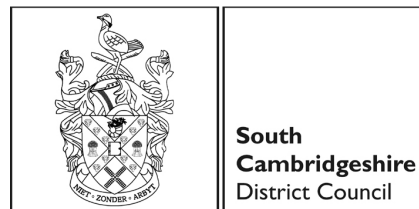


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22 February 2011

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

Quorum: 4

Dear Councillor

You are invited to attend the next meeting of **PLANNING COMMITTEE**, which will be held in the **COUNCIL CHAMBER, FIRST FLOOR** at South Cambridgeshire Hall on **WEDNESDAY, 2 MARCH 2011 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** 1 - 2
- 3. Minutes of Previous Meeting**  
To authorise the Chairman to sign the Minutes of the meeting held on 2 February 2011 as a correct record.

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

<b>4.</b>	<b>1689/10 - Great Shelford, 36-38 Woollards Lane</b>	<b>3 - 14</b>
<b>5.</b>	<b>2300/10 - Great Shelford, 50-52 Cambridge Road</b>	<b>15 - 26</b>
<b>6.</b>	<b>2198/10 - Chittering, Land at Radical Farm, Chittering Drove</b>	<b>27 - 38</b>
<b>7.</b>	<b>2205/10 - Bourn, Land to the East of Broadway, South of Grange Farm Park</b>	<b>39 - 56</b>
<b>8.</b>	<b>2276/10 - Impington, 2 Pepys Terrace</b>	<b>57 - 68</b>
<b>9.</b>	<b>2191/10 - Weston Colville, Mines Farm, Weston Green</b>	<b>69 - 84</b>
<b>10.</b>	<b>2058/10 - Weston Colville, Springhill Lodge</b> Appendix 1 is attached to the electronic version of the agenda, available by following the relevant links from <a href="http://www.scambs.gov.uk/meetings">www.scambs.gov.uk/meetings</a>	<b>85 - 92</b>
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<b>12.</b>	<b>1692 &amp; 1913/10 - Fulbourn, 2 Home End</b>	<b>99 - 106</b>
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<b>14.</b>	<b>2189/10 - Histon, Premier Foods, Chivers Way</b>	<b>121 - 126</b>
<b>15.</b>	<b>1463/10 - Longstanton, Land to North of Nelson Crescent, High Street</b>	<b>127 - 150</b>
<b>16.</b>	<b>2079/10 - Longstanton, Garages at 18/18 Haddows Close.</b>	<b>151 - 162</b>
<b>17.</b>	<b>2267/10 - Heydon, Hill Farmhouse, 20 Chishill Road.</b>	<b>163 - 172</b>
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<b>20.</b>	<b>1669/05 - Teversham, The Redwing, Newmarket Road</b>	<b>187 - 194</b>
<b>21.</b>	<b>1985/10 - Landbeach, Dickerson's Yard, (Waterbeach depot)</b>	<b>195 - 204</b>
<b>22.</b>	<b>2171/10 - Orwell, 25 Lofffield Street</b>	<b>205 - 214</b>
<b>23.</b>	<b>1997/10 - Barrington, Barrington C of E VC Primary School), Haslingfield Road</b>	<b>215 - 220</b>
<b>24.</b>	<b>2122/10 - Toft , Firs Farm, 64 High Street</b>	<b>221 - 226</b>
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## **INFORMATION ITEMS**

**26. Cambourne Drainage Update**

**27. Appeals against Planning Decisions and Enforcement Action** **235 - 236**

### **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

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

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

### **Security**

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

### **Emergency and Evacuation**

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

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

### **First Aid**

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

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### **Toilets**

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

### **Recording of Business**

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

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

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

### **Disturbance by Public**

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

### **Smoking**

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

### **Food and Drink**

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### **Mobile Phones**

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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 – 2 March 2011 – Declaration of Interests

Councillor .....

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

Item no: ..... App. No. .... Villiage: .....

Reason:

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

Item no: ..... App. No. .... Villiage: .....

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Reason:

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

Item no: ..... App. No. .... Villiage: .....

Reason:

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

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

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

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

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

2 March 2011

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

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**S/1689/10 – GREAT SHELFORD**  
**Installation of plant and associated fencing – 36-38 Woollards Lane,**  
**for Tesco Stores Ltd****Recommendation: Approve Conditionally****Date for Determination: 29<sup>th</sup> November 2010****Notes:**

**This Application has been reported to the Planning Committee following its deferral from January's Committee Meeting. The application was deferred in order to allow officers to assess its impact in terms of noise and traffic congestion. Members instructed officers to present a further report so that a final decision could then be made.**

**Site and Proposal**

1. The application site comprises a two-storey detached retail unit (A1 Use Class) located within the centre of Woollards Lane. Woollards Lane is identified within the village Conservation Appraisal as being a relatively calm street, even though this is the main shopping street and the centre for commercial and community life in the village. This section of the village contains a library, bank, newsagents, dental surgery and opticians, restaurants and delicatessens, convenience stores, a small department store (application site), pharmacy, estate agents, travel agents, bicycle shop and a greengrocer. The mix of commercial and residential properties are predominantly late 19th century in character, comprising the mainly unplanned conversion of former yellow brick and slate dwellings to shops. In most cases, this has led to the use of back lands as car parks.
2. The site is situated within the village development framework, Conservation Area, Character Area (as designated by the Village Design Statement) and is in within an area of special advertisement control. The application site is not specifically identified within the village's Conservation Appraisal. There are parking restrictions within Woollards Lane with the road being narrow at points with on street parking causing congestion at peak times. The village Design Statement designates Woollards Lane as the principal shopping centre and focus for village activity. This document refers to the conflict between pedestrians and vehicles within this concentrated area.
3. The proposal comprises the installation of one Refrigeration Condenser to the rear of the store upon the approved two-storey rear extension. This plant will be enclosed by a timber-fence. In addition it is proposed that three air conditioning units will be installed upon the western elevation, two of which would serve the sales floor, whilst the third would serve the cash office.

4. The application is supported by a Heritage Statement, Design and Access Statement, Noise Impact Assessment but has not been party to any pre-application advice.
5. The proposed development does not require a parallel application for Conservation Area Consent.

### **Planning History**

7. Planning Application S/0481/74/F for a single storey rear extension was approved.
8. Planning Application S/1708/79/F for single storey rear extension was approved.
9. Planning Application C/0715/69/O for internal alterations and extension to the rear was approved.
10. Planning Application S/0130/81/F for a replacement display window was approved.
11. Planning Application S/1039/84/F for a replacement display window was approved.
12. Planning Application S/1269/85/F for a first floor shop extension was approved.
13. Planning Application S/1579/85/F for the use of no.38 as retail space was approved.
14. Planning Application S/0085/86/F for a two-storey rear extension was approved.
15. Planning Application S/0640/10 for a two-storey rear extension was approved.
16. Planning Application S/1687/10 for advertisement consent was part approved and part refused.
17. Planning Application S/1688/10 for the installation of an ATM unit was refused on the grounds of highway safety and the detrimental impact upon the character and appearance of the shop front and Conservation Area.
18. Planning Application S/1690/10 for shop front extension and alterations was refused on the grounds of a detrimental impact upon the character and appearance of the shop front and Conservation Area

### **Planning Policy**

19. **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

CH/5 Conservation Areas  
NE/15 Noise Pollution

20. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**  
Development affecting Conservation Areas SPD – Adopted January 2009  
Great Shelford Conservation Area Appraisal – Adopted September 2007  
Great Shelford Village Design Statement – Adopted February 2004

### Consultation

21. **Great Shelford Parish Council** – Continues to recommend refusal of this planning application commenting on the following:
- The additional information submitted does not alter the original objection raised by the Parish Council;
  - The special circumstances within Woollards Lane, such as its width, carriageway alignment and the proximity of car parking and vehicle accesses make the use of the highway to the front of the premises for loading and unloading of up to 5 vehicles per day unacceptable;
  - As the applicant chose to hide its name from the previous application to extend the store the Local Planning and Highway Authority would have looked at highways implications;
  - It is understood that a Highways assessment is being carried out and a copy should be made available to the Parish Council.
20. **Conservation** – Raise no objections commenting that the proposed units would be well hidden from major views of the building. Nevertheless, the units should be coloured off-white to match the tone of the existing brickwork.
21. **Acting Environmental Health Manager** – Raises no objections based on the Noise Impact Assessment, on the premise that the equipment installed does not differ from that proposed within the assessment. Nevertheless a condition has been recommended to ensure that the equipment is maintained to the specifications within the noise impact assessment. The Environmental Health Officer has specifically tailored comments in conjunction with letters of concern from local residents.
22. **Local Highway Authority** – Following the submission of additional information from the applicant's agent, the Local Highway Authority has confirmed that given the size of the development proposed a Transport Assessment would not be required. Given the already congested and active nature of the relevant section of Woollards Lane it would be difficult for the Highway Authority to sustain the concept that a potential one additional vehicle movement (delivery per day) over and above that which the site would be able to generate without the need for planning permission will be so significant as to provide reasonable grounds for the Local Highway Authority to object to the proposal.

### Representations

22. **528** letters of objection have been received in total in addition to a petition of **395** signatures. The contents are summarised within the original report that featured upon the January Planning Committee Agenda. This report is included as an appendix to this report.

23. The objections summarised below relate solely to letters received in line with the consultation period for additional information submitted following the January Planning Committee meeting. 9 letters have been received in total including a group submission from the Shelford Tesco Action Group (STAG):
- a The site is located at the narrowest point of Woollards Lane and any works within this area will obstruct the passage of road users in either direction. Such congestion will lead to hazards to school children and elderly pedestrians. There are currently double yellow lines outside the existing building for very good reasons and the application should be refused on the adverse impact upon road users;
  - b The proposal will result in noise from the equipment and are unacceptable;
  - c The car parks within the area are always full with on road parking is inevitable and the addition of Tesco deliveries will make matters worse;
  - d Woollards Lane is at present hazardous to the elderly who are slower to cross the road and need additional space when using the pavement. The number of proposed deliveries will therefore endanger the safety of pedestrians and motorists as they will have to manoeuvre around parked vehicles with visibility impeded;
  - e Added congestion to the road way will make crossing the road more difficult;
  - f The plant proposed will enable the store to stock a wider range of goods, such as chilled and frozen foods, which will result in increased vehicle movements;
  - g The proposed number of daily deliveries will result in traffic congestion will increase with resultant jams and tailbacks will be more common, especially during rubbish collection days;
  - h A local car parking survey identifies that there is insufficient car parking within the village to accommodate the store, furthermore, the numbers of vehicles passing the store equate to approximately 600 per hour and lorries parked on a blind central section of road will cause chaos throughout the day;
  - i Upon certain events, such as the weekly market, pre-school sessions and a monthly market within the Memorial Hall upon Woollards Lane traffic would conflict with delivery traffic to the detriment of highway safety;
  - j The recent appeal decision at Mill Road Cambridge is directly relevant to the determination of this application unlike those referred to by the applicant's agent (Sheen Lane, Mortlake);
  - k There is a link between increased refrigeration capacity and road safety as demonstrated by the refused planning application at Mill Road, which is a conclusion drawn from other planning cases;
  - l The effect of the of the store in terms of increased traffic and total traffic relate to a non-food retail use;
  - m If the store is viable it will attract its majority of customers from outside of the Shelford area;
  - n The existing road infrastructure and car parking can not sustain a store of this scale;
  - o The proposed development would represent intensification of the site;
  - p The plant proposed will allow for a larger volume/range of chilled and frozen goods and therefore delivery vehicle intensity will increase above that provided for dry ambient goods. Furthermore, the wider range of goods will generate more customer traffic;
  - q Parking standards for food retailers identifies that food retailers result in increased traffic to that of non-food retailers. This view is shared in appeal decisions such as Sunninghill, Berks and Sheen Lane, Mortlake where the inspector identifies that food retailers will result in increased traffic movements to that of non food retailing;

- r The extant extensions to the site would equate to 484sqm of floor space, requiring 34 spaces for a food retailer to that of 24 spaces for a non food retailer;
- s The predicted four vehicle movements per day do not consider independent news paper deliveries, which may occur at the same time as Tesco deliveries;
- t Studies of other local stores of similar size show daily deliveries to be around 7 a day and not 4 as stated. As a consequence the indicative schedule provided by Tesco is questionable;
- u Even in line with the predicted delivery schedule vehicles will obstruct Woollards Land for approximately 2hrs per day;
- v A potential additional 12 deliveries per week with those associated with the plant resulting in approximately 8hrs of deliveries that would not occur were the application to be refused;
- w Without the installation of plant the vehicle movements required may increase, however, appeal decisions state that the turn around of smaller vehicles with a greater turn around time and therefore the obstruction time caused by deliveries may not differ greatly;
- x Refusal of this application will restrict the volume of goods and in turn the frequency of the delivery of goods sold throughout the store;
- y Permission if granted would result in 24hr use of the plant, which would cause additional noise problems as would additional vehicle movements associated with the plant;

Some of the comments made within the letters received do not relate to relevant material planning considerations and have not been summarised above, this includes one letter of support.

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

- 24. The key issues to consider in this instance are the impact that proposals would have upon highway safety as a result of the potential increase in traffic movements that would result as a consequence of the proposed plant and machinery. In addition to this, the impact upon the character and appearance of the Conservation Area, public realm and residential amenity in respect of noise pollution are also material considerations in the determination of this planning application.

### **Highway Safety**

- 25. The property in question has an existing A1 use and as such any retail vendor (including food retailing) could occupy the shop as it stands without the requirement for planning permission. Furthermore, the existing property has no planning conditions to regulate or restrict any of the following:
  - Opening Hours;
  - Delivery Hours;
  - Delivery Numbers;
  - Staff Numbers;
  - Loading/Unloading areas;
- 26. In light of the above it is not possible for the Planning Authority or the Highway Authority to prevent or control deliveries to or from the property in any shape or form. Notwithstanding this, both officers of the Planning and Highway Authority are of the opinion that a material consideration of this application is the potential impact that any additional deliveries that the

installation of the proposed plant may generate. In assessment of this, it is necessary to evaluate both the existing situation and that of the potential occupation by the present applicant, as a food retailer. However, it is important to acknowledge the potential increase in delivery vehicles that the change of vendor may generate would be legal under the current lawful A1 Use (Retail) of the property. Furthermore, it is important to acknowledge that whilst it is evident in case law that food retailers engender greater vehicle movements to that of non-food retailers, the Use Class Order does not distinguish between food or non-food retailing.

