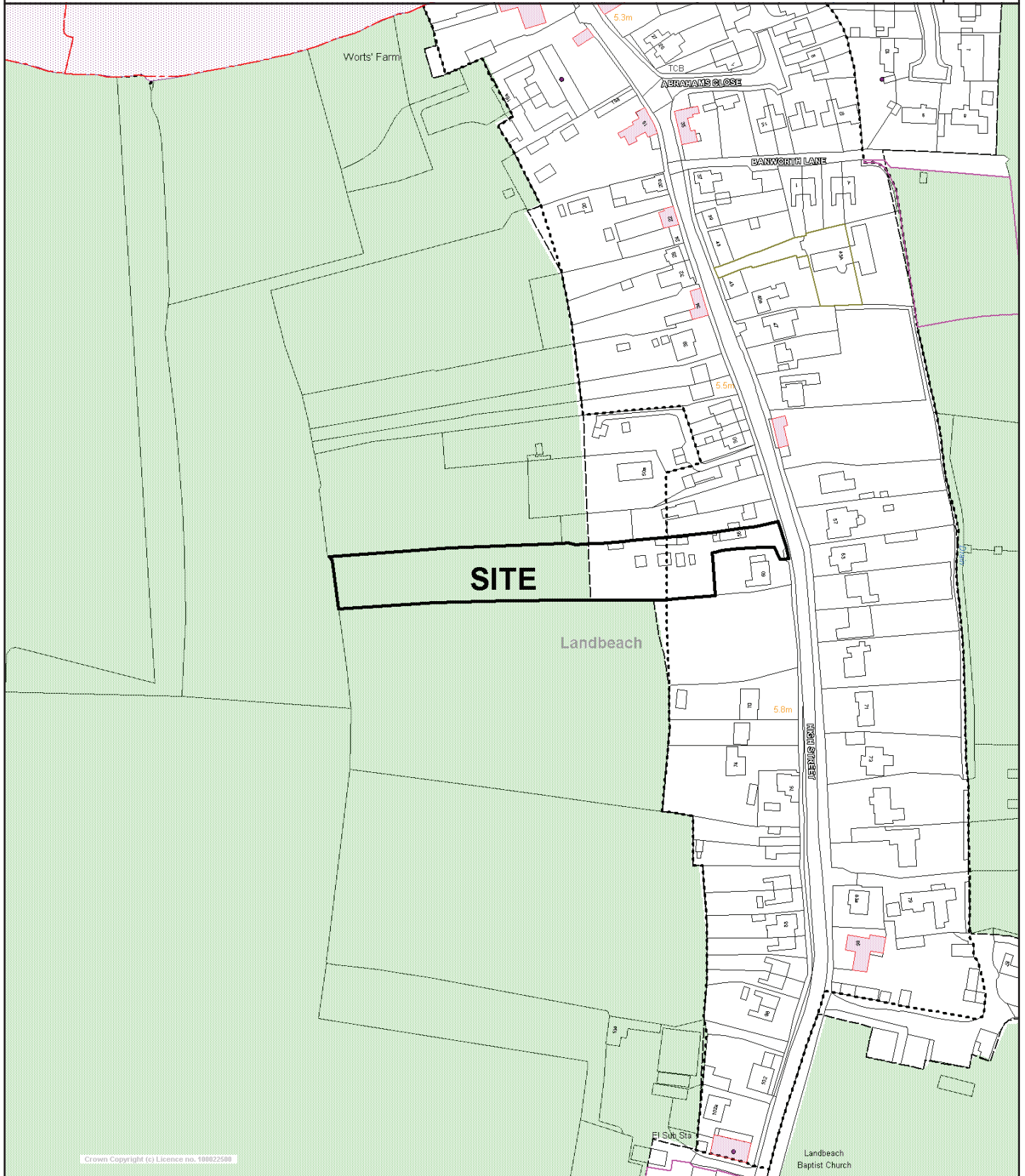
**Background Papers:** the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents: Development Affecting Conservation Areas, Open Space in New Developments, Biodiversity, Landscape in New Developments, and District Design Guide
- Planning Policy Statements 1, 3 and 5
- Planning File References: S/1304/10 and S/0834/10/F

**Contact Officer:** Karen Pell-Coggins - Senior Planning Officer  
Telephone: (01954) 713230



S/1304/10 - Landbeach



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## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

3 November 2010

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

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**S/1679/09/F – THRILOW****Two Dwellings and Detached Garage at Land to the South-West of 8 Woburn Mews &  
54 Woburn Place for Landmark Real Estate****Recommendation: Approval****Date for Determination: 26 January 2010****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, and at the request of District Councillor Topping.**

**Members of Committee will visit the site on Wednesday 3 November 2010.**

**Site and Proposal**

1. The application site lies within the settlement of Heathfield on the north-west side of the A505, adjacent to its junction with Heathfield Way. The site comprises a grassed strip of land that rises from north-west to south-east and is elevated above the level of the adjoining two-storey dwellings and communal parking area to the north-east. On the opposite/south-west side of the road, there is a similar sized grass strip beyond which is a service station/garage building. On the opposite side of the A505 to the site are the grounds of the Imperial War Museum, which are located within the Conservation Area.
2. The full application, registered on 1 December 2009, and amended on 17 August 2010, seeks to erect two detached two-storey dwellings and garaging on the site. Plot 1 would be a four-bedroom market dwelling located at the southern end of the site adjacent to the A505. It would comprise red brick walls under a tiled roof. Plot 2 would be a two-bedroom affordable dwelling comprising brick/rendered walls and a tiled roof. A shared point of access would be provided to serve both properties and a detached garage erected adjacent to the turning area for the dwelling on Plot 1. It is proposed to reduce the ground levels across the site, as a result of which the dwelling at the southern end would be set down approximately 1.4 metres lower than the existing ground level. The density of the development equates to approximately 30 dwellings per hectare.

**Planning History**

3. **S/2013/08/F** – An application to erect a single contemporary dwelling on the southern part of the site was refused for the following reasons:
  - (a) The buildings on the north side of the A505 predominantly comprise houses with traditional small-scale forms. Due to the prominent corner location of the site, its elevated position and the design of the dwelling (notably its span, bulk, monopitch roof form, form of fenestration and erection of wall

along the boundary), the development was considered to be harmful to the street scene and to the character and appearance of the Conservation Area.

- (b) The site is part of a larger parcel of land that has the potential to accommodate two smaller properties. This would provide a visually more balanced form of development and result in the provision of an affordable dwelling. The development therefore contravened Policy DP/5 of the Local Development Framework.
- (c) The development would not provide adequate facilities for turning of vehicles and would therefore compromise highway safety.

### **Planning Policy**

- 4. South Cambridgeshire Local Development Framework Core Strategy Development Plan Document, adopted January 2007:

#### **ST/7 – Infill Villages**

- 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

**DP/7** – Development Frameworks

**HG/1** – Housing Density

**HG/2** – Housing Mix

**HG/3** – Affordable Housing

**CH/5** – Conservation Areas

**NE/10** – Foul Drainage – Alternative Drainage Systems

**NE/15** – Noise Pollution

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

**SF/11** – Open Space Standards

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

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

- 6. Supplementary Planning Documents:

Open Space in New Developments – Adopted January 2009.

Development Affecting Conservation Areas – Adopted January 2009.

District Design Guide – Adopted March 2010.

Landscape in New Developments – 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. **Thriplow Parish Council** recommended refusal of the initial application, stating:

“All Thriplow Parish Councillors object to this application for two new houses in Heathfield Way. Please note the proposed development is in Heathfield Way, not off Woburn Place as stated in the design and access statement. (The street name of Heathfield Way was approved many months ago but there is no road name sign as yet because SCDC have said that there are no funds to provide one!)

The reasons for objection are:-

- (a) The development would involve the creation of a dangerous access onto an already busy road, very near to a roundabout and a traffic light controlled junction.
- (b) A shared driveway is proposed but visitors to either house would not be able to park in the driveway as this would block it for the other house. Parking on the road would be dangerous.
- (c) No bin storage facilities are proposed. In such a prominent position it is important that bins are kept out of sight except for collection days.
- (d) No cycle storage facilities are provided.
- (e) There is no indication of how the houses will be heated, there is no natural gas supply to the estate and unless electric or geo-thermal heating systems are to be used then oil storage tanks will be needed but no provision has been made for these.
- (f) There are numerous discrepancies between the application form, design and access statement and the plans provided.
- (g) In Q.5 the applicant states that no new or altered vehicle access is proposed to or from the public highway. The plans clearly show a new access which is also mentioned in the design & access statement.
- (h) Q.8 states that neighbours or the local community have been consulted about the proposals. There was an initial discussion with 3 parish councillors. The design & access statement would appear to claim that these discussions were helpful in forming the planning submission, however, the proposals do not relate in any way to previous discussions with parish councillors.
- (i) Q.11 states that 4 cycle spaces are provided – the plans do not show any. It also states that 2 car parking spaces are provided but 4 are shown on the plans plus a garage.
- (j) Q12 states that it is proposed to connect foul swage into the existing drainage system. The application form asks that details of the existing system be included on the application drawings, however the proposed site plan drawing 993/SK20 states that the “drainage has not been surveyed and all pipe locations and below ground drainage runs are indicative”. The question of drainage needs to be addressed before any decision can be made on this application because the drainage system in Queens Row is privately owned and permission to connect into it will be needed from the owners, the Heathfield Residents Association.
- (k) The design & access statement refers to a planning consent S/1891/90/F given to Copywrite which included car parking on the application site. To our knowledge this site was never used by Copywrite for car parking. The parish council have always hoped this site would become a landscaped approach to Heathfield.
- (l) The design & access statement says that there was a bus shelter on the site which has subsequently been removed. This is correct, Copywrite gave the Parish Council permission to erect the shelter several years ago, however the current owner gave the Parish Council one months notice to remove the

shelter, with a warning that if it was still in place after one month then a charge of £100 per week would be made until it was removed!. It is now noted that the proposed site plan drawing shows a “possible location for future bus stop shelter”. This cannot be correct.

- (m) Thriplow Parish Council strongly objects to this application and recommends that the application be refused.”

The Parish Council has reiterated its objections in response to the amended plans, stating:

“All Councillors object to the application. It is generally felt that the proposed amendments are minor and do not address councillors original objections. One councillor has provided a detailed series of objections. These are attached.”

The objections referred to in the above response are attached as an appendix.

10. **Duxford Parish Council** makes no recommendation.
11. **The Landscape Design Officer** raised no in-principle objections to the original plans, stating that a landscaping plan would be required for the front gardens, the areas outside the garden walls and along the inside of the garden walls. Climbing plants and mixed shrubs would help to soften the impact of the boundary walls.
12. **The Trees Officer** raises no objections.
13. **The Conservation and Urban Design Officers** provided advice at the design surgery in respect of the initial plans, commenting that the site would be capable of accommodating two dwellings, in principle, subject to the dwelling on the southernmost plot being set down to the same ground level as the adjacent houses in Woburn Mews, and to development being set further away from the road in order to provide a more open, softer buffer to the edge of the site. The span of the dwellings is considered to overcome the design issues with the previously refused scheme
14. **The Environmental Health Officer** states that no assessment has been made for traffic noise from the A505, nor any mitigation measures proposed to reduce noise levels to both the inside and outside of the proposed dwellings. What provision is to be made for this? This could be controlled by condition to include noise barrier/glazing thickness/permanent ventilation/orientation etc.
15. **The Environmental Health Officer (Contaminated Land)** has not commented on the current application. However, in response to the previous application, it was noted that the site comprises former military land and is adjacent to a petrol station known to have previously had fuel leaks. Therefore, no development should commence until the site has been subject to contamination investigation.
16. **The Housing (Affordable Homes) Officer** states that the applicant will need to liaise independently with at least three Registered Social Landlords to establish whether or not they would be interested in acquiring this one unit. If the applicant is able to adequately demonstrate that no RSL's would be willing to take on the unit, the Council may consider a commuted sum in lieu of on-site provision.
17. **The Local Highways Authority** stated, in respect of the original plans, that the applicant should provide a traffic count of the existing use of Woburn Place, in order to ascertain the potential impact of the development on the road. Sufficient space should be provided within the site to enable vehicles to enter, turn and leave in forward gear, and to park clear of the public highway. 2m x 2m visibility splays should be provided within the curtilage of the new dwellings and no unbound

material used in the surface finish within 6 metres of the highway boundary. In addition, details of surface water drainage, space for construction vehicles, and the provision of the access before occupation of the development should be required by condition.

### Representations

18. Letters of objection have been received from the occupiers of: Nos. 60, 64, 73, 75, 78, 79, 84, 86, 91, 98, 100, 101a, 102 and 108 Kingsway; 1a, 8, 13, 48 and 49 Woburn Place, 3 Queens Row; 17, 31, and 35 Hurdles Way; 1 Churchill Cottages; 22, 28, and 36 Whitehall Gardens; 13, 19, 22, 49, 55, and 61 Ringstone. In addition a further unaddressed objection has been received. The main points raised are:
  - (a) The site is too small to accommodate two dwellings.
  - (b) The site is located at a busy junction and the development would add to traffic flows in an already busy area.
  - (c) The development would exacerbate existing parking problems.
  - (d) The site does not include enough parking spaces for the two dwellings. 4 spaces is insufficient.
  - (e) There are no on-street parking restrictions so anybody would be able to park on the road.
  - (f) The development would be visually intrusive given the scale of the dwellings compared to adjoining properties, the site level differences and the extent/height of the proposed wall. To be acceptable, the development would have to be dug down to match the road level of Woburn Mews.
  - (g) The landscaping would result in restricted visibility from the access.
  - (h) The northernmost property and wall would obstruct visibility for drivers and pedestrians.
  - (i) The position of the proposed access would cause a problem. Buses are often parked along this side of the road, leading to cars waiting behind and then pulling out into oncoming traffic to pass the buses and go through the lights. The development would add to these congestion problems.
  - (j) The Heathfield residents would like this land to be used as a bus layby.
  - (k) The development would result in a loss of light and loss of outlook to No.8 Woburn Mews.
  - (l) The site is not brownfield land as suggested in the application.
  - (m) The dwellings would obstruct the view from No.49 Woburn Place's bedroom window.
  - (n) The dwelling would harm the character of the area.
  - (o) The proposed wall would have a negative visual impact.
  - (p) The house would put additional strain on the foul water system.
  - (q) There is an inconsistency in the description of the application between the forms and supporting statement, with the former referring to 1 dwelling and the latter to 2.
  - (r) The form states that there will be 4 cycle spaces but none are actually provided.
  - (s) The form incorrectly states that no new access is proposed.
  - (t) The current developers made the Parish Council remove the bus shelter from the land. This was sited there 8 years ago with the consent of the previous owners, Copywrite.
  - (u) No provision appears to have been made for wheelie bins.
  - (v) Occupants of both properties would suffer from noise pollution.
  - (w) There would be significant disturbance during the construction period.
  - (x) No open space contributions are proposed.
  - (y) The development fails to comply with the housing mix policy. There is a shortage of affordable accommodation in the area.

19. Following consultation on the amended plans, objections have been reiterated by a number of the above local residents. It is stressed in the additional responses that the revisions to the plans fail to overcome the above issues. In particular, concerns relating to the principle of the developing the site and to the highway safety implications of the development have been re-expressed.
20. District Councillor Topping states that there is a strong local feeling about the issue of overdevelopment and road safety. If Officers are minded to support the application, it should be referred to full Planning Committee with a site visit.

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

#### ***Principle of the Development***

21. Heathfield is identified as an Infill Village under Policy ST/7 of the Local Development Framework 2007. In such locations, development is restricted to a maximum of two dwellings. The proposal therefore complies in principle with the restrictions within this policy. The applicant's agent has sought to argue within the supporting design and access statement that, in 1990, the land was approved as car parking in connection with the former Copywrite site and therefore constitutes brownfield land, upon which a greater number of dwellings may be possible. This is not the case. This land was shown as parking within a 1990 decision but this parking area has never been implemented, and the site cannot therefore be classified as previously developed land. This argument is superfluous in any case, as the relaxation in the settlement policy allowances on brownfield sites no longer apply following the Government's revisions to PPS3.
22. The erection of two dwellings on the land equates to a density of approximately 30 dwellings per hectare, in compliance with Policy HG/1 of the Local Development Framework.
23. The erection of two dwellings on the entire parcel of land would overcome the piecemeal development issues set out within the second reason for refusal of the previous application (see paragraph 3).

#### ***Impact on the Character of the Area***

24. Strong concerns have been raised by the Parish Council and local residents regarding the impact of the development upon the character of the area. In particular, the majority of the responses state that the principle of any development on the site would be unacceptable and that the site should be retained as an open space at the entrance to the estate.
25. The site lies in a very prominent position on the corner of the Heathfield Estate and the A505. The land rises from north to south and is situated above the level of the adjoining dwellings to the east. These dwellings are modest in scale and have quite narrow gables. The previous proposal sought to erect a contemporary style dwelling on the site, with the ground level being reduced by around 0.6 metres. However, it still towered over the adjacent properties. The scale and form of the dwelling were considered to be alien to the character of adjacent domestic properties and, given the prominent elevated position of the site, to result in harm to the character of the area.
26. In the current application, Officers considered that the originally submitted plans failed to overcome the above issues. The proposed dwellings were more traditional in appearance but were still taller than the adjacent properties in Woburn Mews, with the ground levels still being reduced by the same 0.6 metres proposed within

the previous scheme. Officers were further concerned by the proximity of the dwelling on plot 1 to the roadside boundary of the site and the lack of space provided for sufficient boundary treatments and screening to soften the impact of the development. In the amended plans, the ground levels of the site have been lowered substantially, with the four-bedroom house on plot 1 lowered by a maximum of 1.4 metres such that its floor level and ridge height is similar to that of the immediately adjacent property. In addition, this dwelling has been moved against the north boundary wall and reduced in size, thereby enabling a wider landscaped area adjacent to the curved garden wall and roadside boundary of the site. These revisions to the scheme are considered to overcome the harm caused by the previously proposed dwelling and to result in a form of development that would be in keeping with character of the area whilst responding to the specific constraints and characteristics of the site.