27. As stated above the potential increase in deliveries to the store as a consequence of the development, currently under determination, is a material planning consideration. Therefore, it is necessary to evaluate the potential of additional vehicle movements solely associated with the proposed development and then assess this detail against the predicted or assumed vehicle movements of the store operating lawfully as a food retailer without said plant. In doing so the existing circumstances within Woollards Lane, including the use of this section of adopted highway are relevant in arriving at a decision.
28. Given the size of the development it is the view of the Local Highway Authority that a Transport Assessment would not be required and that a less detailed Transport Statement would have been sufficient, although such a report would not be essential under existing guidance (Guidance on Transport Assessment, DfT, Appendix B). In addition to this, the requirement for the submission of a transport assessment is part of the Planning Authority's Local List Requirements and is therefore not essential outside of the National Requirements. At the time of submission officers took the view that a transport assessment/statement was not essential in the validation of this planning application.
29. The Shelford Tesco Action Group state that the deliveries of chilled and frozen goods will be undertaken by 10.3m long lorries, which as they will be unloading, may stop on the existing waiting restriction (double yellow lines) without breaching that restriction. Similarly vehicles delivering non-chilled or frozen goods would follow this pattern of unloading but would be undertaken by smaller vehicles. These points are acknowledged and accepted by officers of the Local Planning and Highways Authority. Furthermore, delivery and unloading is not restricted or prohibited from the front of the property and is therefore permissible under the extant lawful use of the property.
30. The Highway Authority accepts the guidance provided by the Highway Code as referenced by local residents, but it this is best practice guidance only and not legislation. Given that the a delivery vehicle would be parked to deliver goods to a lawful retail store, it would be difficult to argue that such an eventuality is unnecessary, furthermore, since the carriageway width is sufficient to allow such a vehicle to park and another to pass by, it would be difficult to sustain the position that such a vehicle represents an obstruction in the legal interpretation of the word.
31. From the observations made by local residents it is clear that there is a strong perception that Woollards Lane is a hazardous environment, more so than a more typical section of highway. However, it is the view of the Highways Authority that this may in itself be a self regulating safety mechanism; the majority of highway users in all their forms - pedestrians, cyclists and

motorists - are familiar with the environment and from studies undertaken elsewhere increase their awareness in these circumstances (as referenced within the Manual for Streets 2: Chapter 8). This does not necessarily make for a pleasant environment, or one that is easy to negotiate, but does appear to create one where risks are reduced. This is supported from the accident data held by the Highway Authority, where there has been one personal injury accident along the relevant stretch of Woollards Lane in the last three years, this involved two private cars and no vulnerable users (pedestrians, cyclists etc.) were involved.

32. The proposed level of deliveries to the site has been quoted as up to 4 per day (maximum) by the applicant and between five-to-seven as interpreted by local residents, based on other stores of a similar scale. However, clearly not all of these deliveries will relate to chilled food and therefore it is necessary to distinguish the correct proportion associated with the proposed plant. In doing so it is acknowledged that the plant in question will facilitate cold food refrigeration (chilled and frozen goods). The applicant indicates that of the maximum four deliveries per day, only one will wholly associated with the plant in question, if at all. In addition the applicant states that cold refrigerated goods could still be sold from the store regardless of the plant in question. Nevertheless, the plant is required in order to ensure better efficiency in terms of maintenance, running cost and energy usage.
33. The Cambridge Mill Road application is referenced within objection letters from local residents. For the avoidance of doubt this case study although local to the current site, is very different in terms of the site specifics, as is every appeal decision. For instance, the Mill Road site has an existing restriction in place by way of condition, which prohibits deliveries to the front of the store. In addition, Mill Road is not considered comparable with Woollards Lane both in terms of its highway capacity. Nevertheless, it must be acknowledged that despite refused applications and dismissed appeal decisions for similar types of development to that currently under determination, the Mill Road Site is now in operation as a Tesco Express and sells chilled and frozen food despite the lack of cold refrigeration plant.
34. In light of the above, it is apparent that in order to assess the potential impact of the proposed plant and machinery in terms of vehicle intensity, it is necessary to evaluate if the provision of said plant would incur greater vehicle movements than that of the lawful retail use, under the conditions whereby planning consent would not be required. It is also evident that the information provided by the applicant and local residents differs greatly in this assessment. Nevertheless, based on the information provided it is the view of officers that the proposed plant and machinery would result in an increase of delivery vehicles above that of the existing lawful predicted use. This opinion has been arrived at based on the greater efficiency that the proposed plant would provide in terms of chilled and frozen food storage. Notwithstanding this, the predicted increase of vehicle movements is considered to be marginal to that of the lawful use and would not result in a significant intensification of traffic generation above that of what can be expected from the lawful use of the property. Therefore, based on the views of the Local Highways Authority it is considered that as a direct result of this development no additional adverse impact upon highway safety or the amenity of the area would occur.

35. Lastly the information originally provided by the applicant infers that the number of deliveries may increase if the plant is not installed, due to the shorter shelf life of many products when not kept in appropriate conditions. This is inconclusive as appeal decisions state that alternative vehicles if smaller will result in a quicker turn around time and therefore any such impact would be comparable. However, the applicant has now confirmed that should they be forced to provide integral refrigeration units then the number of daily deliveries required would not exceed that predicted with the plant and machinery (3-4 per day).

### **Residential Amenity (Noise)**

36. It is intended that 3 air conditioning (A/C) units will be installed against the side of the premises. These are stated to be X1 Mitsubishi Heavy SRC 28 CD 5 and X2 Mitsubishi Heavy FDCA 501 HESR units. It is acknowledged that these are to be located in a narrow alleyway with no open-able windows and that there are already 5 air conditioning heat pumps mounted on the facade of the adjacent premises in the alleyway, close to the proposed location for the aforementioned equipment.
37. The proposed A/C units will not be in direct line of site facing straight onto any windows of residential properties. It is acknowledged that the first floor windows of nos.2 & 4 Robinson Court are only just viewable from this location but at a slight angle and 30 metres in distance from source to receiver. There is no record of any complaints being received relating to noise from the existing air conditioning heat pumps.
38. With regard to the Searle refrigeration condenser proposed for the rear of the premises, a 1600 high timber close-boarded fence will be erected as an enclosure. This will significantly reduce emitted noise levels. A sufficiently erected acoustic barrier without any holes or gaps can reduce decibel levels by up to 10dB. The properties to the rear of Ashen Green are bungalows and obscured from a direct line of sight to the refrigeration condenser with another fence to the rear of the car park further assisting noise mitigation. The nearest noise sensitive residential dwelling is located on the flats to the side of the premises. However, the openable window to this will be completely obscured from a direct line of site to the refrigeration unit by the rear wall of the application site. The proposed 3 air conditioning units in the alleyway will not have an adverse impact on the use and enjoyment of this dwelling either as they will be totally obscured.
39. The concerns raised by residents are acknowledged in relation to cumulative noise, but the findings of the Noise Impact assessment conducted by LR Associates (UK) dated 13th July 2010 are considered to be satisfactory. It is noted that the report also considers +3dB for reverberant noise, typical from noise sources adjacent to reflective surfaces. This factor has been worked into the calculations. In conclusion, the findings of the acoustic report are considered satisfactory and would not result in any adverse environmental impacts, such as noise or disturbance.
40. Due to member and residents concerns with respect to 24hr use of the proposed plant the Environmental Health Officer has evaluated the impact of evening noise. Part 5.1 of the submitted assessment relates to BS4142:1997 assessments conducted, and in particular 5.1.2 has been conducted and shows results attributed to ratings typical for night-time noise. The figures



stated relate to a monitoring position of 1m from the nearest residential facade which is on the flats to the side of the store, with background noise levels recorded in the adjacent car park. Results indicate in accordance with the relevant BS4142:1997 measurement criteria, that an overall result of - 11dB is likely. Therefore this is within acceptable parameters and in line with the aforementioned British Standard, complaints are considered 'unlikely'.

41. In conclusion a condition stating that all equipment remains as the specification stated in the Noise Impact Assessment and is installed in accordance with manufacturers guidelines, no adverse impact would result. However, further to the protection provided by such a condition the right is reserved to take action by way of statutory nuisance under section 80(1) of the Environmental Protection Act 1990 should for any reason complaints subsequently be received and following an investigation are believed to constitute a statutory nuisance.
42. With regard to vehicle deliveries, it is not considered that an average of approximately 4 trips per day is excessive in this location. Furthermore, due to the lack of restriction relating to the existing lawful use of the property such an eventuality would need to be addressed by way of statutory nuisance under section 80(1) of the Environmental Protection Act 1990.

### **Visual Amenity**

41. The proposals would be sited to the rear of the building enclosed within a timber fence and to the side down a narrow alleyway. As a result the plant and equipment would not be sited within prominent locations that would be visible from major views of the building or the wider Conservation Area. Furthermore, there are multiple examples of similar plant and equipment upon commercial and residential premises within Woollards Lane, in particular upon the adjacent building to that of the application site. In light of the above it is considered that the proposals would have a neutral visual impact preserving the character and appearance of this part of the Conservation Area and public realm. The comments of the Conservation Officer is noted and a condition will be imposed to ensure that the plant and equipment are of an appropriate colour to help the equipment blend in with the brickwork of the building that they are to be attached.

### **Conclusion:**

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

### **Recommendation**

- 4.0 Approve

### **Conditions**

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

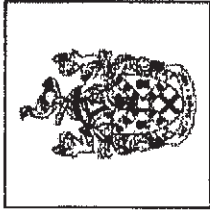
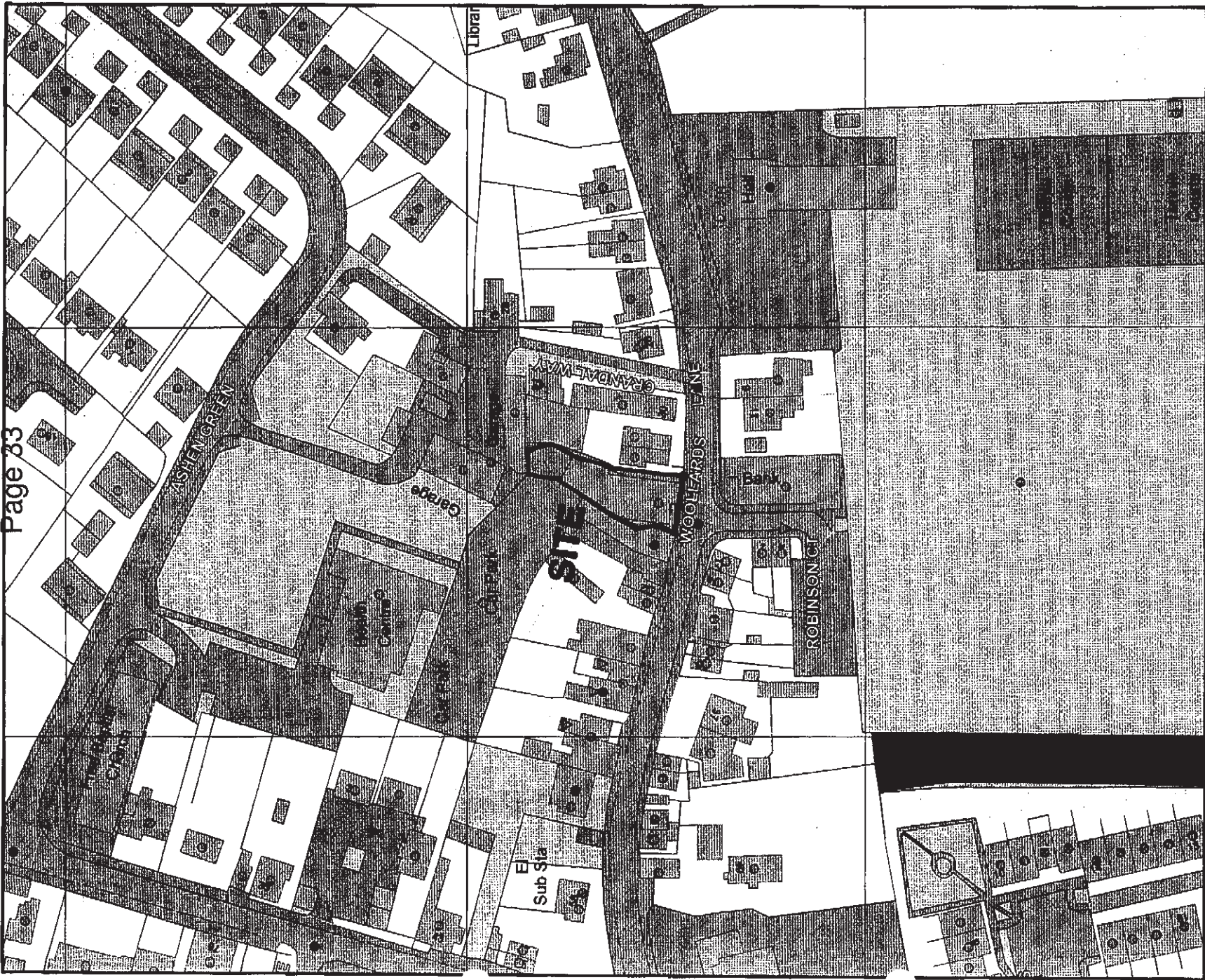
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)

2. **The development hereby permitted shall be carried out in accordance with the following approved plans: 1828/12B, 1828/07E, 1828/02b & 'Noise Impact Assessment, BS4142:1997 and PPG Assessment Refrigeration and Air Conditioning Equipment' undertaken by KR Associates (UK) Ltd (Dated 13/07/2010/Report reference KR01698)**  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

3. **The external appearance of the plant, hereby permitted, shall be off-white in colour, unless otherwise agreed in writing by the Local Planning Authority.**  
(Reason – To ensure the appearance of the development is satisfactory in accordance with Policies CH/5, DP/2 and DP/3 of the adopted Local Development Framework 2007.)

4. **The plant/equipment and associated fencing, hereby permitted, shall be installed, operated, maintained and serviced in accordance with the submitted details and report entitled 'Noise Impact Assessment, BS4142:1997 and PPG Assessment Refrigeration and Air Conditioning Equipment' undertaken by KR Associates (UK) Ltd (Dated 13/07/2010/Report reference KR01698).**  
(Reason - To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

**Contact Officer:** Mike Jones - Senior Planning Assistant  
01954 713253



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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

2 March 2011

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

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**S/2300/10 – GREAT SHELFORD**  
**Erection of dwelling and garage – 50 & 52, Cambridge Road,**  
**for Mr N Rust****Recommendation: Approval****Date for Determination: 23 February 2011**

**This application has been reported to the Planning Committee for determination because the recommendation of officers differs from Great Shelford Parish Council and at the request of the local Member, Councillor C Nightingale.**

**Members will visit this site on 2 March 2011**

**Site and Proposal**

1. The site forms part of the combined rear garden areas of a pair of semi-detached dwellings at Nos 50 and 52 Cambridge Road. The site has a sole frontage onto The Hectare, a recently developed residential estate which continues to the north and east of the site, beyond which is agricultural land in the Green Belt. The site is adjoined to the south west by the remaining garden areas of Nos 50/52 Cambridge Road, to the south east by the rear garden of No 48 Cambridge Road, and to the north east by the rear gardens of No 2 and 4 The Hectare. On the opposite side of The Hectare facing the application site is a 1.5-storey dwelling 'Rosa House', an infill dwelling constructed following the grant of planning permission in 2004.
2. The land falls from west to east away from Cambridge Road. The site has a frontage of 23.5m and a depth of 18.0m, providing an area of 0.04ha. The proposal represents a density of development of 25 dwellings per hectare.
3. The full application, dated 20 December 2010, proposes the erection of a single 4-bedroom detached house with lean-to single garage. The front elevation is shown with a gable projecting from a hipped main roof. The rear elevation is shown with two gables projecting from the main roof. The ridge height is 7.8m, and the eaves height is 4.8m. The layout includes a single car parking space in front of the garage. The rear garden area has a width of between 20 and 21 metres, with a depth of 6 metres, providing 120 sqm in addition to smaller garden areas to the front and sides of the plot.
4. The external materials show a combination of render and cedar cladding to the walls, with tiles to the roof, precise details to be agreed. Windows and doors are to be of aluminium.

5. Separate pedestrian and vehicular accesses are shown onto The Hectare. New hedgerow and tree planting is shown along the frontage. In the rear garden, an existing tree is to be retained and other trees to be planted.
6. The scheme shows all first floor rooms having windows in the rear or side elevations, including two bedrooms, to be either fixed (apart from any top opening vent) and obscure glazed, or high level rooflights, in order to avoid overlooking of neighbouring properties.
7. Drainage is to be via the foul sewer and soakaway for surface water disposal. A drain will be placed at the abutment of the proposed driveway and the pavement to catch water running off the driveway and direct into the soakaways.
8. The application is supported by a Design and Access Statement.

### **Planning History**

9. A planning application was submitted by the current applicant for similar development in September 2010, but was withdrawn following concerns raised by the Parish Council, neighbours and planning officers- **S/1508/10**.
10. To the north, opposite the current site, the dwelling at Rosa House has been constructed following planning permission granted in 2004 – **S/0679/04/F**. This was granted at Planning Committee following a site visit.

### **Planning Policy**

#### **Planning Policy Statements:**

11. **PPS 1- 'Delivering Sustainable Development'**  
**PPS 3- 'Housing'** (revised June 2010): the definition of previously developed land now excludes private residential gardens.

#### **South Cambridgeshire Local Development Framework (LDF) Core Strategy (2007)**

**ST/4** (Rural Centres) Development and redevelopment without any limit on individual scheme size will be permitted within the village frameworks of Rural Centres, provided that adequate services, facilities and infrastructure are available or can be made available as a result of the development.

#### **South Cambridgeshire Development Control Policies Development Plan Document (2007)**

**DP/1** (Sustainable Development)

**DP/2** (Design of New Development)

**DP/3** (Development Criteria)

**DP/4** (Infrastructure and New Developments)

**DP/7** (Development Frameworks)

**HG/1** (Housing Density)

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

**NE/6** (Biodiversity)

**NE/12** (Water Conservation)

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

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

### **Supplementary Planning Documents**

Open Space in New Developments SPD (2009)

Trees & Development Sites SPD (2009)

District Design Guide SPD (2010)

LDF Document - Statement of Community Involvement (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 of permitted, enforceable, precise and reasonable in all other respects.
13. **Circular 05/2005 – Planning Obligations:** States that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development, and reasonable in all other respects.

### **Consultations**

14. **Great Shelford Parish Council** – Recommended refusal, for the same reasons as S/1508/10, which were:
  1. The proposed building and parking occupies nearly 70% of the site leaving only minimal open space (not the generous garden specified in the Design and Access Statement) and as such amounts to overdevelopment of the site and is out of character with the local area.
  2. The high side wall of the house will be oppressive to the occupiers of 2 and 4 The Hectare. First floor windows will cause significant overlooking of the rear gardens of 46 and 48 Cambridge Road and 4,6, and 8 The Hectare.
  3. The proposed materials have been used in properties in the centre of the village but not as stated in Cambridge Road and The Hectare.
  4. The proposed development is contrary to policy DP/2.
15. In addition, the Parish Council does not believe it is satisfactory to have obscured glass for the main windows of a bedroom. The Parish Council would prefer a smaller property which is designed to take account of the amenities of the occupiers and the surrounding residents.
16. **Trees and Landscape Officer** – No objection.
17. **Acting Environmental Health Manager**- no objection in principle. Recommended condition to control hours of power operated machinery during the construction period.
18. **Local Highway Authority**- No objection. The LHA has recommended that if planning permission is granted, conditions be attached to provide and retain pedestrian visibility splays, and to prevent surface water or gravel from coming onto the highway from the site.

### **Representations**

19. Objections have been received from the occupiers of Rosa House, 1,2,3,6 and 11 The Hectare and 48 Cambridge Road, and one email giving no address. The grounds of concern are:

## Principle of development

- a) Piecemeal and inappropriate development. It is the fourth example of backland development in five years that creates significant problems for local residents. It is one of several piecemeal developments by David Reed Homes Ltd in the vicinity, and is contrary to Policy DP/5.
- a) The development is not consistent with the principles of sustainable development in Policy DP/1, as it has not sought to minimise flood risk, to conserve biodiversity or to involve the community.
- b) This is garden grabbing, which is in contravention of recent planning policy in PPS3. The loss of garden area is harmful to the character of Great Shelford, a chalklands settlement, which is characterised by deep, narrow rear gardens, and so is contrary to the District Design Guide SPD.
- c) This developer is not being asked for financial contributions to fund school places, doctors' surgeries or local amenity areas.
- d) The frontage dwellings, nos 50 and 52 Cambridge Road, could be redeveloped next, or converted to multi-occupancy, which would exacerbate issues of parking, traffic and surface water.
- e) Uninhabited dwellings in the District should be redeveloped before any new dwelling is considered.

## Size and appearance

- f) The style of the dwelling, with extensive wood cladding, is out of keeping with character of existing properties in the area, which is contrary to the District Design Guide SPD.
- g) The size of the development is out of keeping with existing dwellings. Rosa House (opposite) is single-storey with accommodation in the roof. A smaller, lower dwelling would be more appropriate on this site.

## Residential amenity

- h) Adverse impact on residential amenity, sunlight, daylight and outlook to Nos 2,4,6 and Rosa House, The Hectare. Loss of outlook to 44 Cambridge Road.
- i) Overlooking of windows in the front elevation of Rosa House.
- j) Overlooking of nos 4,6,8 and 10 The Hectare and No. 44,46 and 48 Cambridge Road would occur if the obscure glazing of upper floor windows were to be changed in the future, and there is no guaranteed protection of privacy in perpetuity.

## Landscaping and trees

- k) There are no landscaping details. The development has not sought to incorporate trees on the site within the development, contrary to the Trees and Development Sites SPD.



Highway safety

- l) The development will exacerbate an existing problem of parking on the street in The Hectare. There is a shortage of off-road parking here, and access is required to residential properties and adjacent farmland. Access to emergency vehicles will be impeded by more on-street parking.
- m) Dangers to children and environmental disturbance to residents during the construction period, contrary to Policy DP/3.

Drainage

- n) Proposals for foul and surface water drainage are implausible.

Application documentation and process

- o) Nos 6,8 and 10 The Hectare, which are directly affected by the development, were not notified of the application, and no site notice has been posted: this is contrary to the Statement of Community Involvement SPD.
- p) Lack of community consultation or involvement. The applicant has not carried out any pre-submission consultation or community engagement, as recommended by the Statement of Community Involvement SPD.
- q) The application form contains misleading information, for example about trees and existing use.
- r) The site address is misleading, as the development forms part of The Hectare.

Conditions

20. If approved, conditions should include:
- s) Preservation of privacy from overlooking in perpetuity
  - t) Trees to be retained on site
  - u) Conformity with Design Guide requirements for distance from neighbouring properties, privacy and private amenity space
  - v) Redesign of the size, appearance and external materials of the dwelling
  - w) Permeable surfaces and Sustainable Urban Drainage System
  - x) Construction hours 0900-1700h Monday to Friday, 0900 to 1500h Saturday, and delivery 0900-1500h Monday to Friday.
  - y) No more than 2 site-related vehicles to be parked on The Hectare at any time.
  - z) Weight limit and dimension limit on construction vehicles to prevent damage to the highway
  - aa) The Hectare to be kept clear for access at all times

bb) Street lighting to be retained at its present level

**Response from the applicant**

21. The applicant has responded to the concerns of the Parish Council and some neighbouring residents. He states that:
- a) Overlooking issues have been addressed.
  - a) The footprint of the building has been reduced to 39% of the site area. With the parking area included the total is 43% of the site area. The claim of the Parish Council that the building occupies nearly 70% of the site area is not accepted.
  - b) The proposed dwelling is a 4-bedroom family home, much the same size or smaller than others in The Hectare and surrounding area.
  - c) The proposal has adequate parking.
  - d) The applicant is willing to accept restrictions to construction hours and site traffic.
  - e) Construction labour and materials will be locally sourced.

**Planning Comments**

**Principle of residential development**

22. The site lies within the development framework of the village, which is a sustainable location, and outside the conservation area. The requirement in policy DP/1 to achieve a density of development of at least 40 dwellings per hectare would require the provision of two dwellings on the site. Taking into account the character of development of the area, which is of larger properties in plots of approximately the size currently proposed or larger, and the desirability of providing sufficient on-site parking as highlighted by local residents, it is considered that the development of the site for a single dwelling is acceptable in principle. Some objectors have referred to a recent revision to PPS3 which has removed gardens from the definition of brownfield land, but this new guidance does not in itself alter the presumption in favour of such development in sustainable locations where this would be in accordance with local policies.

**Scale, design and appearance**

23. The size of the building footprint is similar to Rosa House opposite, and provides a garden area which exceeds the minimum set out in the Design Guide SPD. The ridge height of the dwelling is lower than adjoining dwellings at No 50 Cambridge Road and No 2 The Hectare, not taking into account the change in levels between these dwellings. The character of development in the vicinity of the site, with the exception of Rosa House opposite, is of a similar scale or larger. It is considered that the scale of development is proportionate in the street scene and would not be likely to appear to be unduly massive.

24. The external materials proposed for development takes as a starting point the appearance of houses in The Hectare, with the extensive use of render, but is different in proposing cedar cladding rather than facing brick. It is not considered that variations of this kind, which still preserves the principle of a mixture of two materials, is unacceptable, or would be unduly incongruous in the street scene.

#### **Residential amenity**

25. The current proposal has addressed the issue of overlooking of neighbouring properties by the use of obscure glazing and rooflights to bedrooms at the rear of the house. Provided that this can be designed to meet the requirements under the Building Regulations for means of fire escape, it is considered that adequate amenity for future residents of the dwelling will be achieved. If approved, a condition to ensure the retention of this design element would be necessary. The occupiers of Rosa House have drawn attention to the proximity of windows in the front elevation of the dwelling, approximately 12 metres separation. These windows are already in the public domain, being on the front elevation of Rosa House, and this amount of separation is commonly found in modern residential layouts. It is not considered that the additional harm to the residential amenity of Rosa House by reason of overlooking from proposed first floor windows is sufficient to warrant a refusal of planning permission.
26. The distance between the external walls of the proposed dwelling to adjoining garden boundaries and facing windows in adjacent dwellings in The Hectare is considered sufficient to avoid undue overbearing impact or loss of outlook to the occupiers of these properties, and exceeds the minimum expectation set out in the Design Guide SPD. Loss of daylight and sunlight to rear garden areas of adjoining properties and Rosa House opposite is considered to be unlikely to represent a serious loss of residential amenity, given the distances to boundaries and the orientation of adjacent development.
27. If planning permission is granted, the withdrawal of permitted development rights for future extensions and additional windows is considered to be necessary as a condition.

#### **Highway safety**

28. The development is shown to have parking for two cars on site, which exceeds the maximum requirement in this sustainable location. The Local Highway Authority has not objected to the development. If approved, it is recommended that a condition be attached for details of construction traffic management to be submitted and approved.

#### **Other matters**

29. Concerns have been raised about the drainage of the development. The site does not lie in an area at risk of flooding, but, if approved, the applicant will be advised of the desirability of SUDS and the need to avoid water draining onto the highway.
30. Details of landscaping will be required to be submitted for approval, if the development is approved. The applicant has indicated that the existing tree at

the rear of the site is to be retained. The Trees and Landscape Officer does not object to the development.

31. The requirements for publicity and notification of the development have been complied with in the handling of the application, and a considerable number of responses have been received.
32. The development is required to be supported by payments for the provision and maintenance of community infrastructure, open space, refuse bins and legal monitoring. The agreement of the applicant will be sought for such payments prior to the issue of any planning permission, and would be a condition of such permission.
33. 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**

34. Approval of the application dated 20 December 2010, subject to the following conditions:

### **Conditions**

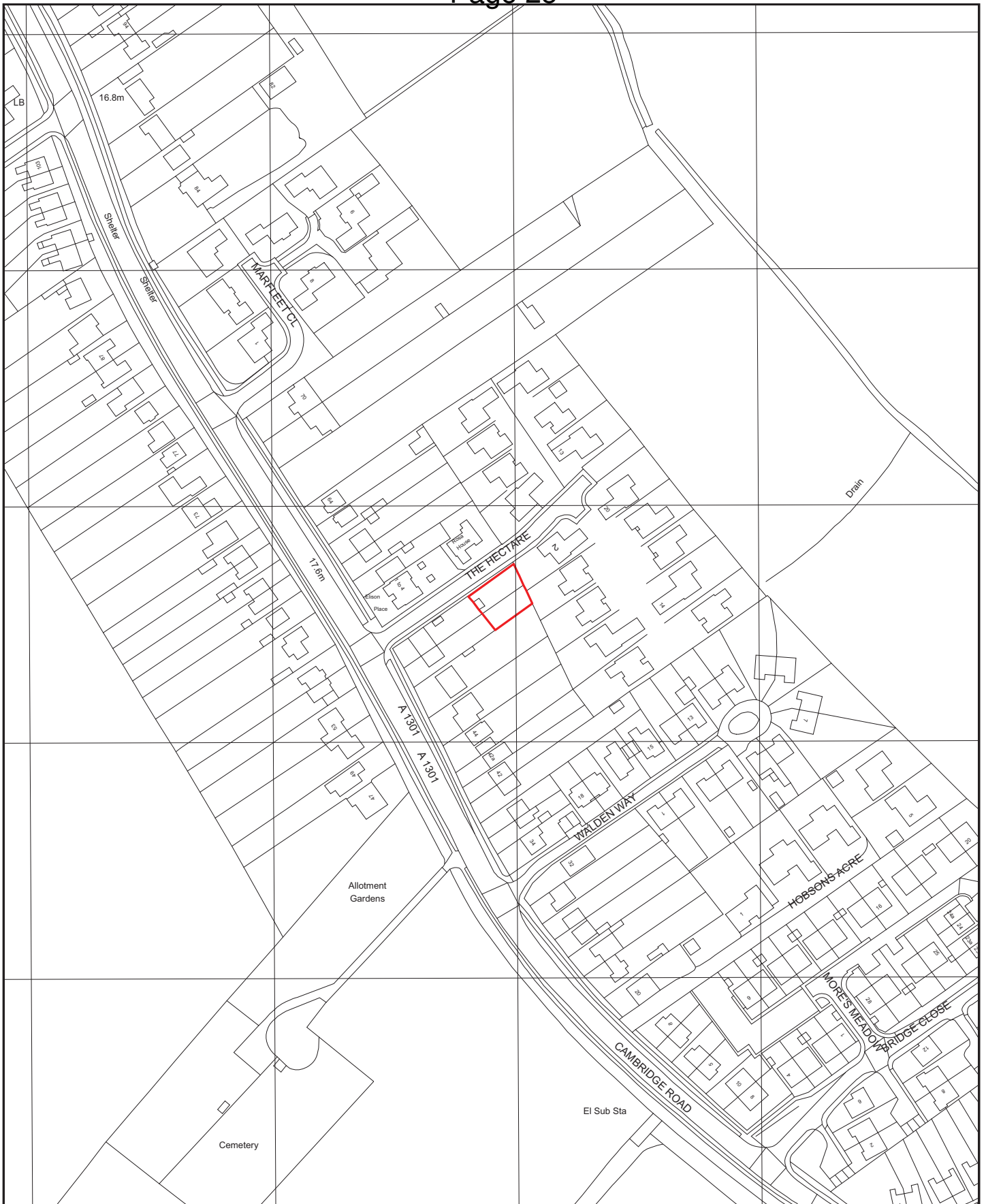
1. Time period for commencement – three years.
2. Confirmation of approved plans.
3. Details of external materials.
4. Details of landscaping.
5. Retention of landscaping.
6. Removal of permitted development rights for future extensions and additional windows or openings at first floor level.
7. Retention of windows to be fixed and obscure glazed.
8. Retention of parking provision on site, including within the garage.
9. Retention of pedestrian visibility splays.
10. Prevention of water from the site entering the public highway.
11. Prevention of driveway surfacing entering onto the highway.
12. Details of construction traffic management to be approved.
13. Limitation on the hours of use of powered machinery during the construction period.
14. Schemes for the provision for community infrastructure, open space, refuse bins and legal monitoring to be approved.