### ***Highway Safety***

27. The principal concern expressed by the Parish Council and local residents relates to the proximity of the site to a busy junction, the increased traffic generation, and the consequent highway safety implications of the development. The Local Highways Authority objected to the original plans on the basis of the sub-standard vehicle-vehicle visibility splays on the site. Following this objection, traffic volume and speed surveys were undertaken on behalf of the applicants. These revealed that the 85<sup>th</sup>ile dry weather speed of south-eastbound traffic passing the site was 19.1mph, and that the equivalent figure for north-westbound traffic was 20.7mph. As a result of these figures, together with recorded peak hour flows, the Highways Authority advised the applicant that visibility splays of 2.4m x 23m would suffice. These splays have been indicated on the revised plans, and the Local Highways Authority has subsequently removed its previous objections to the application.
28. The previous application, which proposed the erection of one dwelling on the site, was refused partly for highway safety reasons as the scheme failed to provide adequate space within the curtilage of the property for vehicles to turn, thereby resulting in cars backing into the road in close proximity to a signalled junction. This issue has been addressed within the current scheme which shows adequate on-site turning for both dwellings. The provision and permanent retention of the parking and turning areas shown within the plans would need to be secured by way of condition in the event that planning permission is granted for the proposal.
29. Many of the objections received from the Parish Council and local residents comment that the amount of parking provision indicated within the plans is insufficient to serve the needs of two detached properties. The scheme proposes the provision of two parking spaces per property together with the provision of garaging for the dwelling on Plot 1. The Council's parking standards, set out in the adopted Local Development Framework 2007, require the provision of a maximum average of 1.5 spaces per dwelling. The proposed development is therefore in compliance with the relevant policy requirements.

### ***Residential Amenity***

30. Concerns have been raised in respect of the impact of the development upon the amenities of adjoining residents. The Plot 1 dwelling doesn't extend significantly beyond No.8's front and rear elevations and would not be harmful to the outlook from this neighbouring property, nor would it cut out light to the windows/private garden area. No.8 does have a first floor window in its side elevation facing the site, but this serves a bathroom. The dwelling has been designed such that the first floor window facing towards No.8 serves a bathroom. I am also satisfied that first floor windows in this gable would not result in a serious level of overlooking of No.54 Woburn Mews, as there is at least 25 metres between the rear elevation of this

neighbouring property and the proposed dwelling. I initially had some concerns about the proposed garage and its impact upon the outlook from the sole window serving the kitchen in the front/north facing outlook from No.8's kitchen window, particularly due to the elevated position of the site above No.8's ground level. However, the nearest point of the garage would be 8.5 metres away from the front wall of No.8. The entire building sits within a 45 degree line taken from the centre point of the window. However, taking a 25 degree projection from the sill level of the kitchen window (from approximately 1.2 metres in height) results in a height of approximately 5 metres at the 8.5m distance, and clears the ridge height of the proposed garage, even taking into account the difference in levels. As such, whilst the garage would be very prominent in views from No.8, I do not consider it to be so dominant as to substantiate a refusal on such grounds. An objection has also been received from No.49 Woburn Mews on the basis that the dwelling would result in a loss of outlook from this property. No.49 is at least 30 metres away from the boundary of the site and, whilst I accept that the new dwelling on plot 1 would be visible from No.49, it would be sited far enough away to avoid harm to the amenities of occupiers of this property.

### ***Drainage***

31. Policy NE/10 states that alternative drainage schemes should be proposed where drainage to a public sewer is not feasible. The application indicates that the dwelling would connect into a road sewer, although local residents and the Parish Council have stated that this is privately owned. If the application were to be supported, a suitable foul drainage scheme would need to be agreed prior to commencement of development. This could be dealt with as a condition of any planning permission and should not therefore form part of the reason for refusing the application.

### ***Infrastructure Requirements***

32. 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. For the dwellings proposed, this results in a requirement for a contribution of £6,503.80. I am presently awaiting confirmation from the applicant's agent that the applicant is in agreement to the payment of this contribution.
33. Policy DP/4 also requires contributions to be made towards community facilities, household waste receptacles, and Section 106 monitoring. However, these contributions have only been required by this Authority for applications received after 1 January 2010. Given that this application was submitted last year, it is considered that such requirements cannot retrospectively be imposed.

### ***Affordable Housing***

34. Following the response received from the Council's Affordable Homes Officer, the applicant's agent has been requested to contact three RSL's in order to establish whether there would be any interest in taking on the proposed affordable unit of accommodation. The applicant's agent stated that the applicant would not be prepared to carry this out, in advance of any decision being made, and requested that the provision of affordable housing be secured by condition instead. This should suffice to secure a payment in the event of failure to find an RSL to take on the unit. The resolution of affordable housing issues can be resolved by condition. However, in the event that on-site provision of an affordable unit cannot be achieved, the end result would be the provision of two market dwellings, with a financial contribution being made towards the off-site provision of affordable housing. To accord with the requirements of Policy HG/2 of the Local Development



Framework, one of the two dwellings would then need to be a one or two bedroom property. In the amended scheme, the indicated affordable unit has therefore been altered from a three-bedroom to a two-bedroom property.

### **Recommendation**

35. Approval, as amended by drawings date stamped 17 August 2010:
  1. SC1 – Full planning permission, time limit (3 years).
  2. No development shall take place until details of the materials to be used for the walls and roofs of the dwellings and garaging, and for the hard surfaced areas, hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (Reason – To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
  3. Sc5 – Landscaping (Rc5)
  4. Sc6 – Implementation of landscaping (Rc6)
  5. Sc12 – Boundary treatment details (Rc12)
  6. 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 E of Part 1 of Schedule 2 of the Order shall take place within the curtilages of the dwellings, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf. (Reason – To ensure that development that would not otherwise require planning permission is not carried out with consequent potential harm to the character of the area or to the amenities of occupiers of adjoining residents, in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
  7. Sc23 – Foul water drainage (Rc23)
  8. Sc27 – Contamination (Rc27a)
  9. No development shall take place until a scheme for protecting the proposed dwellings from noise from the A505 has been submitted to and approved in writing by the Local Planning Authority. All works that form part of the scheme shall be completed before the first occupation of any of the dwellings. (Rc37)
  10. No power operated machinery shall be operated on the premises during the period of construction, before 0800 hours on weekdays and 0800 hours on Saturdays nor after 1800 hours on weekdays and 1300 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions. (Reason – To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the Local Development Framework 2007.)
  11. Sc92 – Contractors (Rc92)
  12. The vehicular access, visibility splays, and areas to be set aside for parking and turning, shall be provided in accordance with drawing number 993-SK20 Rev E before the occupation of either of the dwellings, hereby permitted, and thereafter retained as such. (In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
  13. 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.)

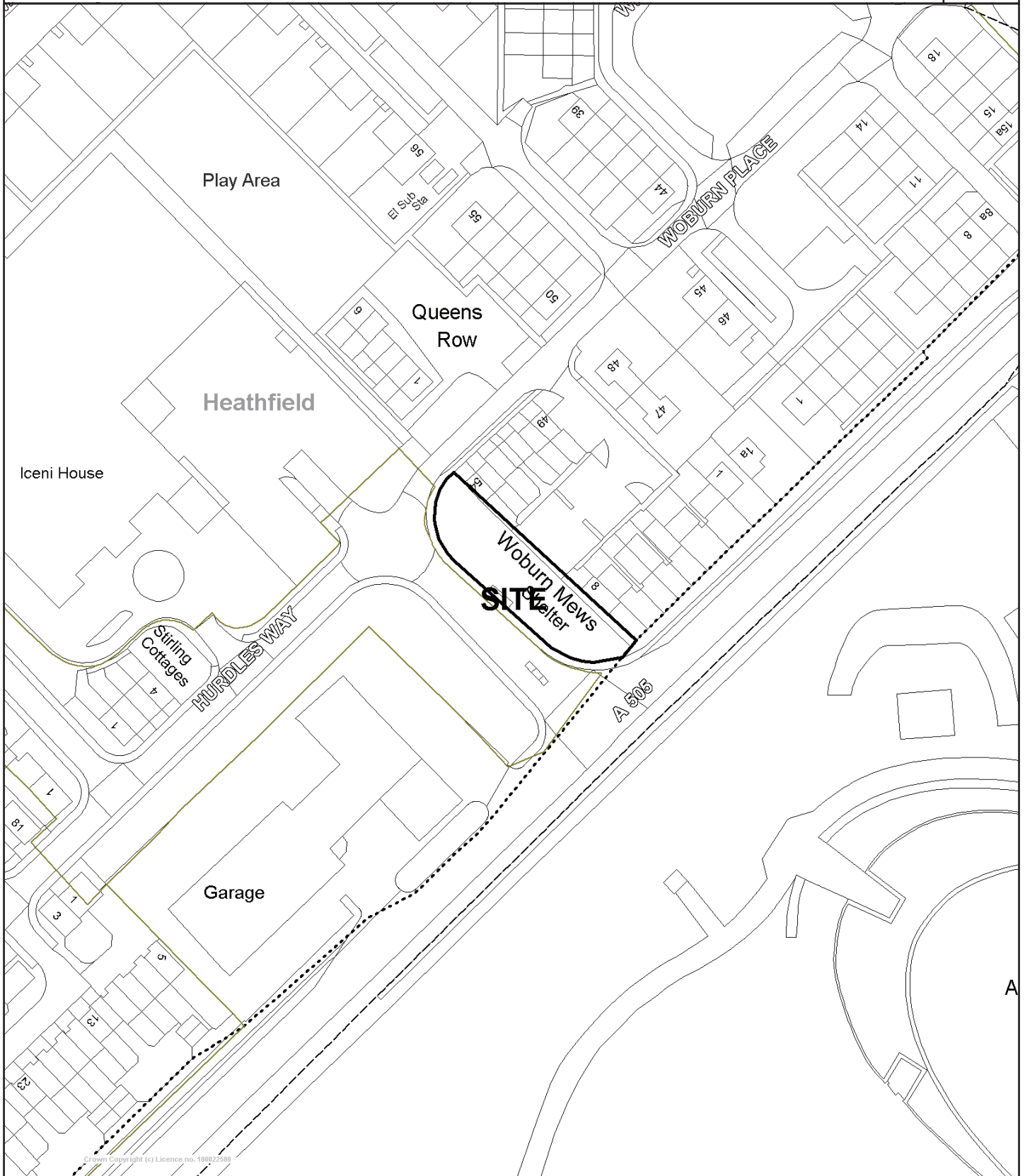
14. Sc62 – Affordable dwellings (Rc62)
15. No development shall begin until details of a scheme for the provision of recreational infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policy SF/10 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details. (Reason - To ensure that the development contributes towards recreational infrastructure in accordance with the above-mentioned Policy SF/10 and Policy DP/4 of the adopted Local Development Framework 2007 and to the Supplementary Planning Document, Open Space in New Developments, adopted January 2009.)

**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
- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- Supplementary Planning Documents: Open Space in New Developments; Conservation Areas; District Design Guide; Landscape in New Development.
- Circular 11/95 and 05/2005
- Planning Files Reference: S/1679/09/F and S/2013/08/F

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

S/1679/09 - Thriplow



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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

3 November 2010

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

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**S/1151/10 - BOURN**  
**Two Affordable Dwellings and Use of Land for Outdoor Playspace**  
**at Rockery Farm, Broadway**  
**For Mrs C W Ward**

**Recommendation: Approval**

**Date for Determination: 16 September 2010**

**This application has been reported to the Planning Committee for determination on request of the Development Control Team Leader.**

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

1. The application site is located to the northern side of the existing nine affordable units that form a small cul-de-sac on Broadway. It has a total area of approximately 0.225 hectares, and includes an area of land laid to grass. A low hedge separates this land from the adjacent dwellings. The dwellings are of similar design, with four pairs of semi-detached properties, and a single detached property.
2. To the north of the site is a farm track, beyond which is open agricultural land. There is only a small amount of planting by the junction, meaning the site appears open when travelling southwards along Broadway. The land to the east is currently open paddock land. To the south is a vacant area of land, with further dwellings beyond.
3. The full application, received on 22 July 2010, seeks consent for the erection of two further affordable dwellings to be constructed as a pair of semi-detached properties in line with the existing rear dwellings on the site. The site would be accessed from the existing cul-de-sac. The application is accompanied by a Design and Access Statement, which includes details on open space, housing need, transport assessment, contamination and biodiversity and landscape.

**Planning History**

4. Outline planning permission was granted at Planning Committee on 2 October 2002 for the erection of nine affordable dwellings on the adjacent land (**S/1400/02/O**). The approval of reserved matters for the nine dwellings was approved through application **S/0652/04/RM**.
5. Planning permission was refused at Planning Committee on September 2009, and subsequently dismissed at appeal for the erection of an additional eight affordable homes to form an extension to the existing development of nine affordable homes (**S/1004/09/F**).

## Planning Policy

6. **Local Development Framework Core Strategy Development Plan Document 2007:**  
**ST/6** Group Villages
7. **Local Development Framework Development Control Policies (LDF DCP) 2007:**  
**DP/1** Sustainable Development, **DP2** Design of New Development, **DP/3** Development Criteria, **DP/4** Infrastructure and New Development, **DP/7** Development Frameworks, **HG/3** Affordable Housing, **HG/4** Affordable Housing Subsidy, **HG/5** Exceptions Sites for Affordable Housing, **SF/10** Outdoor Playspace, Informal Open Space, and New Developments, **SF/11** Open Space Standards, **NE/6** Biodiversity, **NE/9** Water and Drainage Infrastructure, **NE/10** Foul Drainage – Alternative Drainage Systems, **NE/11** Flood Risk, **NE/14** Lighting Proposals, **NE/15** Noise Pollution, **TR/1** Planning for More Sustainable Travel & **TR/2** Car and Cycle Parking Standards.
8. **Open Space in New Developments SPD, Trees and Development Sites SPD, Affordable Housing SPD & District Design Guide SPD.**
9. **Circular 11/95** – The Use of Conditions in Planning Permissions: Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
10. **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

11. **Bourn Parish Council** recommends approval of the application, subject to a sum towards the ongoing maintenance of the play space which should be available for use by the whole village, and a financial contribution towards traffic calming measures in Broadway, or a commuted sum towards a parish benefit. No further comments have been made regarding the amended plans.
12. The **Council's Housing Development and Enabling Manager** notes a Housing Needs Survey was completed in Bourn by Cambridgeshire CARE in Spring 2009, and found there was a need for 11 new affordable homes in the village. When combined with Housing register data, there is a demonstrated overall need of 15 dwellings. There is a large demand for affordable housing in Bourn and the tenure and property type proposed are suitable.
13. The **Local Highway Authority** states that no significant adverse effect upon the Public Highway should result from the proposal as the Broadway is not public maintainable highway.
14. The **Council's Landscape Officer** notes that the original plans do not clearly show car-parking areas. A landscaping condition is requested for the dwellings and the open space. The amended plans address the concerns regarding parking.
15. The **Council's Section 106 Officer** notes that there is no requirement for the provision of onsite open space for a scheme of this size. It is noted the open space should be available to all members of the public otherwise an off-site contribution would be required. If the land were transferred to the Parish Council, a commuted sum payment would be required for the future maintenance. Contributions are

required towards community facilities, Section 106 Monitoring and household waste receptacles. The request for traffic calming is not supported as it would not be compliant with the planning obligations circular 05/2005 nor the tests as provided under CIL regulations.

16. The **Council's Tree Officer** has no objection to the scheme subject to input from the landscape team.

### **Representations**

17. The occupiers of **64 Broadway** note concerns regarding the proximity of three-bed properties next to existing two-bed properties, and has concerns regarding the location of the play space close to the main road.

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

18. The key considerations relating to the determination of the application are the principle for affordable housing on the site, the future of the open space, and the impact upon the amenity of the occupiers of adjacent properties.

### ***The Principle for Affordable Housing on the Site***

19. Local Development Framework Policy HG/5 supports exceptionally, in principle, the development of schemes of 100% affordable housing to meet identified local housing need on small sites within or adjoining villages, where general housing would not be acceptable. The Housing Development and Enabling Manager has confirmed there is such a need within the village of Bourn. The two three-bed dwellings are also appropriate to the strict extent of the identified local need
20. The site lies outside the designated Bourn village framework, which is located approximately 1060m to the south. The existing nine affordable dwellings were granted consent at Planning Committee on 2 October 2002. Since this time, a further application has been refused and dismissed at appeal (S/1004/09/F) for an additional eight dwellings. The reasons for refusal related to the distance away from the designated village framework and the facilities within Bourn, and the impact upon the character of the area. In dismissing the appeal, the Inspector notes that the distances to facilities “are unlikely to encourage walking”, and the narrow footpath, the close proximity of traffic and steep inclines were also noted. He continues that the “location of the appeal site stretches the meaning of “well-related” in terms of Bourn beyond reasonable limits”, and concludes the scheme “falls well short of the locational criteria set out in Policy HG/5”. He also concluded that the scheme would also be contrary to the character of the area. The Inspector’s comments hold significant weight in the decision making process.
21. The important difference between the previous application is the number of dwellings, which is reduced to just two. The site as existing is open, and appears very prominent in the street scene, especially when approaching the site from the north. From this view, the in depth development remains visible contrary to the linear pattern of the northern entrance into the village. The application presents the opportunity to “square-off” the built form as the dwellings would line up with the opposite the frontage dwellings. The proposal also seeks to add significant landscaping on the site to help screen the dwellings in the street scene, whilst retaining an area of open space. The proposed site plan shows the potential for that landscaping, and the comments from the Landscape Officer are noted regarding the need for a condition. Trees are proposed along the northwest corner, whilst further planting will be

encouraged along Broadway and the farm track. The scale of the proposal is therefore well related to the existing development and the size and character of the village. It should also be noted that having open space on the site would reduce potential journey numbers into the village, as previously, occupiers would have to go to the Recreation Ground. To this limited extent the site is well related to services and facilities within the village. The development therefore complies with the majority of the criteria in Policy HG/5.

22. There is a balance to be drawn between the previous Inspector comments and the potential benefit to the site as a whole. The Inspector has concluded the site is inappropriate for eight further dwellings given sustainability and character concerns. However, by allowing only two dwellings, there would be minimal impact upon the character as it would “square-off” the site, and add a significant amount of screening. In this instance, it is considered that the benefit to the scheme as a whole outweighs the inconvenience that would be caused to the future occupiers of the dwellings arising from the need to access facilities and services within the village. The application has been advertised as a Departure from Policy HG/5 of the LDF.