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

- PPS 1 and PPS3
- Circulars 05/2005 and 11/1995
- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- South Cambridgeshire Development Control Policies Development Plan Document 2007
- SPD
- Planning File refs S/2300/10, S/1508/10, S/0678/04/F

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

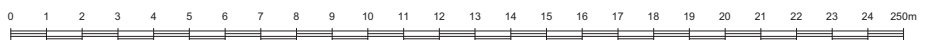
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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

2 March 2011

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

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**S/2198/10 - Chittering  
Solar Farm for Abbey Renewables Ltd****Recommendation: Delegated Approval****Date for Determination: 16<sup>th</sup> March 2011****Notes: This application has been reported to the Planning Committee for determination as a recommendation of approval would be contrary to the provisions of the approved Development Plan and would need to be referred to the Secretary of State.****DEPARTURE****Site and Proposal**

1. The application site comprises approximately 17.8ha of flat and level agricultural land and is bounded by agricultural fields on all sides. The site is accessed via the A10, which is located 0.5km to the west, through School Lane and Chittering Drove. The site is outside (northeast) of the Chittering village development framework within the open fenland countryside within close proximity to the railway line, which runs north to south due east of the site. The wider area is characterised by flat agricultural fields that are layered through established field boundaries including trees and mature hedgerows. The closest properties to the site are located along Chittering Drove around 0.8km to the south west, or Chittering farm, around 0.6km to the north. These properties are well screened from the site by existing hedgerows and trees.
2. The full application, received on the 10<sup>th</sup> December 2010, seeks consent for a solar energy farm. This includes the installation of solar panels, with on site plant and machinery, access routes, security fencing and landscaping, and associated works. The proposal seeks to create a farm with an electrical output of up to 5MWp. The proposed solar farm would encompass approximately 17.6 hectares of the application site. It would comprise a rectangular shape, with the longest axis running east to west. The site is flat and open, as is much of the surrounding area.
3. The Solar Farm will consist of rows of solar panels mounted on a supporting frame, orientated so they face south to maximise the energy they receive from the sun. The technology used within modern photovoltaic panels is such that they will continue to generate electricity on cloudy and overcast days, although the maximum potential of the site will be achieved on sunny days. The frames supporting the panels are secured to the ground and kept stable with a piling spaced at 3.7 metre intervals. The piles require no concrete foundations with the sub structure being suitable to support the weight

(wind/snow load) of the panels. The site can be reverted back to its former use once the life span of the panels comes to an end.

4. The proposed solar panels would be located low to the ground at around 2.2 metres high at the maximum point at the top edge of the panel. The low profile of the scheme allows effective visual screening to be achieved by relatively low level hedgerow planting. Each of the solar panels would be 1 metre wide by 1.67 metres high. They would be mounted on frames at an angle, two panels high and 12 panels long. Each of these frames, or strings as they are known, will be 12 metres long.
5. The application is accompanied by a site location plan, master plan, solar panel cross sections and detailed plan, details of structures on site, construction detail plan, design and access statement, environmental management plan, environmental reports compendium including, landscape and visual assessment, ecological assessment, flood risk assessment, archaeological desk based assessment and an agricultural statement.

### Planning History

6. None

### Policies

7. **East of England Plan 2008: ENG1** Carbon Dioxide Emissions and Energy Performance and **ENG2** Renewable Energy Targets
8. **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  
**NE/2** Renewable Energy  
**NE/4** Landscape Character Areas  
**NE/6** Biodiversity  
**NE/11** Flood Risk  
**NE/15** Noise Pollution  
**NE/17** Protecting High Quality Agricultural Land  
**CH/2** Archaeological Sites  
**TR/1** Planning for More Sustainable Travel
9. **Trees and Development Sites SPD** – adopted January 2009  
**Biodiversity SPD** – adopted July 2009  
**Landscape in New Developments SPD** – adopted March 2010  
**District Design Guide SPD** – adopted March 2010.
10. **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

## Consultations

11. **Waterbeach Parish Council** – No comments have been received.
12. **Stretham Parish Council** - makes no recommendation, making the following comments:
  - Does the application benefit from a S106 legal agreement and if so will any payments be made to local Parish Councils;
  - What is the destination of electricity;
  - Is the site suitably accessed;
  - Will the proposal be considered cumulatively with other similar developments within the district;
  - There is a concern about glare from the panels to nearby rail and road links;
13. **East Cambridgeshire District Council** – No comments have been received.
14. **Council for the Protection of Rural England** - No comments have been received.
15. **East of England Regional Assembly** – No comments have been received.
16. **East of England Development Agency** – No comments have been received.
17. **The Council's Communities Team Leader** – Requests that the developer should supply and install a minimum 3kWp of roof mounted photovoltaic panels on an appropriately located, orientated and structurally sound elevation of a community building in the village.
18. **The Council's Acting Environmental Health Manager** – No comments have been received.
19. **Marshalls of Cambridge** – No comments have been received.
20. **Network Rail** – Raises no objections.
21. **Old Western Drainage Board** – Make no recommendation.
22. **The Local Highways Authority** – No comments have been received.
23. **The Council's Ecology Officer** – No comments have been received.
24. **The Environment Agency** – Raises no objection to the proposal subject to a condition requiring the implementation of development in accordance with the flood risk assessment submitted.
25. **Landscape and Tree Officer** – Raises no objection commenting that the landscape character assessment and landscape proposals are acceptable in principle. However, the exact specifications of planting and management will need to be addressed through the use of a pre-development condition.

**26. Landscape Design Officer** – No comments have been received.

**27. The County Archaeology Team** – Recommend that a pre-development condition be attached to ensure that sufficient archaeological investigation is carried out to investigate whether or not the site contains Roman remains.

### **Representations**

**28.** None have been received.

### **Planning Comments**

**29.** The key issues to be considered for the determination of this application are the principle of development, the impact upon the surrounding countryside, the impact upon the amenity of the occupiers of the surrounding residential properties, the impact upon highway and public safety including air and rail, the loss of agricultural land, and ecology considerations.

### **The Principle of Development**

**30.** In accordance with Policy DP/7 outside urban and village frameworks, only development for agriculture, horticulture, forestry, outdoor-recreation and other uses, which need to be located in the countryside will be permitted. The proposed development does not adhere to the principle of this criterion and is therefore a departure from this policy. Notwithstanding the above, policies ENG1 and ENG2 of the East of England Plan 2008 identify a need to meet regional and national targets to reduce climate change emissions and the development of new facilities to provide energy from renewable sources. However, while the Plan remains part of the development plan, the Secretary of State's intention to revoke this is a material consideration to be taken into account. Nonetheless, Policy NE/2 states that the District Council will grant planning permission for proposals to generate energy from renewable sources, subject to proposals according with the development principles set out in Policies DP/1 to DP/3. The proposed development is considered to accord to Policy NE/2 as it would meet the following criteria:

- The proposal would be connected efficiently to the national grid infrastructure;
- The proposal and its ancillary facilities can be removed and reinstatement of the site, should the facilities cease to be operational;

**31.** South Cambridgeshire has greater levels of sunshine than the UK average and Policy NE/2 states that solar power can make a significant contribution to renewable energy generation. In light of this the District Council seeks to reduce the use of fossil fuels, opportunities to increase the proportion of energy, especially electricity, generated from renewable sources will be permitted unless there is clear adverse impact on the environment or amenity of the area.

**32.** The Government aims to put the UK on a path to cut its carbon dioxide emissions by some 60% by 2050, and to maintain reliable and competitive energy supplies. The development of renewable energy is considered to be an important part of meeting this aim and as such, there has been greater emphasis on 'positive planning', which facilitates renewable energy developments.

- 33.** One of the key principles of Planning Policy Statement 22: 'Renewable Energy' is that "renewable energy developments should be capable of being accommodated throughout England in locations where the technology is viable and environmental, economic, and social impacts can be addressed satisfactorily". It also states that "the wider environmental and economic benefits of all proposals for renewable energy projects, whatever their scale, are material considerations that should be given significant weight in determining whether proposals should be granted planning permission." Members should also be aware that paragraph 20 of PPS Planning and Climate Change – Supplement to PPS1 regarding renewable energy generation, states "planning authorities should not require applicants for energy development to demonstrate either the overall need for renewable energy and its distribution, nor question the energy justification for why a proposal for such development must be sited in a particular location". It also adds local planning authorities should "avoid stifling innovation including by rejecting proposals solely because they are outside areas identified for energy generation".
- 34.** In light of the above it is considered that subject to the other material considerations discussed below the proposed development whilst departing from Policy DP/7 would not harm the principles of this policy.

### **Landscape Character**

- 35.** The proposed solar farm would be enclosed by a security fence, which would be screened by hedgerows planted either side. Due to the flat landscape the proposal has been designed to be low level with boundary screening in order to mitigate the visual impact of the development. The boundary landscape would comprise native hedgerow mix, interspersed with selected trees in order to break up the linear profile of the boundaries. This would be coupled by additional tree planting around other field boundaries to the south, east and west of the site, which will overlay with the boundary planting to break up the profile of the site from longer distance views. The boundary to the railway line is to be planted with a thicker tree belt to screen passing trains.
- 36.** The application site is rectangular and utilises an existing arable field. Therefore the proposed development would not alter the shape of the landscape but simply result in built energy infrastructure upon it. There is a wide range of similar built form within the existing landscape including the railway line to the east and agricultural industrial buildings scattered around the fenland landscape. Nearby farmsteads include agricultural building, which dominate the landscape due to their high profile, whereas in comparison, the proposed solar arrays would have less of a profile due to their low level. The careful spacing, arrangement and orientation of the solar panels in strings along with the retention of boundary dykes would maintain the rectilinear field and the geometric drainage pattern identified as key characteristics of the landscape. The form and scale of the proposed development is considered to be consistent with the scale and form of the development infrastructure that already exists in the wider landscape around the site.
- 37.** The detail of the proposed security fence including its height, material and colour is to be agreed by way of a pre-development condition to ensure that the fence is not visually intrusive. The Councils landscape design architect is in general agreement with the landscape character assessment submitted

and supports the soft landscape proposals in principle, however, the detail required is sufficient for an indicative proposal only and therefore, a pre-development condition requiring a detailed planting methodology and management strategy will be required.

### ***Ecology Considerations***

38. The existing field is regularly ploughed and harvested, whereas following completion of the Solar Park it will be laid to grass with potential for a greater level of biodiversity and improved habitat around the panels. Given the sites current status it is considered that the development has the potential to provide biodiversity enhancement as arable fields provide little in terms of habitat provision. Notwithstanding this, the comments of the Councils ecology officer are required to consider whether or not a scheme of ecological enhancement or mitigation should be sought by way of condition. This information will be provided by way of an update or secured under delegated powers.

### **Impact upon the amenity of surrounding residential properties**

39. The closest residential dwelling to the application site is approximately 800m to the southwest upon Chittering Drove. This property would not have a clear line of sight of the development due to the lay of the land and natural screening of trees and hedgerows. In the absence of the views of the acting environmental health manager it is considered that the development would have little impact upon the amenity of this property or indeed properties further afield. Nevertheless, the acting environmental health manager may request further conditions in relation to construction and assessment of the onsite plant in due course, whereby additional conditions may be requested by way of an update or secured under delegated powers.

### ***Impact upon Highway & Public Safety***

40. The development would be accessed via the A10 through School Land and Chittering Drove within the hamlet of Chittering. The road conditions in this area are suitable for the construction of the development. However, a small section of track will require upgrading within close proximity to the site. This access route is already used by a number of local residents, agricultural and delivery vehicles and machinery.
41. As standard practice upon similar sites the solar panels and supporting frames will be delivered to the site by a standard HGV articulated lorry, the type that already use the byway to collect crops from the farm. Each vehicle would be able to carry around 560 solar panels, resulting in around 40 lorry loads to supply the required 21,700 panels. The developer anticipates that the construction phase of the scheme would take approximately 20 weeks, with piling and frames being installed first and then panels being delivered to the site at a rate of around one lorry load per day during the panel installation phase.
42. Following construction, future maintenance of the site will be carried out using standard cars or light vans unless a major failure occurs with a larger piece of equipment. Certainly traffic to the site following the completion of the construction will be very low and on an intermittent basis.

43. In light of the above it is considered necessary to condition a methodology statement for the construction phase to ensure that the Local Highway Authority is satisfied with the impact upon the highway network. In the absence of comments from the Local Highway Authority further information will be provided by way of an update.

### ***Loss of Agricultural Land***

44. Agricultural land is classified into five grades numbered 1-5, where grade 1 is excellent quality agricultural land, and grade 5 is very poor quality agricultural land. The site comprises grade 1 (excellent) agricultural land. Grade 1 land is described as Land with no or very minor limitations to agricultural use. A very wide range of agricultural and horticultural crops can be grown and commonly includes top fruit, soft fruit, salad crops and winter-harvested vegetables. Yields are high and less variable than on land of lower quality. (<http://www.defra.gov.uk/foodfarm/landmanage/land-use/documents/alc-guidelines-1988.pdf>).
45. Planning Policy Statement 7 (Sustainable Development in Rural Areas) states that the presence of the best and versatile agricultural land should be taken into account alongside other sustainability considerations. It does add that significant development of agricultural land should seek to use areas of poorer quality land. Policy NE/17 of the LDF DCP 2007 states that the District Council will not grant planning permission for development which would lead to the irreversible loss of Grades 1, 2 or 3a agricultural land unless (criterion b) sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land.
46. The proposal would require a lot of works to the land. The frames for the photovoltaic panels would need to be pinned into the ground, the transformer and inverter units would be set on concrete bases, and there would be a need for trenches to be built underground for cables to run. There would be disruption to the soil during the use. However, it is considered a temporary use, albeit for potentially 25 years, where the land can be restored back to agricultural in the long term. The development would not therefore be "irreversible" as noted in the policy. Whilst there would be disruption to the land, it could be reverted back to agricultural following the removal of the development. Although the siting of such development on poorer quality agricultural land would be preferred, I do not consider the development would cause any long-term loss of grade 1 agricultural land.

### **Flood Risk**

47. The flood risk assessment submitted with this application concludes that the risk of flooding is low, due to the provision of the managed defences, and recommended construction measures that would help to guard against the damage caused by flooding, should the worst case scenario occur. These measures include raising wiring within the inverter rooms.
48. Rainwater runoff from the panels, inverter housings and access roads will soak into the ground in-between and around the panels, and would not increase run off rates beyond that of the current agricultural use.

### Other Matters

49. The comments from the Council's New Communities Team Leader are noted. This would involve correspondence between the applicant and Parish Council to locate a community building that would be suitable for photovoltaic panels to be added to the roof. The applicant would fund such provision and is has commented that discussions with the Parish Council have taken place in relation to the provision of solar panels upon public buildings.
50. Notwithstanding the above there are practical concerns as to how this would be achieved in this instance, in terms of securing such provision through planning permission. The community building would be located outside of the application site, and it would be difficult to tie the two, especially as this current application is registered and to be determined. There are also no guarantees that the new application for works to the community building would be supported. The application followed pre-application advice, and this proposal was not discussed with the applicant at this stage. It is considered unreasonable to insist the applicant make such a commitment at this stage in the determination. Therefore it is considered that the community provision offered would need to be a matter between the Waterbeach Parish Council and the applicant separate from the determination of this planning application.
51. Planning for Renewable Energy, a Companion Guide for Planning Policy Statement 22 (Renewable Energy) does note that there would be direct economic benefit for such proposals from the creation of jobs for the installation and maintenance of solar panels.
52. In light of the above the comments from Stretham Parish Council are noted, however, the scheme will not provide any commuted off-site payments toward community benefit.

### Conclusion

53. 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.

### Decision

54. Approve under delegated powers.

### 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 and documents:**



(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.)

3. **All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, 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.)

4. **The development, hereby permitted, shall not be occupied until all identified flood alleviation and protection measures have been completed in accordance with the approved scheme.**

(Reason - To prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

5. **No development shall commence until a methodology statement of the construction of the development, hereby permitted, 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 - In the interest of highway safety in accordance with Policy DP/3 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 in accordance with the approved details and shall thereafter be retained.**

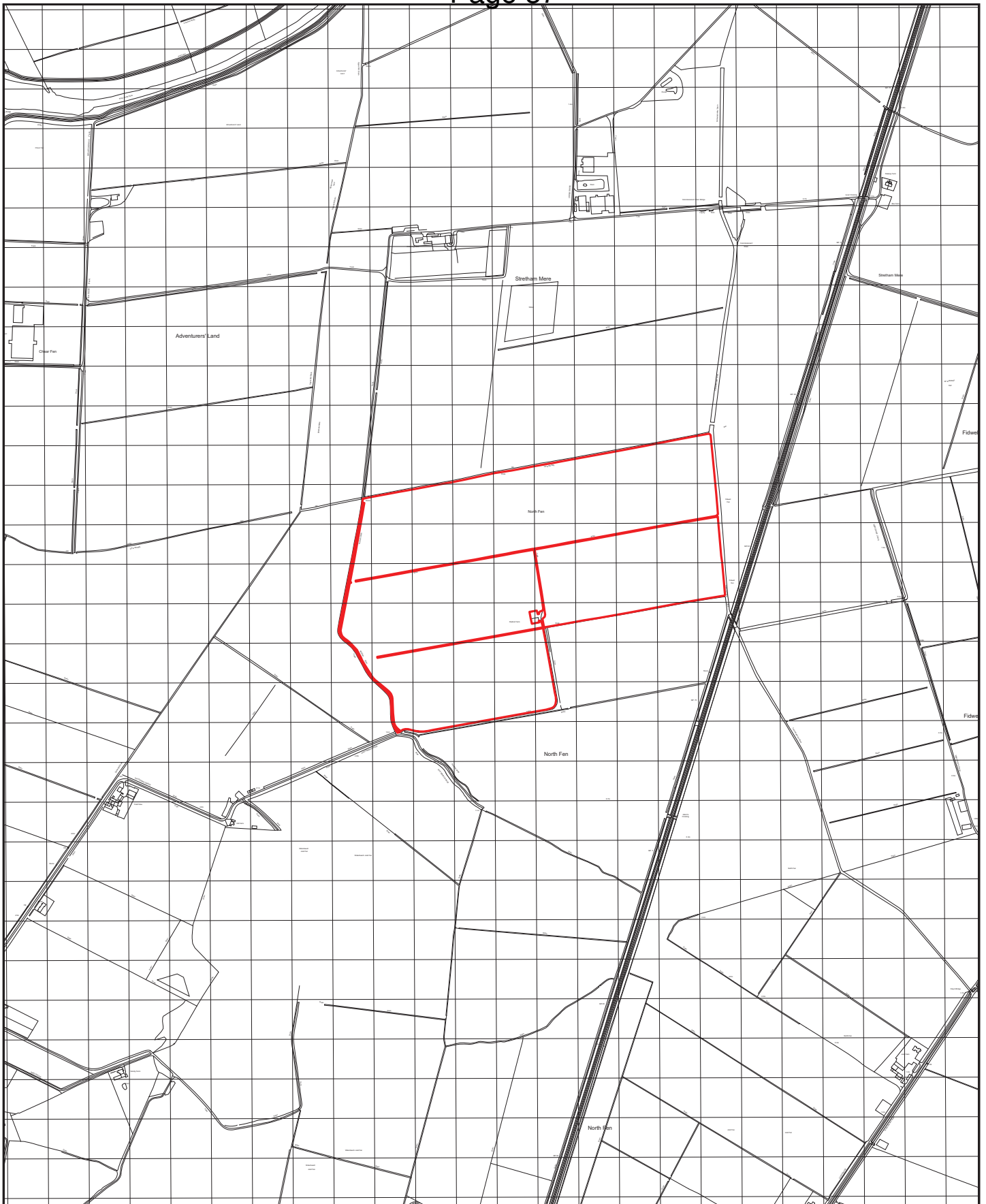
(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

## **Informatives**

The granting of planning permission does not constitute a permission or license to carry out any works within, or disturbance of, or interference with, the public highway,

and that a separate permission must be sought from the Local Highways Authority for such works.

Any culverting or works affecting the flow of a watercourse requires the prior written consent of the Environment Agency under the terms of the Land Drainage Act 1991/Water Resources Act 1991. The Environment Agency seeks to avoid culverting and its consent for such works will not normally be granted except as a means of access. The granting of planning approval must not be taken to imply that consent has been given in respect of the above.



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District Council**

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

2 March 2011

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

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**S/2205/10 - BOURN****Construction of solar energy farm to include the installation of solar panels, with on site plant and machinery, access tracks, security fencing, landscaping and associated works. - Land to East of Broadway, South of, Grange Farm Park, for Vogt Solar Limited****Recommendation: Delegated Approval****Date for Determination: 14 March 2011**

**This application has been reported to the Planning Committee for determination as a recommendation of approval would be contrary to the provisions of the approved Development Plan and would need to be referred to the Secretary of State.**

**Members will visit the site on 2nd March 2011**

**The application is a Departure from the development plan**

**Site and Proposal**

1. The application site is located to the eastern side of Broadway, the main route from the north of the village of Bourn. It is located outside of the designated Bourn village framework, which begins 1140m to the south. The designated Cambourne framework lies approximately 600m to the northwest, whilst the Highfields Caldecote framework is located approximately 1120m to the east. The site has an area of approximately 15.5 hectares excluding the access, which runs to the north, joining Broadway at the existing junction by Little Common Farm. The boundary with Bourn Conservation Area is located approximately 265m to the south of the site. The majority of the site is grade 3 agricultural land, although the western element is grade 2 land. The land lies within flood zone 1. There is a change in levels across the site, with the east boundary being approximately 5m lower than the west boundary. The land falls eastwards towards a valley between the site and the village of Highfields Caldecote.
2. The northern boundary of the site is an established tree belt, protected in its own right by a Tree Preservation Order. Directly to the north of this is an access road leading to business units at Grange Park. There is also a separate access serving a large business unit to the west of Grange Park. To the north of these is the Grange farmhouse, accessed separately from Broadway. Directly to the north of the farmhouse are agricultural buildings, of which one barn is grade II listed. There is a further tree belt to the north of Grange Farm. The eastern boundary of the site has a hedgerow, although it is

sporadic in places. Land further east is in agricultural use up to the village of Highfields Caldecote.

3. The southern boundary is a hedgerow and tree belt. Directly south of this is the farmhouse of Rockery Farm, which has a number of agricultural buildings to its west. Along Broadway, 40m to the south of the site are nine affordable dwellings, of which planning permission was recently granted for a further two dwellings and use of land between the dwelling and the solar farm site for designated open space. There is a sewage works located to the east of Rockery Farm. A Public Bridleway runs from Broadway eastwards towards Highfields Caldecote, running to the south of the sewage works.
4. The western boundary of the site is a hedgerow currently approximately 1.8m to 2m in height having recently been cut back. It is set on lower ground than the road, allowing users of the adjacent footpath to get views into the site. To the west side of Broadway opposite the application site are three two-storey residential properties and Broadway Barn, which has a business use. The surrounding land is in agricultural use.
5. The full application, received on the 13th December 2010, seeks consent for a solar energy farm. This includes the installation of solar panels, with on site plant and machinery, access routes, security fencing and landscaping, and associated works. The proposal seeks to create a farm with an electrical output of 5MWp, which would generate enough clean energy to power approximately 1,200 homes. This requires 934 mounting frames, each of which would hold 24 solar panel modules, totalling 22,416 modules. The panels would be mounted at 30° from the ground to maximise solar gain, and would total 2.7m from the ground at the highest point. There would be a gap of approximately 6m between rows running east to west across the site. This would create 33 rows although only 16 would run across the whole site.
6. Five transformer and inverter cabinets are proposed across the site on concrete bases. The former would measure 2.2m by 3.2m with a height of 2.9m, whilst the latter would measure 7.5m by 3m with a height of 2.8m. A single grid connection cabinet is also proposed, to measure 2.4m by 3m with a height of 2.4m. This would be located towards the southwest corner of the site as the electricity would be exported by a new underground cable into an existing overhead line close to the southeast of the site, which in turn connects with the substation north of Caxton Road. A 2m high security fence is proposed around the whole site, with one strand of barbed wire proposed at the top to increase the fence to 2.1m in height. An access is required between the airfield and the northeast corner of the site, and a new access onto the Grange Park access track is proposed. Maintenance roads are proposed on the site. The intention is for the panels to be on site for a minimum 25 years after which the land would be restored to agricultural use.
7. The application is accompanied by a Planning Statement (including Sustainability and Health Impact details, a Design and Access Statement, a Phase I Habitat and Ecological Scoping Survey, a Construction Method Statement, a Flood Risk Assessment, a Noise and Vibration Assessment (as revised), a Statement of Community Involvement, and Assessment of Impact on Flying Operations at Bourn Airfield, A Historic Environment Assessment, and a Landscape and Visual Impact Assessment. A screening opinion was carried out and concluded the development was not Environmental Impact Assessment development.

### Planning History

8. There have been a number of planning applications made on and around the application site. Of interest to the determination of this planning application are the following:
9. **S/2198/10** – A planning application has been received for a similar solar farm on land at Radical Farm, Chittering Drove, Chittering.
10. **S/1151/10** – Planning permission was granted for two affordable dwellings and the use of land for outdoor playspace on land at Rockery Farm to the east of Broadway. Works have yet to commence.
11. **S/1004/09/F** – Planning permission was originally refused for an additional eight affordable dwellings at Rockery Farm. This was dismissed at appeal where the Inspector noted the dwellings would be an over dominant feature of the approach to the village.

### Policies

12. **National Planning Guidance:** Planning Policy Statement (PPS) 1: Delivering Sustainable Development, PPS Planning and Climate Change – Supplement to PPS1, PPS7: Sustainable Development in Rural Areas, PPS22: Renewable Energy & PPG24: Planning and Noise.
13. **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, **NE/2** Renewable Energy, **NE/4** Landscape Character Areas, **NE/6** Biodiversity, **NE/11** Flood Risk, **NE/15** Noise Pollution, **NE/17** Protecting High Quality Agricultural Land, **CH/2** Archaeological Sites, **CH/4** Development Within the Curtilage or Setting of a Listed Building, **CH/5** Conservation Areas & **TR/1** Planning for More Sustainable Travel.
14. **East of England Plan 2008:** **ENG1** Carbon Dioxide Emissions and Energy Performance and **ENG2** Renewable Energy Targets
15. **Development Affecting Conservation Areas SPD** – adopted January 2009, **Trees and Development Sites SPD** – adopted January 2009, **Biodiversity SPD** – adopted July 2009, **Listed Buildings SPD** – adopted July 2009, **Landscape in New Developments SPD** – adopted March 2010 & **District Design Guide SPD** – adopted March 2010.
16. **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.
17. **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

18. **Bourn Parish Council** recommends approval of the scheme. However, they note serious misgivings regarding lack of economic or social benefits to the local community, loss of valuable grade 3 agricultural land, and the potential damage to the character of the landscape. Given a lack of justification for any local benefits, the Parish Council's recommendation can only be made subject to increased screening to the eastern boundary, a management plan being made for the grassland to minimise run-off and improve biodiversity, permanent signage being provided to ensure construction traffic does not come through the village, and the site reverting back to agricultural when the use ceases.
19. **Caldecote Parish Council** makes no recommendation.
20. **Cambourne Parish Council** recommends approval and notes the cosmetic screening ensured it would not be visible from the Broadway and all renewables are welcome.
21. The **Council's Communities Team Leader** notes that the benefits to local residents are as yet unclear as noted during the pre-application exhibition. It is suggested the developer should supply and install a minimum 3kWp of roof mounted photovoltaic panels on an appropriately located, orientated and structurally sound elevation of a community building in the village. If a separate application is needed, this could be done by the Parish Council.
22. The **Council's Acting Environmental Health Manager** notes concerns regarding noise and disturbance from the equipment on site, and recommends a noise survey be carried out to identify predicted noise levels inside and outside of residential dwellings closest to the site. Following submission, it is confirmed the base line noise survey would appear satisfactory. A condition is recommended to ensure noise does not exceed the levels referred to in the survey at noise sensitive locations.
23. The **Local Highways Authority** notes the Method Statement relating to the construction phase represents a good starting point. Conditions are requested regarding further information regarding the Construction Method Statement, a routing agreement for traffic associated with the works, and ensuring Heavy Commercial vehicles only entering the site from the north. Informatives regarding damage to the highway and works to the public highway are requested.
24. The **Council's Landscape Officer** notes that landscape and visual impacts are probably greater than concluded within the submitted report, with impacts mainly between minor adverse to moderate adverse rather than minor adverse to negligible. The development would be the largest element in the local landscape. Some views from the properties along Broadway would be major adverse. It is considered further landscaping along the west boundary would be beneficial. It is suggested the panels are moved 7m further into the site to allow space for further screening. Changes to the hedgerow proposed for the east boundary are suggested, and further planting is suggested to the southeast corner of the site. Clarification regarding the future ecological management of the site is requested given some contradiction in the report.