### ***The Future of the Open Space***

23. Of the proposed site area, 0.19 hectares are proposed to be retained as open space. This is far in excess of the requirements for the scheme of this size. No open space was provided during the application for nine dwellings, and the application seeks to address this shortfall. The applicant has stated that Hundred Houses Society has agreed to take on the maintenance of the open space. However, it is discussed that the land could be passed to the Parish Council. If this were the case, maintenance contributions will be required to be secured through a Section 106 Legal Agreement. Members will be updated as to which option is sort by the applicant. A condition will be required for the maintenance detail.
24. The applicant has not yet confirmed their willingness to contribute towards community facilities provision in Bourn. There is an identified need at the village hall. Members will be updated on this matter.

### ***Impact upon the Amenity of the Occupiers of Adjacent Properties***

25. The proposed pair of dwellings would be located adjacent to 64 Broadway. This existing property has a ground floor and a first floor window in its facing side elevation, both of which are obscure glazed. Given the orientation of the scheme, no significant light would be lost as a result of the proposal. The facing elevation of the adjacent plot is blank, and there would be no serious loss of amenity as a result. I do not consider a condition necessary to prevent the addition of windows in this elevation, given the obscure glazing and lack of a similar condition for the existing scheme.
26. The properties of 66 and 68 Broadway are located opposite the site. They both have front facing windows that would allow clear views of the proposals. However, the distance between the existing and proposed dwellings would be approximately 18.5m, and would be similar to the relationship of the properties directly to the south. I do not consider there would be any loss of amenity to the occupiers of 66 or 68 Broadway.



### ***Other Matters***

27. The comments from Bourn Parish Council are noted with regard to the need to provide traffic calming measures along Broadway, and if this is not considered appropriate, the contribution of a sum towards a Parish benefit. The application is for two dwellings, and a condition/obligation requiring a commuted sum for Parish use would not be compliant with the planning obligations Circular 05/2005. This states that the obligation must be necessary and directly related to the proposed development. Usually a development of two dwellings would not trigger such a requirement, and there is no further justification in this instance.

### **Recommendation**

28. Recommend approval of the application as a Departure to Policy HG/5 of the LDF DCP 2007, as amended by plans CW.02A, CW.03A, CW.04A, CW.06A and CW.07A date stamped 7 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: CW.01, CW.05 and CW.08 date stamped 22nd July 2010, and CW.02A, CW.03A, CW.04A, CW.06A and CW.07A date stamped 7th September 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 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 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 and 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.)

- 6. 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.)

- 7. The proposed access and parking areas for both dwellings shall be provided before the dwellings hereby permitted are 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.)

- 8. During the period of construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing 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. The development shall not begin until a scheme for the provision of the affordable housing has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme. The scheme shall include:**
- i. The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing; and**
  - ii. The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy shall be enforced.**

(Reason - To ensure the provision of an agreed mix of affordable housing to meet the identified local housing need in accordance with Policy HG/5 of the adopted Local Development Framework 2007.)

- 10. No development shall begin until details of a scheme for the future maintenance of the open space area 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 satisfactory future maintenance of the open space area in accordance with Policies SF/10 and DP/4 of the adopted Local Development Framework 2007.)

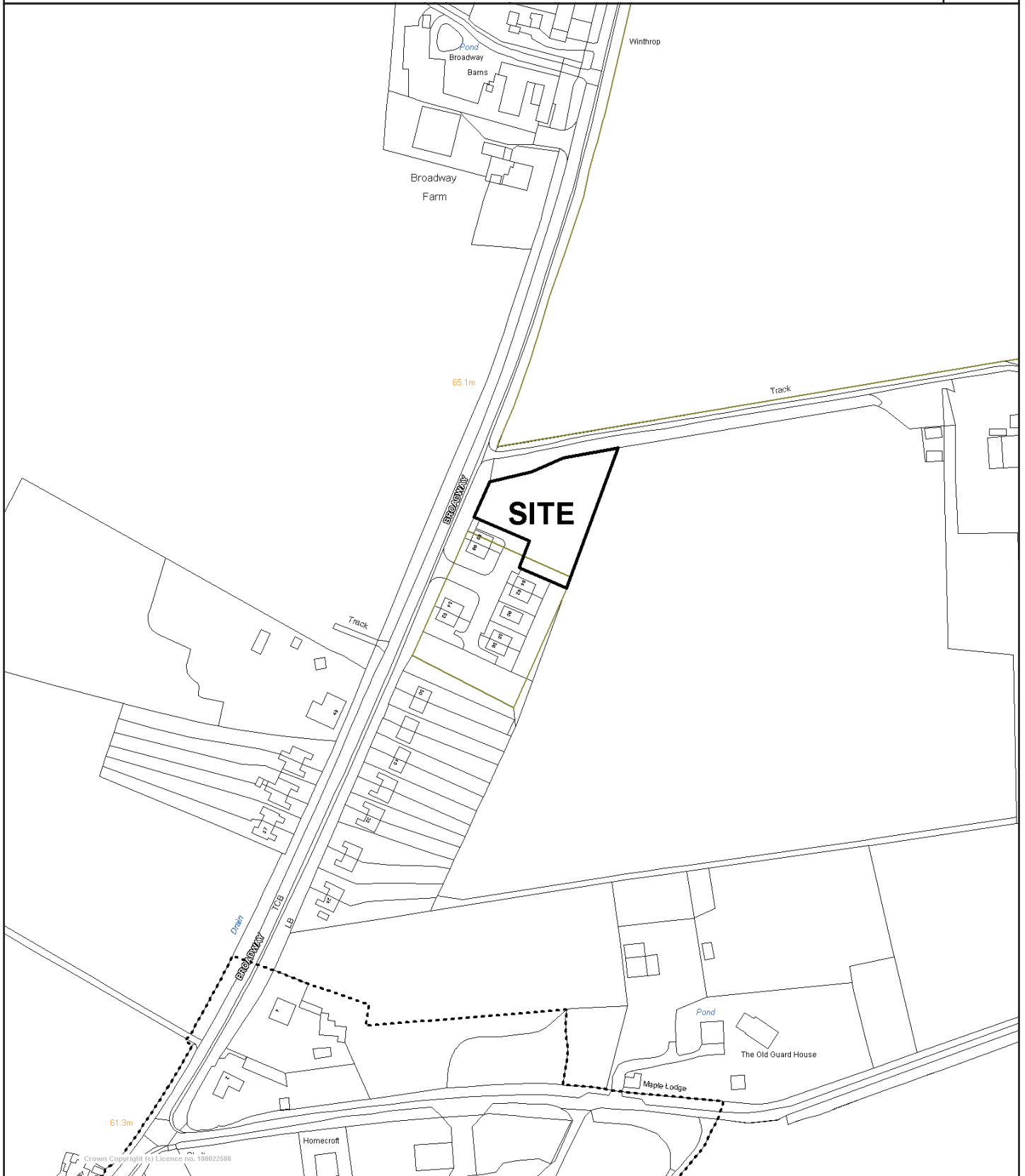
**Background Papers:** the following background papers were used in the preparation of this report:

- Local Development Framework Core Strategy Development Plan Document 2007
- Local Development Framework Development Control Policies (LDF DCP) 2007
- Open Space in New Developments SPD, Trees and Development Sites SPD, Affordable Housing SPD & District Design Guide SPD
- Circular 11/95 – The Use of Conditions in Planning Permissions
- Circular 05/2005 - Planning Obligations
- Planning Files Reference: S/1151/10/F, S/1004/09/F, S/0652/04/RM and S/1400/02/O

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

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S/1151/10 - Bourn



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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

3 November 2010

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

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**S/0816/10/F & S/0817/10/LB – KINGSTON**  
**Side Extension, Alterations and Detached Garage.**  
**Internal Changes – Remove Partition Walls to Dining Room and**  
**Form New Corridor to First Floor,**  
**Create New W.C's, En-suites and Bathrooms**  
**at The Old Rectory, Rectory Lane, Kingston for Mr S Gardner**

**Recommendation: Refusal**

**Date for Determination: 15 July 2010**

**Notes:**

**This Application has been reported to the Planning Committee for determination on the recommendation of an elected member of the District Council.**

**Members will visit this site on 3 November 2010**

**Site and Proposal**

1. The Old Rectory is a Grade II\* Listed Building and falls within the village development framework and within Kingston Conservation Area. The Old Rectory has developed in several principle phases from the 12<sup>th</sup> to 17<sup>th</sup> centuries. At its heart are the remains of an aisled hall dating from the earliest period and this was flanked by cross wings in the characteristic manner of English medieval houses. The dwelling is timber framed, with clunch rubble and dressed clunch.
2. The site comprises the main dwelling, an existing thatched barn and a flat-roofed double garage to its south-east boundary. To the east of the site is All Saints and St Andrews Church, which is a Grade I Listed Building, to the south are neighbouring dwellings along Rectory Lane and to the north and east is countryside.
3. The application proposes: (i) a two storey cross wing to the eastern end of the building to form a new kitchen area to the ground floor with a master bedroom to the first floor; (ii) the demolition a single storey side lean-to to 'The Cottage' and internal alterations to the main house to improve internal circulation including linking 'the Cottage' back in to form one house; (iii) removal of partition walls to the dining room and the formation of a new corridor to the first floor; (iv) Formation of three new bathroom areas in the main house and (v) the erection of a freestanding triple garage with associated demolition of existing double garage and making good the barn building.

**Amendments**

4. For clarity the application has been subject to two sets of amended drawings. The first amendments are franked on 30th July for a revised design that lowered the

height of the extension, redesigned the side and rear elevations and revised the fenestration. The second amendments are franked 26<sup>th</sup> August and changed the rear lean-to on the extension to a flat roof, replaced the stable door on the rear elevation with a part glazed door and revised the fenestration on the rear flat roofed section.