25. **Natural England** notes that the nearby sites of Special Scientific Interest (SSSI) at Caldecote Meadows (1.3km to the east) and Hardwick Wood (2km to the east), and the County Wildlife sites at Bucket Hill (1.1km to the northeast) and Jason Farm Grassland (adjoining Hardwick Wood) would be affected by the proposed development. The proposal would modify the existing arable habitat used by a wide range of wildlife including the Grey Partridge and Skylark (both UK BAP priority species). The new planting is considered an ecological gain, and if approved, the scheme should contain a Biodiversity Management Plan to include details of habitat creation measures. Measures to reduce landscape impacts are also suggested.
26. The **Council's Ecology Officer** raises no objection to the proposal. The risk to various species is low, but future ecological monitoring of the site as highlighted in the report is encouraged. A landscape condition should be used to ensure potential biodiversity gain of grassland on site is achieved.
27. The **Environment Agency** notes the site lies within low risk category flood zone 1. There is no objection in principle to the proposal. An informative regarding any works to a watercourse is suggested.
28. The **County Archaeology Team** notes the site has a high archaeological potential, as it is located within an extensive landscape of medieval ridge and furrow and associated medieval features such as a droveway and field systems. Previously, an early Romano-British farmstead was discovered directly to the north. A condition regarding a programme of archaeological investigation is requested.
29. The **County Council Countryside Access Team** notes that no public rights of way would be affected by the proposal.
30. No comments have been received from the Trees Officer, the Ramblers Association, the East of England Regional Assembly, the East of England Development Agency and the Council for the Protection of Rural England. Comments have also not been received from Go-East, the Conservation Officer and Marshalls Airport. The consultation periods for these consultees has not yet expired at the time of writing.

### **Representations**

31. The occupiers of **6 and 7 Grange Park** note concerns regarding noise. They also sought information regarding construction timings and if consideration is made for the continuity of services such as phone lines if damage is done during construction.
32. The occupiers of **Park Farm** located on the western side of Broadway opposite the site object on a number of grounds. The site would be very visible from the dwelling and there are concerns the photomontages do not represent the true view from Broadway. Landscape impact is considered to be more severe than "minor adverse". The hedge is not considered to screen views from the road. The refusal of the scheme for affordable houses to the south is considered to set a precedent against such development. The site would be built on high quality agricultural land, which should be avoided for such development. The Feed-in Tariff was not supposed to promote such large schemes, and the government are concerned about numbers of farms.

There are also concerns about the lack of local knowledge of such a project, and the decommissioning when necessary.

33. Three separate letters have been received from **Cambridge Microfab Limited** located opposite the site. These letters object to the proposal on a number of grounds. The proposal is considered to cause a major change to the landscape (unlike the Landscape and Visual Impact Assessment) for a 25 year period, and would be on Greenfield land on one of the last green areas on the east of Broadway. The proposal is not considered to meet national and local policies given the location in the countryside. There are concerns given the distance to the Caxton Road substation that electricity would not be used by Bourn residents, and that 16% wastage would occur. The frontage hedge is not considered to be an adequate screen, especially given its location below road level. The proposal would be easily visible from ground floor level. The public consultation was considered inadequate, with the questionnaire giving leading questions. The refusal of the scheme for affordable houses to the south is considered to set a precedent against such development. The adjacent airfield is considered to be a more appropriate location. There are concerns regarding power interruptions and impacts upon facilities in the area. Finally, an alternative power source in the form of a wood or biomass burning power plant is considered more acceptable for the site.
34. The occupiers of **Broadway Farm** object to the proposal on grounds of the site being Greenfield land (unlike the adjacent airfield), the loss of rural outlook given the proximity to the road, and the loss of rurality in the area.
35. The occupiers of **158 Caxton End** object to the proposal given its proximity to neighbouring dwellings. The location is considered too central, and the development should be located away from dwellings and roads.
36. One letter of support has been received from the occupier of **3 Stagwell Road, Cambourne**. Initial concerns regarding pilot safety were answered and there are no objections. A further letter from **3 Devonshire Mews, Cambridge** expresses support for the scheme.

### **Planning Comments**

37. The key issues to be considered for the determination of this application are the principle of development, the impact upon the surrounding countryside, the impact upon the Conservation Area and nearby Listed Buildings, the impact upon the amenity of the occupiers of the adjacent residential properties and business units, the impact upon users of Bourn Airfield, the impact upon highway safety, the loss of agricultural land, and ecology considerations.

#### *The Principle of Development*

38. In accordance with Policy DP/7 outside urban and village frameworks, only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. The proposed development does not adhere to the principle of this criterion and is therefore a departure from this policy. Notwithstanding the above, Policies ENG1 and ENG2 of the East of England Plan 2008 identify a need to meet regional and national targets to reduce climate change emissions and the

development of new facilities to provide energy from renewable sources. However, while the Plan remains part of the development plan, the Secretary of States intention to revoke this is a material consideration to be taken into account. Nonetheless, Policy NE/2 states that the District Council will grant planning permission for proposals to generate energy from renewable sources, subject to proposals according with the development principles set out in Policies DP/1 to DP/3. The proposed development is considered to accord with Policy NE/2 as it would meet the following criteria:

- The proposal would be connected efficiently to the national grid infrastructure;
- The proposal and its ancillary facilities can be removed and reinstatement of the site, should the facilities cease to be operational;

39. South Cambridgeshire has greater levels of sunshine than the UK average and Policy NE/2 states that solar power can make a significant contribution to renewable energy generation. In light of this the District Council seeks to reduce the use of fossil fuels, opportunities to increase the proportion of energy, especially electricity, generated from renewable sources will be permitted unless there is clear adverse impact on the environment or amenity of the area.
40. The Government aims to put the UK on a path to cut its carbon dioxide emissions by some 60% by 2050, and to maintain reliable and competitive energy supplies. The development of renewable energy is considered to be an important part of meeting this aim and as such, there has been greater emphasis on 'positive planning', which facilitates renewable energy developments.
41. One of the key principles of Planning Policy Statement 22: 'Renewable Energy' is that "renewable energy developments should be capable of being accommodated throughout England in locations where the technology is viable and environmental, economic, and social impacts can be addressed satisfactorily". It also states that "the wider environmental and economic benefits of all proposals for renewable energy projects, whatever their scale, are material considerations that should be given significant weight in determining whether proposals should be granted planning permission." Members should also be aware that paragraph 20 of PPS Planning and Climate Change – Supplement to PPS1 regarding renewable energy generation, states "planning authorities should not require applicants for energy development to demonstrate either the overall need for renewable energy and its distribution, nor question the energy justification for why a proposal for such development must be sited in a particular location". It also adds local planning authorities should "avoid stifling innovation including by rejecting proposals solely because they are outside areas identified for energy generation".
42. In light of the above it is considered that subject to the other material considerations discussed below the proposed development whilst departing from Policy DP/7 should be actively encouraged.

*The Impact upon the Surrounding Countryside*

43. The Landscape and Visual Impact Assessment concludes that the proposal would not have a materially significant adverse impact upon the landscape. The survey notes the scheme would have a minor adverse or negligible impact. The Council's Landscape Officer disagrees with this statement and concludes the impacts of the proposal would range from minor adverse to moderate adverse, given the size of the scheme and the regular uniform elements. It is noted that some views from the properties immediate adjacent the site would be major adverse. Views from Broadway for passers by are considered moderate adverse to minor adverse, particularly before mitigating planting is established. The view from the Bridleway is considered moderate adverse, with the view from Rockery Farm to the south minor adverse to moderate adverse if the hedge deteriorated. The view from the north is considered minor adverse. It is noted that residents of adjacent properties consider the impact to be worse.
44. The Landscape Officer does note that the proposed development could be accommodated within the landscape provided more extensive mitigation proposals are brought forward. These include the need for additional screening along the west boundary, which could be accommodated by shifting the westernmost panels approximately 7m into the site. Additional planting to the east, north and southeast boundaries are also proposed to screen the site further, with lower planting proposed to the north boundary given the existing tree belt. The proposed planting type would be in accordance with Cambridgeshire Landscape guidelines "Principles for Landscape Improvement in the Western Claylands Point 8 - Village Approaches".
45. A condition can be added to ensure that adequate landscaping is provided, including in the additional areas described by the Landscape Officer. I do not consider that the scheme would need to be shifted 7m further from the boundary. Beyond the existing fence, the site proposes a 3m wide field margin up to the fence. There would then be a 4m strip up to the access, with the panels 5m beyond this at their closest point. There would appear to be scope to plant between the existing hedge and fence, which would also screen this fence. Such planting would again be achieved through a landscaping condition.
46. Consultation responses from the occupiers of nearby properties have noted the recently refused planning application for an additional eight affordable dwellings at Rockery Farm (S/1004/09/F). This application was to be an extension to the existing exceptions site on Broadway, and was refused by the Council and dismissed at appeal. In dismissing the appeal, the Inspector notes the land adjoining the site is "dominated both physically and visually by the countryside". He concluded affordable units would appear very conspicuous and incongruous in the setting, and would create "an over dominant feature at the beginning of the approach to the village, a materially adverse impact upon the surrounding landscape and the further erosion of the predominantly rural character along Broadway and Alms Hill, and the contribution which this makes to the broader setting of the built up part of the village".
47. Whilst the Inspector's comments are noted, they related to the erection of affordable dwellings only. The comments regarding physical dominance

cannot be taken into account in this regard. The Inspector had noted the rural aspect of the site, and this is not in doubt. However, the proposal is something that is practically always going to be located in a rural area given their size.

*The Impact upon the Conservation Area and Nearby Listed Buildings*

48. Members should note the formal comments from the Conservation officer has yet to be received. However, talks have taken place during the determination of the application. The application is located approximately 265m to the north of the designated Bourn Conservation Area. Between the Conservation Area and the application site are a number of dwellings on both sides of the road. The affordable housing development south of the site is located 38m from the site. There is also some vegetation along this road. When viewed from the north of the Bourn Conservation Area, there would be very limited views of the development, given the screening provided by the existing planting and dwellings. Any views would be of the top of the panels, but it is not considered that the development would harm the setting of the Conservation Area.
49. There are Listed Buildings in the vicinity of the site. The closest is the grade II listed barn to the north of the farmhouse at Grange Farm, set back from the Broadway. This building is located approximately 265m from the northern boundary of the site. This boundary consists of a tree belt that provides a good screen. There is also some further planting to the south of the farmhouse. Given the distance and the screening from both the boundary planting and the farmhouse itself, the development should not harm the setting of this listed barn. This viewpoint agrees with the Landscape and Visual Impact Assessment submitted by the applicant which states the impact from the south would be negligible. To the south of the site, the closest Listed Building is Town End Farmhouse, located approximately 450m from the site at its closest point. This property is grade II listed. Between it and the development are a number of outbuildings and screening belts, the most significant is along The Drift. This building would not be viewed in relation with the Listed Building and its setting would not be compromised. There are further Listed Buildings at Crow End Farmhouse and its associated barn (both grade II listed), which are also set back from the road. These are further from the site and screened by further planting. There would be no harm to the setting of these properties.
50. Great Common Farmhouse located to the north of the site to the western side of Broadway is grade II listed. It is located close to the entrance for construction vehicles to the site. However, this entrance is existing, and although the intensity of its use will increase during construction, this would not harm the setting of the Listed Building. It is located approximately 1000m from the site. The eastern side of Broadway at this point has significant planting screening the airfield. There would be no views of the development from this dwelling, and its setting would not be compromised as a result of the development.
51. During a meeting regarding the site, the Conservation Officer noted that the grade II listed buildings of Clare Farmhouse and its barn on Main Street, Highfields Caldecote are not mentioned by the applicant. The land east of the site drops into a valley between the site and the village of Highfields Caldecote. There are potential long range views from the listed buildings towards the site given the dip in the land. However, these views would be at a

distance of approximately 1300m. Whilst the solar panels may be visible, I do not consider that any serious harm would be caused to the setting of these Listed Buildings given the distance. Also, there is planting around Clare Farm that would screen these views.

*Impact upon the Amenity of the Occupiers of the Adjacent Residential and Business Units*

52. There are a small number of residential dwellings and business locations around the site. There are three residential properties located on the western side of Broadway directly opposite the site. These are Broadway Farmhouse, Park Farm and Winthrop, whilst there is also the business unit at Broadway Barn (home of Cambridge Microfab Limited). Occupiers of all of these dwellings and units have commented on the scheme, although the comments from Winthrop have yet to be read due to a corrupted file.
53. All three residential units are two-storey, with numerous openings at ground and first floor levels in the front elevations. The outlook from the ground floor windows is currently at the boundary hedge, which does allow some views through given its recent cutting. The hedge is also deciduous and therefore would create further views through in winter months. The first floor openings would allow views over the hedgerow, which is approximately 20m from the frontages of the dwellings, and into the field beyond. The solar panels closest the road are within 20m, making a distance of 40m between the dwellings and panels. The development would therefore clearly be visible from these windows. Guidelines for Landscape and Visual Impact Assessment states when considering views from windows, views from rooms normally occupied during daylight hours and generally deemed more important than those used for sleeping, from which only occasional views may be obtained.
54. There is no denying the outlook from these windows would change substantially as a result of the development. The retention of a private view is not a material planning consideration, and the impact upon the landscape is noted above. Given the height of the proposals at 2.7m to the nearest point, I do not consider that the panels would appear overbearing when viewed from the dwellings and business unit. The land does fall away from the road and therefore the eastern section of the site would not be so visible from these views. Whilst there would be a serious change to the outlook from these dwellings and business unit, I do not consider that any harm caused is serious enough to warrant a reason for refusal in its own right. Any approval would require a landscape scheme, and this may allow the potential for further planting along the western boundary of the site to further screen views. It is noted that additional planting would reduce further resident's outlook, but this may be more appropriate in this instance. Further planting would also further screen the proposed boundary fence.
55. To the north of the field, beyond the boundary tree belt is the large unit of Acoustical Control Engineers Ltd. The building itself is located approximately 70m from the northern boundary. Further east is the five business units that form Grange Park. These are located nearer at 40m from the site. The development is well screened from these units by the tree belt on the northern boundary. Both units have their parking areas closer to the development. There are likely to be some views into the site, and visitors would be aware of the project. However, I do not consider that any serious harm would result to the occupiers of these premises.

56. To the south of the site is the farmhouse at Rockery Farm. It is the dwelling located closest to the site at 9m. The solar panels are set to begin 30m in from the southern boundary, again providing 40m between the dwelling and the panels. The southern boundary is existing hedging, which does thicken and increase in height by the farmhouse. The applicant has not indicated any plans to strengthen the planting in this area as it would be directly south of the panels. The property has windows in its facing elevation, and would again have good views of the site. However, I again do not consider that any serious harm would result to the occupiers of this dwelling.
57. The above comments are all made without consideration of noise generated from the site and particularly the transformers and inverters. A noise survey was submitted by the applicant. Members will be updated on the comments of the Acting Environmental Health Manager in this respect.

*Impact upon Users of Bourn Airfield*

58. The applicant has provided an assessment of the impact of flying operations at Bourn Airfield, located to the northeast of the application site. It concludes that solar photovoltaic panels are designed to absorb rather than reflect light, and reflected light (2%) would be significantly less than sun glare than from direct sunlight.
59. A consultation letter was sent to the Flying School on 7th January, and no response was made. Consultations have also been sent to Cambridge Airport and the Civil Aviation Authority. Members will be updated on any comments received. There are examples of panels located adjacent to airfields, such as in Saarbrücken in Germany which suggest that there should be no objection in principle.