### Planning History

5. Planning permission (ref **SC/0459/73/F**) was granted in July 1973 for a new driveway and a double garage. This was followed by listed building consent for part demolition and alteration, damp-proofing walls, relaying floors and new double glazed windows in 1993 (**S/2020/93/LB**).
6. At the time of the submission of the current application a concurrent application was submitted as a second option to extend the Old Rectory to the rear at two storey (**S/0848/10/F** and **S/0849/10/LB**). This application was subsequently refused due to the harm to the special character and appearance of the Old Rectory, caused by virtue of the position, scale, bulk, form and appearance of the development that would visually and physically dominate the rear and side elevations of the property, resulting in significant change to the appearance of the Grade II\* Listed Building. The application was found to present insufficient justification for the aforementioned harm that would be caused to the significance of the historic asset. In addition, the development was refused on grounds of harm to the Conservation Area and the setting of the adjacent Grade I Listed Church to the West.

### Planning Policy

7. **National Policy**
  - (i) **Planning Policy Statement 5 (PPS5): *Planning for the Historic Environment***
  - (ii) **Planning Policy Statement 5: Planning for the Historic Environment: *Historic Environment Planning Practice Guide***
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), **CH/3** (Listed Buildings), **CH/4** (Development Within the Curtilage or Setting of a Listed Building), **CH/5** (Conservation Areas) and **NE/6** (Biodiversity).

### Consultation

9. **Kingston Parish Council** – No recommendation. The house is a Grade II\* Listed Building of exceptional historical and architectural importance, and is in the Conservation Area. Kingston Parish Council does not feel it is competent to comment on the merits or otherwise of the proposed alterations but asks that the Planning Committee and Conservation Department in reaching their decisions, take into account the extreme sensitivity of the property and the surrounding area.
10. The comments go on to include concerns about the impact on the village caused by the building work, the narrowness of the access and delivery of materials and they suggest conditions regarding the weight and size of vehicles. They also suggest that damage to wall, verges, fences, road surface, drains etc are made good by the developers.



11. **Tree Officer** – No Objection.
12. **Ecology Officer** – Recommend refusal. The report highlights a number of important observations, namely: 1) The assessment was undertaken in Feb 2010. This is outside of the main bat activity period and given the rain and snow of the winter any external field signs would have been lost. Thus the assessment was conducted in a sub-optimal period to gain info on how bats might use external features of the buildings. 2) In the Old Rectory it is reported that thousands of various aged droppings were found, and is thought to be a possible maternity roost. This is important. 3) In the Thatched Barn much less bat activity (15 droppings) was recorded, and the building is thought to be a relatively minor bat roost. 4) The report describes "Implications for development" part 2.3.4 (regarding the Old Rectory) states, "In order to be more certain of the proposed impacts of the work on bats, a more complete understanding of the nature of the bat roost including species and number of bats involved, how they are accessing and leaving the building, and the nature of the roost is required". This information has not been supplied yet the applicant has had the spring and summer months in which to collect the information.
13. The applicant's ecologist suggests that further survey work could be made a condition of any permission granted. I do not feel that this is the right approach given that very little is yet known about the species of bat(s) present, how bats access the buildings and whether or not bats are present at the site during the winter. If compensatory habitat needs to be provided the principle of its provision needs to be considered before any planning permission is granted otherwise issues may arise later that cannot be successfully resolved.
14. I recommend that the application is refused on inadequate ecological information to fully assess the implications of the development upon a protected species (bats). Policy NE/6 part 3, biodiversity is relevant. I do not wish to suggest a condition, as I do not feel that I yet understand how the development can be adequately mitigated with respect of any impact upon the species of bat(s).
15. It was noted that the ecologist was keeping a watching brief for barn owls and found no signs. However, given the age of the building and its number of holes and crevices the building may also be used by house sparrows, starlings and swifts. Has any consideration been given to this point? Summer surveys could have investigated this.
16. **Listed Building Officer** – Recommend refusal. There is concern about the design in particular the proportions, fenestration and the dormers and the loss of the C19 addition. Amendments were received on 30<sup>th</sup> July for a revised design that lowered the height of the extension, redesigned the side and rear elevations and revised the fenestration. The amendments were not considered to address the fundamental concerns about the scale, form, massing and detailing of the extension and there is still an objection to the proposals. Further amendments were received on 25<sup>th</sup> August that changed the rear lean-to on the extension to a flat roof, replaced the stable door on the rear elevation with a part glazed door and revised the fenestration on the rear flat roofed section. The amendments were not considered to address the fundamental concerns about the scale, form, massing and detailing of the extension and there is still an objection to the proposals.
17. **English Heritage** – Recommend refusal. "The Old Rectory has developed in several principle phases from the 12<sup>th</sup> to 17<sup>th</sup> centuries with significant later additions and modifications. At its heart are the remains of an aisled hall dating from the earliest period. This was flanked by cross wings in the characteristic manner of English

medieval houses. At the western end of the hall the stone-built 14<sup>th</sup> century crosswing still stands with a series of important architectural details. There was probably a similar crosswing at the eastern end, but this was replaced in the early 17<sup>th</sup> century after the hall was floored over and a fine fireplace introduced. The Old Rectory is a remarkable building containing important historic fabric. The various phases of development have also produced a building of particular character from which its history can be read.

18. The house has until recently been divided into two properties. The present owner wishes to reunite these and I have no objection to this in principle. Creating circulation through the building on the first floor is essential to do this and even if the building were to operate with a 'Granny annex'-type apartment in the smaller cottage I can see how this would also be needed. I have therefore encouraged exploration of the historic roof structure and am comfortable that the first floor circulation can be changed as proposed without loss of important fabric or significance. Similarly, the desire for ancillary accommodation in the outbuilding and garage do not present a harmful impact, although I would defer to the Council on the exact details of how this is achieved.
19. The proposed internal alterations to the ground floor chiefly affect 19<sup>th</sup> century fabric. The aisled hall was significantly altered when a fireplace was put in and the present front wall established (i.e. the arcade removed). Investigation has revealed that the present rear wall of this ground floor room does not contain relics of the rear arcade either and appears to be on a slightly different alignment from the former arcade. It seems likely that the fireplace would have been central to the room, rather than set against the rear wall and investigation has also cast doubt on the idea that this wall may have been some form of corridor plan.
20. It is perhaps appealing to see the fireplace made central to a larger space, although this is being done at the expense of some 19<sup>th</sup> and 20<sup>th</sup> century fabric. I have some reservations about that, but given the way the ground floor of the hall has changed since the 16<sup>th</sup> century and the uncertainty about its early post medieval form I would not on balance object to the proposed layout and alterations to the ground floor.
21. The proposed extension is more contentious. The building is characterised by a linear (east-west) form that is the result of both its early origins and major late changes. This has given the western crosswing a particular prominence. The building ends in a lean-to extension to the 17<sup>th</sup> century kitchen range that is itself subservient to the aisled hall. This arrangement also reflects the relative status of the historic phasing of the building. The rear elevation has a cumulative, additive quality similar to the eastern end, but different from the crosswing and aisled hall as seen in the front elevation. This again illustrates the development of the building and its multi-phase history.
22. The proposed extension requires works of demolition that will remove evidence of part of the Old Rectory's development. Moreover, it affects the way the relative status of parts of the eastern end of the building can be read by introducing a large unit of building that suggests a crosswing but does not relate to the hall in the correct manner. It implies an earlier form of planning is being re-established, but does not actually achieve this and so results in a confusing mixture that diminishes the historic building's ability to tell its story from the external relationship of its elements. It also unbalances the rear elevation, where the addition of small building units makes the western crosswing hall arrangement less clear, but has resulted in a less formal character. A large element of building would be added to a part of the house marked by modest, accretive character and obscure the rear elevation. This impact on the

appearance of the building and elements of demolition will harm the significance of the Old Rectory as a whole.

23. PPS5: Planning for the Historic Environment asks local planning authorities to weigh the harm to the significance of listed buildings resulting from proposed alterations against any public benefit also resulting from them. In this instance the benefit should be considered as akin to that suggested by PPS5 section 9.4 (i): that the works help secure the optimum viable use of the building in the interests of its long-term conservation. I am not convinced that the provision of a large extension is essential to ensure a long-term future use for this property and so conserve it. It is more the case that the present owner sees this extension as highly desirable, but that does not amount to the kind of justification suggested by PPS5 9.2 or 9.4.
24. The significance of the Old Rectory lies not just in its architectural quality but in the historical evidence of the development of English houses over several centuries. While the internal alterations and ancillary accommodation are acceptable, the proposed extension will affect an ability to determine the historical relationship between the different phases of the house in which much of its architectural and historic significance is found. No compelling justification for this harm has been made in terms of PPS5 and I would therefore recommend consent is refused."
25. Further comments 29 September 2010. The amended drawings have been assessed but do not address the fundamental issue of creating a large addition to the building at right angles to its established pattern of development.

### **Representations**

26. **Councillor T. Hawkins** – It is my view that the applicants seem to have produced a plan that has taken on board the suggestions that were made and produced an improved plan for the building. The applicant has shown willingness in maintaining the integrity and fabric of the building whilst bringing it back into use as a single family house in the current times, with the needs of a modern family in mind. Some changes are required and necessary in order to prevent historic buildings like this falling into disuse and disrepair and I suppose it is the scale of those changes that may be an issue. It is best that the owners are given the opportunity to put their case to the committee and to know for sure what will be acceptable to SCDC.