*Impact upon Highway Safety*

60. The application is supported by a Construction Method Statement that provides details of the anticipated construction programme for the solar farm. Construction is expected to last 16 weeks. The predicted number of Heavy Commercial Vehicles (HCV's) expected to visit the site during this time period is 93, totalling 186 HCV traffic movements. An expected 34 HCV movements are expected in the peak week (construction week 8). A mobile crane would also be needed to transfer the inverters from the lorry to the site. There would be between 40 and 70 staff on site during construction, who would arrive at the site on their own accord.
61. The comments from the Local Highways Authority are noted. The Construction Method Statement is a good basis for analysis, although additional information is required to ensure no harm is caused to the public highway. The Local Highways Authority has confirmed that this can be achieved through a planning condition. A further condition requiring details of the routing of all traffic associated with the works can be added to any approval, and this can incorporate requirements for HCV's to enter and exit the site from/to the north only.
62. The application does show an access way cutting through the tree belt to the north of the site, allowing access into the site from the Grange Farm access road. This access onto Broadway has not been assessed regarding its

capacity for HCV's, and therefore it shall only be used for smaller maintenance vehicles rather than construction vehicles. Larger vehicles are likely to block Broadway when turning in and out of the site. The applicant has stated that parking for workers during the construction phase would be available on the site, likely to be in the southeast corner. This has not been shown in plan form, and a condition can ensure a designated parking area is used to ensure no parking takes place along Broadway.

*Loss of Agricultural Land*

63. Agricultural land is classified into five grades numbered 1-5, where grade 1 is excellent quality agricultural land, and grade 5 is very poor quality agricultural land. The majority of the site is grade 3 (good to moderate quality) agricultural land, although the westernmost section approximately 90m from Broadway is grade 2 (very good quality) land. Grade 3 land is described as "land with moderate limitations which affect the choice of crops, timing and type of cultivation, harvesting or the level of yield. Where more demanding crops are grown yields are generally lower or more variable than on land in grades 1 and 2", whereas grade 2 land is "land with minor limitations which affect crop yield, cultivations or harvesting. A wide range of agricultural and horticultural crops can usually be grown but on some land in the grade there may be reduced flexibility due to difficulties with the production of the more demanding crops such as winter harvested vegetables and arable root crops. The level of yield is generally high but may be lower or more variable than grade 1" (<http://www.defra.gov.uk/foodfarm/landmanage/land-use/documents/alc-guidelines-1988.pdf>).
64. Planning Policy Statement 7 (Sustainable Development in Rural Areas) states that the presence of the best and versatile agricultural land should be taken into account alongside other sustainability considerations. It does add that significant development of agricultural land should seek to use areas of poorer quality land. Policy NE/17 of the LDF DCP 2007 states that the District Council will not grant planning permission for development which would lead to the irreversible loss of Grades 1, 2 or 3a agricultural land unless (criterion b) sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land.
65. The proposal would require a lot of works to the land. The frames for the photovoltaic panels would need to be pinned into the ground, the transformer and inverter units would be set on concrete bases, and there would be a need for trenches to be built underground for cables to run. There would be disruption to the soil during the use. However, it is considered a temporary use, albeit for potentially 25 years, after which the land can be restored back to agricultural. The development would not therefore be "irreversible" as noted in the policy. Whilst there would be disruption to the land, it could be reverted back to agricultural following the removal of the development. Although the siting of such development on poorer quality agricultural land would be preferred, I do not consider the development would cause any long term loss of grade 2 and 3 agricultural land.

*Ecology Considerations*

66. The application is supported by a Phase I Habitat and Ecological Scoping Survey, which drew a number of conclusions following an investigation of the site. The field margins, hedgerows and lowland deciduous woodland are



considered priority habitat, and care should be taken to ensure minimum impact to these areas. It is recommended the land be kept under arable management to keep the site clear of vegetation and thus supporting breeding birds. The solar panels may deter some bird species using the site, although only a small number of ground nesting birds would use the site, so any loss is not considered significant. There is a badger sett adjacent the site boundary, and works within 20m should be carried out under ecological supervision and use light machinery only.

67. The comments from Natural England and the Council's Ecology Officer are noted. Whilst the Scoping Survey does provide information about potential impacts upon the site, a condition seeking a Biodiversity Management Plan is suggested, and can be justified in order to ensure the minimal risks and habitat to be created are done to an agreed plan. This Plan can also ensure that care is taken for works in the proximity to the badger sett. A condition should also be added to confirm the management of the land following erection of the panels. The Ecology Officer notes that future ecological monitoring of the site regarding noise should take place. A planning condition is not considered necessary for this issue, although it should be encouraged through an informative and could produce information to aid future solar farm applications.

*Other Matters*

68. The comments from the Council's New Communities Team Leader are noted. This would involve consultation between the applicant and Parish Council to locate a community building that would be suitable for photovoltaic panels to be added to the roof. This would be funded by the applicant to create a community benefit for the village as a result of the proposal, with the works to be potentially completed alongside the Broadway development.
69. Whilst the principle behind this idea is appreciated, there are practicality concerns as to how this would be achieved in this instance. The community building would be located outside of the application site, and it would be difficult to tie the two, especially as this current application is registered and to be determined. In line with advice in Circular 05/2005, the suggestion cannot be made a requirement of permission being granted and cannot therefore be a material consideration in the consideration of the application. There are also no guarantees that the new application for works to the community building would be supported. The application followed pre-application advice, and this proposal was not discussed with the applicant at this stage. It is considered unreasonable to insist the applicant make such a commitment at this stage in the determination. Critically and in line with the advice in Circular 05/2005, the suggestion cannot be made a requirement or permission being granted and cannot therefore be a material consideration in the determination of the application. The applicant states there would be social benefits from community pride, educational opportunities and longer-term health and quality of life benefits.
70. Planning for Renewable Energy, a Companion Guide for Planning Policy Statement 22 (Renewable Energy) does note that there would be direct economic benefit for such proposals from the creation of jobs for the installation and maintenance of solar panels.

71. The comments from the County Archaeology Team are noted, and a condition can be added to any consent.

*Conclusion*

72. The application needs to balance the benefits of the creation of a renewable energy project against the harm that it would create to the countryside and the residential amenity of the occupiers of the adjacent dwellings. It is my view that the balance lies in favour of the approval subject to safeguarding conditions set out below.

**Decision/Recommendation**

73. Delegated approval, subject to comments from the Conservation Officer, Go-East, the Civil Aviation Authority and Marshalls Airport. If approved, conditions would be required regarding the start time for implementation, the plans to be approved, the construction phase method statement and routing arrangements, parking for workers during construction, a Biodiversity Enhancement Plan, a detailed landscape plan and implementation condition, archaeological investigation, noise levels, management of the land during use, and decommissioning and land restoration details.

**Informatives**

Given the level of proposed Heavy Commercial Vehicles (HCV) using the Broadway, the Local Highways Authority would require that a condition survey be undertaken with a representative of the Local Highways Authority and that any damage caused by the increased HCV traffic will be repaired at the developer's expense.

The granting of planning permission does not constitute a permission or license to carry out any works within, or disturbance of, or interference with, the public highway, and that a separate permission must be sought from the Local Highways Authority for such works.

Any culverting or works affecting the flow of a watercourse requires the prior written consent of the Environment Agency under the terms of the Land Drainage Act 1991/Water Resources Act 1991. The Environment Agency seeks to avoid culverting and its consent for such works will not normally be granted except as a means of access. The granting of planning approval must not be taken to imply that consent has been given in respect of the above.

Paragraphs 4.41 and 5.11 of the Phase I Habitat and Ecological Scoping Survey suggest post-development monitoring of the site is carried out to determine whether the presence of noise sources on site affects bird foraging or nesting behaviour. Such monitoring is to be encouraged, with the results made available to the Council.

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

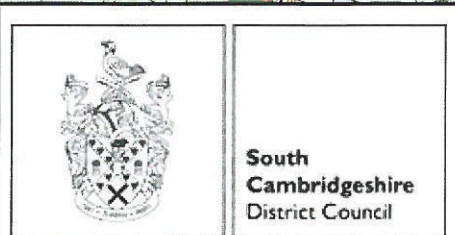
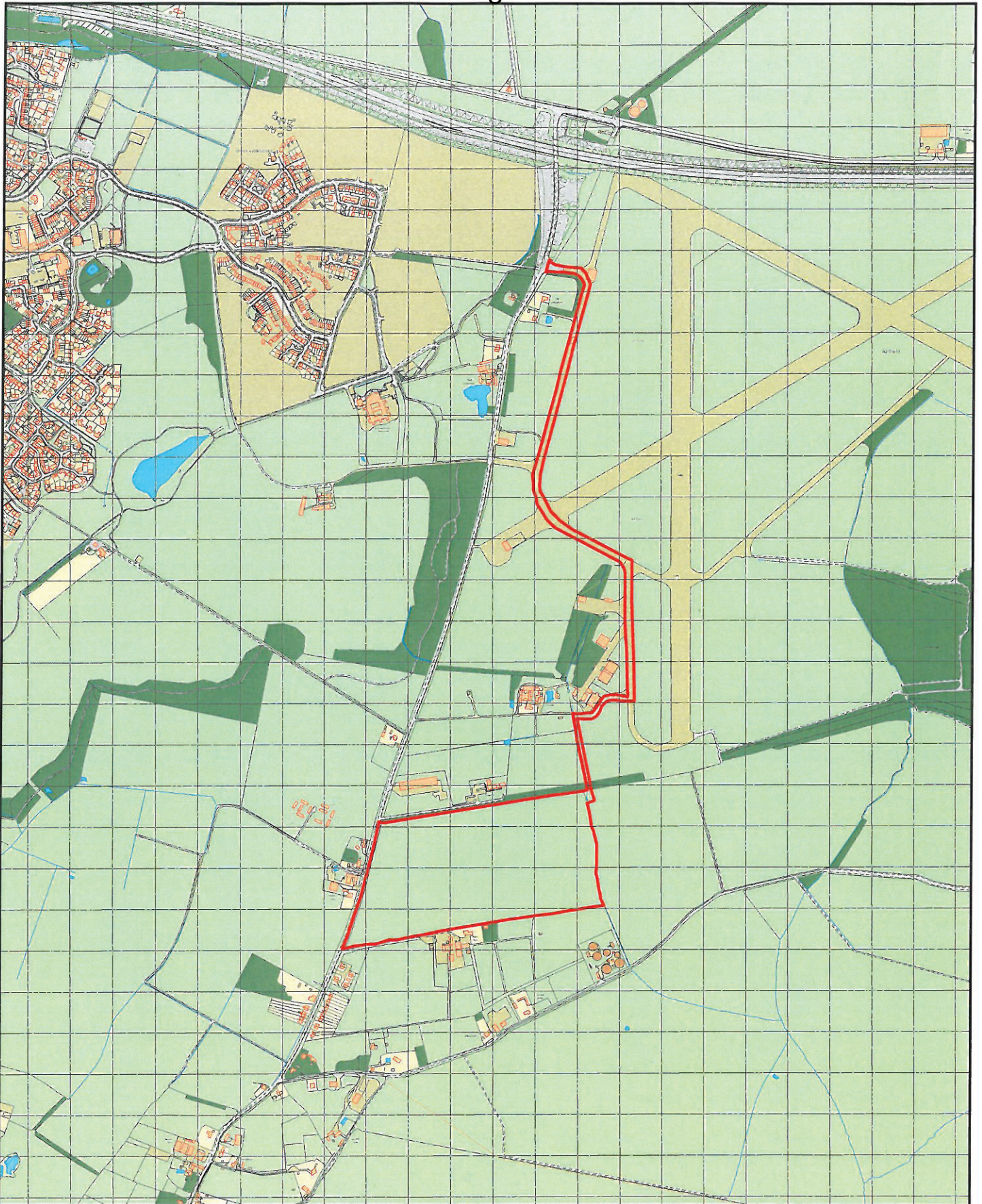
- **Planning Policy Statement (PPS) 1: Delivering Sustainable Development, PPS Planning and Climate Change – Supplement to**

**PPS1, PPS7: Sustainable Development in Rural Areas, PPS22: Renewable Energy & PPG24: Planning and Noise**

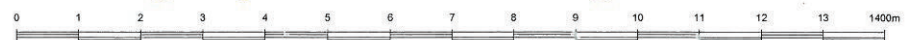
- **Local Development Framework Development Control Policies 2007.**
- **East of England Plan 2008**
- **Development Affecting Conservation Areas SPD – adopted January 2009, Trees and Development Sites SPD – adopted January 2009, Biodiversity SPD – adopted July 2009, Listed Buildings SPD – adopted July 2009, Landscape in New Developments SPD – adopted March 2010 & District Design Guide SPD – adopted March 2010.**
- **Circular 11/95 – The Use of Conditions in Planning Permissions**
- **Circular 05/2005 - Planning Obligations**
- **Planning Ref Files: S/2205/10, S/2198/10, S/1151/10 and S/1004/09/F**

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**Planning Dept - South Cambridgeshire DC**



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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

2 March 2011

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

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**S/2276/10 – IMPINGTON**  
**Erection of Dwelling for Mr Tonks****Recommendation: Approval****Date for Determination: 23<sup>rd</sup> February 2011****Notes:**

**This application has been reported to the Planning Committee for determination as the recommendation of Impington Parish Council differs to that of officers and at the request of the local member.**

**Members will visit the site on 2 March 2011.**

**Site and Proposal**

1. The site comprising 0.0136ha is located within the Impington village development framework, which is classified as a 'Rural Centre' due to it being a large sustainable village with a good range of services and facilities. Pepys Terrace is a narrow residential cul-de-sac characterised by a tight urban grain of predominantly late Victorian two-storey narrow fronted dwellings. Some but not all of the properties benefit from off road car parking, whilst there are also examples of extensions. Due to the number of properties without off road car parking the street scene is reliant on roadside parking.
2. The proposal comprises the erection of a two-storey two-bedroom detached dwelling to the west of no.2 Pepys Terrace. The dwelling would be located in an area currently providing off road car parking and amenity space serving no.2 Pepys Terrace. The proposal would be set back from the roadside and established building line within the street to provide two car parking spaces, one serving the proposed dwelling and the other serving no.2 Pepys Terrace. The dwelling would be constructed in buff facing brick and a slate roof to match that of properties within the street scene with elements of timber cladding and render.

**Planning History**

3. Planning Application S/1431/05/F for the erection of a dwelling was refused. This application was refused on the grounds that the proposed development would fail to provide sufficient car parking, hinder the free flow of traffic within the street and would be detrimental to the visual amenity of the area.