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

27. The key issues to be judged in the determination of the application are the impact of the development on the Grade II\* Listed Old Rectory, the impact on the Conservation Area, the impact on the adjacent Grade I Listed Church and the impact on protected or priority species. No objection is raised to the proposed free standing garage and therefore the report focuses solely on the works to the house.

### ***Impact on the Grade II\* Listed Old Rectory***

28. I have had regard to the comments of the listed building officer and English Heritage and find that there is no objection in principle to the alterations of the existing internal layout of the Listed Building at both ground floor and first floor. However, the listed building officer and English Heritage have raised a number of concerns in relation to the proposed side extension. In summary, the fundamental concerns with the extension appear to be:
  - (i) The loss of the C19 addition and the loss of evidence of part of the Old Rectory's development.

- (ii) The form of the extension and its siting would affect the way the relative status of parts of the eastern end of the building can be read and would result in a confusing mixture of elements, which would be detrimental to the way the building is viewed to have evolved.
  - (iii) The large element of proposed building would fail to follow the more modest, accretive character of the eastern end of the building and would unbalance the rear elevation.
  - (iv) The lack of compelling justification as to why the extension is essential to ensure the long-term future use for the property and so conserve it.
29. The concerns raised above are considered to highlight a significant objection to the proposed extension, particularly given the status of the building and the irreversible harm that would be caused to its character and historical interest. Consequently, the development is recommended for refusal for the reasons outlined below in paragraphs 34-35.

***Impact on the Conservation Area and the adjacent Grade I Listed Church***

30. The listed building makes a strong visual statement within the Conservation Area. Due to its inappropriate scale, form, bulk and design the proposed extension would neither preserve nor enhance the character and appearance of the Conservation Area. Consequently, the proposal is considered to be contrary to Policy CH/5 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 (DPD).
31. The Old Rectory is adjacent to the Grade I Listed Church and there is high potential that the proposed extension will be visible from the churchyard. The church and Old Rectory have a strong visual and historic relationship and the inappropriate scale, form, massing and appearance of the extension is considered to adversely affect the setting of the church, contrary to DPD Policy CH/4.

***Impact on Protected or Priority Species***

32. The comments of the Council's ecology officer in paragraphs 12-15 are noted and the application is recommended for refusal on grounds of insufficient ecological information.

**Conclusion**

33. There is no objection in principle to the alterations of the existing internal layout of the Listed Building at both ground floor and first floor. However, the comments of both the listed building officer and English Heritage present strong planning reasons why the position, scale, bulk, form and appearance and of the development would harm the Grade II\* Listed Building. Furthermore, there is considered to be inadequate ecological information to fully assess the implications of the development upon a protected species (bats).

**Recommendation**

34. Refuse both the planning and listed building applications, for the following reasons:
- 1. The Old Rectory is a Grade II\* Listed Building located to the east of a Grade I Listed Church within Kingston Conservation Area. The proposed side extension would harm the special character and appearance of this 12-13th century and later timber framed, brick and clunch building by virtue of its position, scale, bulk,

form and appearance and would visually and physically dominate the rear, front and side elevations of the property, resulting in significant change to the appearance of this grade II\* listed building. The form of the extension which is at right angles to the existing building seeks to replicate a former service crosswing, is contrary to the simple linear form that reflects its development as an aisled hall onwards and would confuse the historic plan form of the building to its detriment. In addition, the proposal would result in the loss of a 19th century extension, which is considered to be of merit and part of the historic development of the building. The application presents insufficient justification for the aforementioned harm that would be caused to the significance of the historic asset by the proposed extension and consequently the proposal is found to be contrary to Policy CH/3 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 and policies HE7 and HE9 of Planning Policy Statement 5: Planning for the Historic Environment (including HE7.2 and HE9.1) and PPS 5 Historic Environment Planning Policy Practice Guide (including paragraphs 86, 111, 178 and 182).

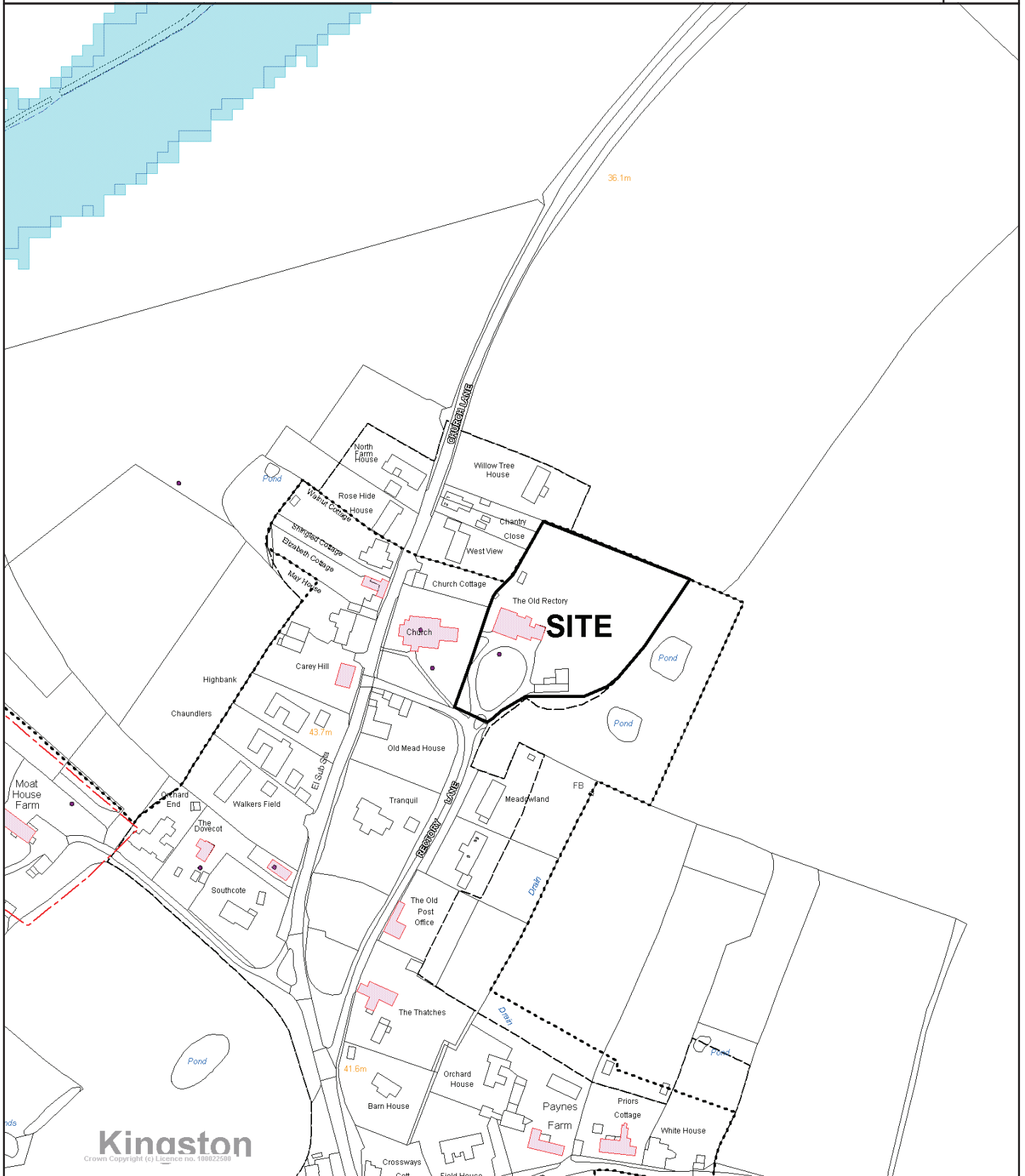
2. The proposed alterations to the windows and doors would result in a loss of historic fabric and would harm the external appearance of this Listed Building by virtue of their design, which is inappropriate for a building of this status and date. The proposal is therefore contrary to Policy CH/3 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 and paragraphs 179 and 185 of PPS 5 Historic Environment Planning Policy Practice Guide.
  3. By virtue of its inappropriate scale, form, massing and detailing the proposed extension would harm the setting of the adjacent Grade I Listed Church, which has a historic and visual relationship with the Old Rectory. The proposal is therefore contrary to Policy CH/4 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 and HE10 of Planning Policy Statement 5: Planning for the Historic Environment
  4. The listed building makes a strong visual statement within the Conservation Area. Due to its inappropriate scale, form, bulk and design the proposed extension will neither preserve nor enhance the character and appearance of the Conservation Area. The proposal is therefore contrary to Policy CH/5 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007.
  5. The application is presented with inadequate ecological information to fully assess the implications of the development upon a protected species (bats). Consequently, the development is found to be contrary to Policy NE/6 Part 3, where applicants will be expected to provide an adequate level of survey information to establish the extent of the potential impact of development on protected or priority species together with possible alternatives to the development, mitigation scheme and/or compensation measures.
35. The listed building application is also recommended to be refused on the following grounds:
6. The proposed removal of 19<sup>th</sup> century partitions would result in a significant loss of historic fabric and alter the plan form of the building. The partitions contribute to the special interest of the building and reflect its historic development. The proposal is therefore contrary to paragraphs 179 and 182 of PPS 5 Historic Environment Planning Policy Practice Guide.

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

- Circular 11/95 – Use of Conditions in Planning Permissions
- Planning Policy Statement 5 (PPS5): Planning for the Historic Environment
- Planning Policy Statement 5: Planning for the Historic Environment: Historic Environment Planning Practice Guide
- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007
- Planning Applications: SC/0459/73/F, S/2020/93/LB, S/0848/10/F and S/0849/10/LB

**Contact Officer:** Andrew Winter – Planning Officer  
**Telephone:** (01954) 713082

S/0816/10 & S/0817/10 - Kingston



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## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

3 November 2010

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

## APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

## Purpose

1. To inform Members about appeals against planning decisions and enforcement action, and proposed hearing and inquiry dates, as at 3 November 2010. Summaries of recent decisions of importance are also reported, for information.

- Decisions Notified By The Secretary of State

2.	Ref. no.	Details	Decision	Decision Date
	S/1467/09/F	Mrs D Reeve NE of 37 Cambridge Road <b>Impington</b> Detached Dwelling	Dismissed	06/09/10
	S/1622/09/F	Mr P Thwaites Kingston Pastures Farmhouse Old Wimpole Road <b>Kingston</b> 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 <b>Kingston</b> 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 <b>Comberton</b> 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 <b>Comberton</b> 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 <b>Shepreth</b> Extension and Dormer Windows	Dismissed	07/09/10	
S/1741/09/F	Ms F Roberts 48 Fen Road <b>Milton</b> Single storey Dwelling	Dismissed	08/09/10	
S/0415/10/F	Mr J Harrow 25 Cherry Orchard <b>Fulbourn</b> 2 storey side extension	Dismissed	08/09/10	
S/1694/09/F	Mr & Mrs Sharpe Sycamore House Restaurant 1 Church Street <b>Little Shelford</b> Dwelling and parking to No 1 Church Street	Allowed	09/09/10	
S/0742/10/F	Miss Lucas 14 Cottenham Road <b>Histon</b> Extension	Dismissed	15/09/10	
S/1497/09/LB	Dr & Mrs Tew 48 West Green <b>Barrington</b> Replacement windows	Dismissed	S/1497/09/LB	
S/1332/09/F	AMA Development Plot 7 The Willows <b>Highfields Caldecote</b> Erection of a dwelling	Dismissed	S/1332/09/F	

S/1546/09/F	Mr & Mrs Binks Rear of 25 Hollytrees <b>Bar Hill</b> Detached Bungalow	Dismissed 21/09/10	21/09/10
S/1249/09/F	Mr Morison 5 The Valley <b>Comberton</b> Extension and Alterations to form a new dwelling	Dismissed 21/09/10	21/09/10
S/1277/09/F	Mr & Mrs M Greenstein The Cottage 53 High Street <b>Guilden Morden</b> Erection of Conservatory	Allowed	24/09/10
S/1278/09/LB	Mr & Mrs Greenstein The Cottage 53 High Street <b>Guilden Morden</b> Erection of Conservatory	Allowed	24/09/10
PLAENF.3861	Mr N O'Connor 2 Grange Park Chesterton Fen Road <b>Milton</b> Carport to provide shelter for Vintage Caravan	Allowed	27/09/10
S/0093/10/F	Mr A R Cope 5 Greenacres <b>Duxford</b> Erection of detached dwelling	Dismissed	07/10/10
S/1874/09/LB	Ms S Gregorios-Pippas The Red Lion Hotel Station Road East <b>Duxford</b> Demolition of freestanding garden retaining wall & attached lamp post.	Allowed	11/10/10
S/1922/09/F	E W Pepper Ltd Bury Fruit Farm A10 <b>Melbourn</b> Enclose part of an existing covered retail area	Allowed	14/10/10
S/1285/09/F	Mr & Mrs A Melesi Manor Lodge 25 Middle Street <b>Thriplow</b> Dwelling & alterations to boundary wall	Dismissed	15/10/10

S/1286/09/LB	Mr & Mrs A Melesi Manor Lodge 25 Middle Street <b>Thriplow</b> Alteration of existing listed boundary wall fronting the access to the site.	Dismissed	15/10/10
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- **Appeals received**

3.

Ref. no.	Details	Decision	Decision Date
S/0700/10/F	Shelford Properties Ltd NE of 11 Cambridge Road <b>Great Shelford</b> Dwelling with attached Garage	Delegated Refusal	03/09/10
S/1178/09/F	Mr P McCarthy Plot 12 Victoria View Smithy Fen <b>Cottenham</b> Temporary permission for chalet, touring caravan and wooden day room	Committee Refusal	10/09/10
S/0765/10/F	Mr P Lewis 8 Kirbys Close <b>Over</b> Extension	Refusal	07/09/10
S/1608/09/F	S Taylor The Old School High Street <b>Fen Drayton</b> Change of Use from Offices to Childrens Nursery	Committee Refusal	17/09/10
S/0680/10/F	Mr P Cook 28 Hinton Way <b>Great Shelford</b> Erection of house following demolition of existing bungalow	Delegated Refusal	22/09/10
S/1028/10/F	Mr K Tabron Meadowside Lodge Olmstead Green <b>Castle Camps</b> Dwelling following demolition of existing bungalow	Delegated Refusal	23/09/10

S/0668/10/F	Mr & Mrs E Stewart 56 North Road <b>Great Abington</b> Extension & Alterations to roof following demolition of car port	Delegated Refusal	29/09/10
S/0925/10/F	Mr D Mercer 31 Moorfield Road <b>Duxford</b> Extension(Revised Design)	Delegated Refusal	08/10/10
S/0653/10/F	Mr R Pleasants Land West 18 The Knapp <b>Haslingfield</b> Dwelling	Non- determination	11/10/10
S/1061/10/F	Mr P Wharrier 8 Balsham Road <b>Fulbourn</b> Creation of formal garden to include brick planters, pond & reduction in ground levels	Delegated Refusal	12/10/10

- **Summaries of important decisions**

4. None

- **Local Inquiry and Informal Hearing dates scheduled before the next meeting on 3 November 2010.**

5.

Ref. no.	Name	Address	Hearing
PLAENF.3837	Mr F Cooke	Hill Trees Shelford Botto <b>Stapleford</b>	Inquiry Confirmed 12/10/10

- **Appeals withdrawn or postponed:**

6.

Ref. no.	Name	Address	Hearing
None			

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

7.

Ref. no.	Name	Address	Date
S/0180/10/F	Mr A Houghton	47 London Road <b>Harston</b>	Hearing Confirmed 26/10/10
S/0177/03/F	Mr Biddall	Biddalls Boulevard <b>Meldreth</b>	Inquiry Confirmed 02/11/10

S/0147/10/LDC	Mr J Calladine	Green Acre Farm <b>Oakington</b>	Inquiry Suspended
S/1397/09/O	Banner Homes Ltd	18-28 Highfields Road, <b>Caldecote</b>	Hearing Confirmed 06/01/11

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

**Contact Officer:** Mr N Blazeby  
Telephone: (01954) 713165

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

3 November 2010

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

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### CAMBOURNE - DRAINAGE

#### **Purpose**

1. This matter is being reported to the Planning Committee 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.

#### **Update as at 26 October 2010**

2. Officers have continued to liaise with representatives of the Cambourne Consortium, its Resident Engineer and Anglian Water and the Senior Planning Lawyer will attend a review meeting on 28 October where representatives of the Cambourne Consortium, its Resident Engineer and Anglian Water will be present. An update as to this meeting will be provided orally to the Planning Committee.
3. A copy of a new Action plan received by the Council on 21 September was presented to the last Planning Committee and the following key passages from the Action Plan were highlighted;

“.....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 bowzers and coloured tracing dye....

....The testing procedure involving bowzers 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....”

4. The last Report to the Planning Committee highlighted that the key difference in the work proposed under the latest Action Plan , and the work previously carried out, was the recognition by the Engineers of the real prospect of what they referred to as “Cross (rogue) connections” .The view was expressed that that this was seen as an acknowledgement that the continuing problems encountered in August were likely to be in part the result of “...water from surface water run-off areas, for example roads footways, garage areas and courtyards or roof drainage pipework...” not being connected correctly. It was also pointed out that previously attention had focused on survey and repair work to the main sewers. Whilst the work that had been carried out in terms of survey and repair work to main sewers had undoubtedly have been of benefit (as evidenced by the fact that individual properties have not been flooded where there had been heavy rainfall) the problems encountered in August showed that they were not limited to main sewers.
5. Investigation involving bowsters of water and coloured dye has taken place each week since 4 October in relation to surface water run-off from various areas including roads footways, garage areas and courtyards and copies of the weekly reports that have been received to date are attached .The Council was advised that the testing work to include these areas was expected to take up to 6-8 weeks to complete and this testing work is still on-going. The testing that has taken place has revealed a number of cross (rogue) connections and some poor standard of workmanship that is also contributing to surface water infiltrating the foul system. What is currently awaited is a series of programmes as to when remedial works will take place to deal with the defects and the rogue connections which have been identified and it is hoped the Senior Planning Lawyer will be able to provide some detailed information as to programmes of works by way of a verbal up-date to the Planning Committee.
6. In any event a further update as to continued testing and completion of remedial works will be presented to the December meeting of the Planning Committee.

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

- Reports from Colin Sharp (WSP) as to testing

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