**Planning Policy**

4. Local Development Framework Core Strategy 2007:

**ST/4 Rural Centre**

5. Local Development Framework Development Control Policies 2007
  - DP/1** Sustainable Development
  - DP/2** Design of New Development
  - DP/3** Development Criteria
  - DP/4** Infrastructure and New Developments
  - DP/7** Development Frameworks
  - HG/1** Housing Density
  - NE/1** Energy Efficiency
  - NE/6** Biodiversity
  - TR/1** Planning for More Sustainable Travel
  - TR/2** Car and Cycle Parking Standards
  - SF/10** Outdoor Playspace, Informal Open Space, and New Developments
  - SF11** Open Space Standards
  
6. South Cambridgeshire LDF Supplementary Planning Documents (SPD):
  - Trees & Development Sites**, Adopted January 2009.
  - Biodiversity**, Adopted July 2009.
  - District Design Guide**, Adopted March 2010.
  - NE/2 Renewable Energy**

**Consultations**

7. **Impington Parish Council** – Recommend Refusal on the grounds of inadequate access to street and very restricted parking. The application has not addressed the reasons for refusal stated in the 2005 application. There is no mitigation of that refusal in these plans and if officers are minded to recommend approval the Parish Council would like the application to be determined by the Planning Committee with a site visit.
  
8. **Local Highway Authority** – Raise no objections on highway safety grounds, subject to conditions requiring the provision of pedestrian visibility splays and the finish of the driveway to comprise of bound material and to county council specification.
  
9. **Acting Environmental Health Manager** – No comments have been received.
  
10. **Trees & Landscaping Officer** – The Ash tree within the adjacent property is significant, however, its canopy does not breach the boundary of no.2 Pepys Terrace. Nevertheless, its roots may be in breach of this boundary. As a consequence, an informative should be added requiring trial holes to be dug around this boundary to establish if roots are present in order to influence the foundation design to accommodate both the tree and the dwelling.
  
11. **Ecology Officer** – Raises no objections commenting that the provision of a swift box is welcomed.

**Representations**



12. 16 letters of objection from local residents have been received in addition to a petition of 37 signatures, the content of which has been summarised below:

- (a) There is insufficient parking within Pepys Terrace and residents are forced to park upon Cambridge Road;
- (b) The development would result in the displacement of at least one vehicle being parked upon the road;
- (c) One parking space per dwelling is insufficient;
- (d) Parking within the area will worsen when the Cambridge Guided Bus opens;
- (e) Manoeuvring in and out of the spaces will be difficult resulting in on road car parking;
- (f) Pepys Terrace is a narrow street with no pavements, the proposal will increase traffic flow to the detriment of pedestrian and highway safety;
- (g) Significant damage has occurred within the street to cars and boundary walls due to passing vehicles;
- (h) There is no provision to store bins on refuse day without impeding the highway;
- (i) Construction vehicles will not be able to gain access to the site;
- (j) The proposal does not propose sustainable building methods or locally sourced or recycled materials;
- (k) The proposal is not of a high design quality nor would it preserve or enhance the character of the area or be compatible in terms of its scale, location mass or form;
- (l) The proposal would not adhere to the design or building line of Pepys Terrace as it would be set back from the road and would contain elements of modern design;
- (m) The proposal would result in increased traffic to the detriment of village amenity;
- (n) The parking area proposed could be returned to a front garden in the future resulting in a loss of further parking without the control of the council;
- (o) The site is not previously developed land in accordance with the recent amendment to PPS3 and is therefore not suitable for development;
- (p) The development does not accord with the recent government white paper nor does it accord with local planning policy;
- (q) It is likely that the occupants of both properties will own more than one car, thus increasing on road parking;
- (r) It is believed that the local bus service will decrease in peak hours when the guided bus way is opened;
- (s) The proposed dwelling would overlook existing dwellings due to the narrowness of the street;
- (t) The CGB is of little use to residents as it has limited stops;
- (u) The site provides much needed open space and visual amenity to the street;
- (v) The reasons for refusal upon the previously refused planning application remain valid;
- (w) There is an existing right of way through the site that will need to be maintained;
- (x) Parking in the street is already at saturation and there are two properties currently unoccupied;
- (y) The application should have had a wider consultation;
- (z) The proposal will adversely affect the outlook of opposite dwellings;
- (aa) The application is misleading as the street is always full of parked

- cars;
- (bb) The demographic of the street is mainly elderly people who have one vehicle, future generations of younger mobile families will further add to the amount of cars parked locally;
  - (cc) The development should provide added car parking provision to mitigate its impact and not decrease it;
  - (dd) Increased servicing as a result of the dwelling will add to problems within the street;
  - (ee) Parked cars hinder visibility, therefore the increase of development will further add to this safety issue;
  - (ff) Development ear marked within the local area will all further add to future parking pressure within the area;
  - (gg) The existing sewage system does not have capacity for further development as it has become blocked and flooded on numerous occasions;
  - (hh) The proposal would hinder the right to light of adjacent dwellings.

13. Local Member Cllr Mason has made representation requesting that this application be determined by the planning committee with a site visit. This is on the grounds that the site is accessed via a narrow terraced street where on street parking is an existing concern. This issue has led to damage of properties and vehicles and concerns over access to refuse and emergency vehicles. Since the previously refused planning application, on street parking has become worse.

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

14. The key issues to consider in this instance are whether there have been any policy changes since the refused application, and the impact of proposals upon the public realm, car parking provision, highway safety, residential amenity and infrastructure provision.

#### **Principle of Development**

15. The village of Impington is defined as a Rural Centre under Policy **ST/4** of the Core Strategy. Development and redevelopment without any limit on individual scheme size is permitted within the village frameworks of Rural Centres, provided that adequate services, facilities and infrastructure are available or can be made available as a result of the development. Rural Centres including Impington provide a good range of services and facilities and are considered to be sustainable settlements that can accommodate medium to large-scale residential developments.

16. As the property is located within the village development framework within walking distance of services and facilities such as local shops, public houses, bus stops and the Cambridge Guided Bus the development is considered to be acceptable in principle in accordance with policies DP/7 and ST/4.

#### **Policy Changes**

17. Alterations to national planning policy statement PPS3 (Housing) have removed garden land from the classification of previously developed sites. As a consequence there is no longer a presumption in favour of the development of such sites, but neither does this new guidance alter the presumption in favour of such development in sustainable locations where this would be in

accordance with local policies. In addition this amendment has also removed the minimum requirement of 30dph for housing density. The key requirement for the determination of such applications remains with adopted planning policy and site specific considerations.

18. Housing density policy **HG/1** is applicable in this instance and this seeks a density of between 30-40 dwellings per hectare, depending upon sustainability. The developable area in this instance is approximately 0.0136ha and the proposed erection of a dwelling would result in a density of approximately 80dph. Whilst this would exceed the standard density requirements, the proposed dwelling, garden and car parking can be satisfactorily accommodated within the site, and would be in character with the density of the surrounding area. Furthermore, the site is located within close proximity to the centre of the village and is within walking distance of public transport links, services and facilities and is therefore a sustainable location.

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

19. The Local Highway Authority has confirmed that the proposed development would not result in an adverse impact upon highway safety subject to the provision of pre-development conditions. As a consequence the paragraphs below will address the issues of car parking provision and amenity.
20. Pepys Terrace is a narrow cul-de-sac with limited off-road car parking. As a consequence on street parking is prominent and in peak times hinders the free flow of traffic and pedestrians. The proposal would result in the loss of a generous car parking area serving no.2 and would fail to provide the recommended maximum standard of 1.5 car parking spaces per dwelling or provide any visitor car parking. The application states that this level of parking provision is justified due to the site's close proximity to public transport links. At the end of Pepys Terrace upon Cambridge Road are two bus stops serving the Citi 7 bus route. In addition further down Cambridge Road is the platform to the Cambridgeshire Guided Bus (CGB), which will serve as a through route to Cambridge City, nearby villages and St Ives. The CGB route also serves as a cycle route. The immediate area around Pepys Terrace is also serviced by a local shop and public house, with bus, pedestrian and cycle routes to the village centre, with other facilities on route. The proposals would accommodate cycle parking in accordance with Council standards.
21. Planning Application S/1431/05/F references two reasons for refusal on the grounds of inadequate car parking. Reason for refusal 1 stated that the proposal would result in a loss of car parking to no.2 Pepys Terrace and the surplus use of this space for other residents by means of personal arrangement. Furthermore, the loss of parking in conjunction with the intensification of an additional dwelling was deemed contrary to the parking requirements at that time.
22. Reason for refusal 2 of this decision related to the specific design of the proposal, which centred on the limited space and manoeuvrability of the proposed car parking spaces. As a consequence the development was considered to not provide adequate car parking and would engender further on road parking exacerbating the existing situation. This reason for refusal therefore is specific to the design of the proposed development and not relevant to the current proposal, which provides adequately sized parking spaces meeting the regulated standard dimensions free of obstruction.

23. The Local Development Framework and Development Control Policies Document Plan Document were adopted in 2007 and therefore postdate the policies that supported the previous refusal in 2005. As a consequence there has been a material change in planning policy since this decision and the current application should be considered in accordance with the Council's current parking standards that are maximum and not minimum standards. In addition the case made that the parking area in question once served wider residents by way of mutual agreement is not deemed to be a material planning consideration as such an eventuality is not controlled by condition or legal agreement and this arrangement is also not the case today.
24. In light of the above it is considered that the current proposal provides an adequate level of usable car parking in accordance with local policy and would not result in a detrimental impact upon highway safety. The consideration to residential amenity will be addressed separately under the paragraphs below.

### **Residential Amenity**

25. The nearest residential property to the application site is no.2 Pepys Terrace and this is the dwelling that the proposed development would have the most impact upon. The proposal has been designed to provide adequate space between habitable rooms of this property so as to not result in any loss of light. Furthermore, the development would not provide any windows that would overlook surrounding neighbouring properties and therefore, no material loss of privacy would occur. No.2 Pepys Terrace has a single storey rear building range that would abut the application site; therefore, the development would not result in an overbearing impact upon the amenity that the occupiers of this property currently enjoy.
26. The potential of increased car parking raises the issue of the impact this would have upon the amenity of the area. Whilst the development is considered to provide an adequate level of car parking within the site, it is acknowledged that the maximum standard would allow for the provision of an additional vehicle space. In consideration of this, this additional space cannot be accommodated within the site and therefore would result in an additional vehicle being parked within the street. In light of this it is necessary to consider the impact of such an eventuality. However, dropped kerbs providing off road car parking cannot be impeded by law, therefore it is reasonable to consider that an additional vehicle could be partly parked in front of one of the off road spaces with little impact to the amenity of the wider street scene.
27. Notwithstanding the above, the construction of the proposed development could be problematic and it is considered necessary to attach a condition requiring a construction methodology statement to be submitted, prior to development commencing on site. This statement will outline the methodology will define the proposed means of access, parking and storage of materials and equipment during construction.

### **Public Realm (Design)**

28. It is acknowledged that reason for refusal 3 of planning application S/1431/05/F made reference to the loss of open space within the street scene by virtue of the infilling of the site. This was referenced within a reason for

refusal stating that the proposed development for a dwelling would be detrimental to the visual amenity of the area. Notwithstanding this, it is considered that housing density policy has evolved since this decision in terms of the principle of making the best use of land, and that there is in any case sufficient open space provided by the neighbouring garden to the southeast to retain a degree of openness within the street scene. Furthermore, the development would be subservient to the adjacent dwelling, with a set back from the roadside but would otherwise maintain the established tight urban grain of the street, whilst providing a design that would be in keeping with the period features of the surrounding dwellings.

29. The proposal would not be visible from views to the west Pepys Terrace toward Cambridge Road due to its set back behind no.2. Furthermore, the dwelling would be seen in the context of the gable ends of the linear development from views to the east from Cambridge Road. As a consequence, the only views whereby the development would block open views out of Pepys Terrace would be directly in front of the application site looking south. Notwithstanding this, in lieu of the urban grain within the street scene the infilling of the site is not considered to represent overcrowding of the site to the detriment of visual amenity or the public realm.
30. The proposal is considered to be sympathetic to that of the late Victorian house types within the street scene whilst providing a degree of contemporary design. Conditions will be imposed to ensure that the development is implemented in accordance with the proposed external materials. It is considered necessary for a landscape condition to be attached to ensure that the finish to the driveway and front of the dwelling is appropriate.

#### **Other Matters**

31. The proposal is not considered to result in a detrimental impact upon the surrounding trees including the mature Ash within a neighbouring garden. Furthermore, the property would provide a swift box, which is considered to provide adequate biodiversity enhancement to the site.
32. Representations have raised concerns over rights of way over the land within the application site. Whilst this is not a material planning consideration the development does allow for two side access points for pedestrian use. These are of a common size for such access points at a metre wide and would not impede a right of way.
33. The connection to the local sewer would be a matter between the developer and the relevant utility company and not a material consideration of the determination of this planning application.

#### **Planning Obligations**

34. A contribution for £69.50 per dwelling is required in accordance with the RECAP waste management design guide.
35. The development would be required to contribute towards public open space infrastructure within the village in accordance with Policies **DP/4**, **SF/10** and

**SF/11.** Financial contributions are index linked and calculated on the number of additional bedrooms created and would be secured by a legal agreement known as a Section 106 Agreement (S106). The provision of a two-bedroom dwelling on the site would attract a financial contribution of approximately £2,224.90.

36. In order to meet the increased demand resulting from this development, the Council would also seek to secure a contribution towards community facilities space within the village. This would be secured by legal agreement (S106). The provision of a two-bedroom dwelling on the site would attract a financial contribution of approximately £378.88.
37. In addition to the above there would be a monitoring fee of £50 associated with any legal agreement.
38. The applicant has agreed to meet the above terms by way of condition.

### **Conclusion**

39. 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**

40. Approve, subject to the following conditions:
1. **The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
  2. **The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 0243-002, 101, 110c, 111a, 112a, 120b, 130a and 131a.**  
(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 plan indicating the positions, design, materials and type of boundary treatment to be erected for each dwelling. The boundary treatment shall be completed before each 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.)
  4. **No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of**

**development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.**

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

5. **All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, 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.)

6. **The building, hereby permitted, shall not be occupied until parking spaces have been laid out in accordance with the approved details, and shall thereafter be permanently maintained for the purpose of parking.**

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

7. **Pedestrian visibility splays of 2m x 2m shall be provided to the east and 1.5m x 1.5m to the west of the proposed car parking spaces. These splays are to be included within land under the control of the applicant and shall be kept free of obstruction to a height of 600mm.**

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

8. **No development shall commence until a methodology statement of the construction of the development, hereby permitted, 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 - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

9. **The development, hereby permitted, shall be carried out in accordance with the external materials referenced within the application forms and approved drawings, unless otherwise agreed in writing by the Local Planning Authority.**

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

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

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

- 11. No development shall commence until a scheme for the provision of outdoor sports, play and informal open space infrastructure 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.)

- 12. No development shall commence until a scheme for the provision of refuse and recycling receptacles has been submitted to and approved in writing by the Local Planning Authority.**

(Reason – To ensure the development provides for the storage and collection of refuse and recyclable materials, in accordance with Policy DP/3 of the South Cambridgeshire Local Development Framework 2007.)

- 13. The construction of the drive shall ensure that its falls and levels are such that no surface water from the site drains across the adopted public highway.**

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

### **Informatives**

Trial holes are to be dug along the footprint of the development to establish if roots are present. In the event of roots being present the foundation design of the development will need to accommodate any root system to ensure the longevity of the adjacent Ash Tree and the structural integrity of the dwelling.

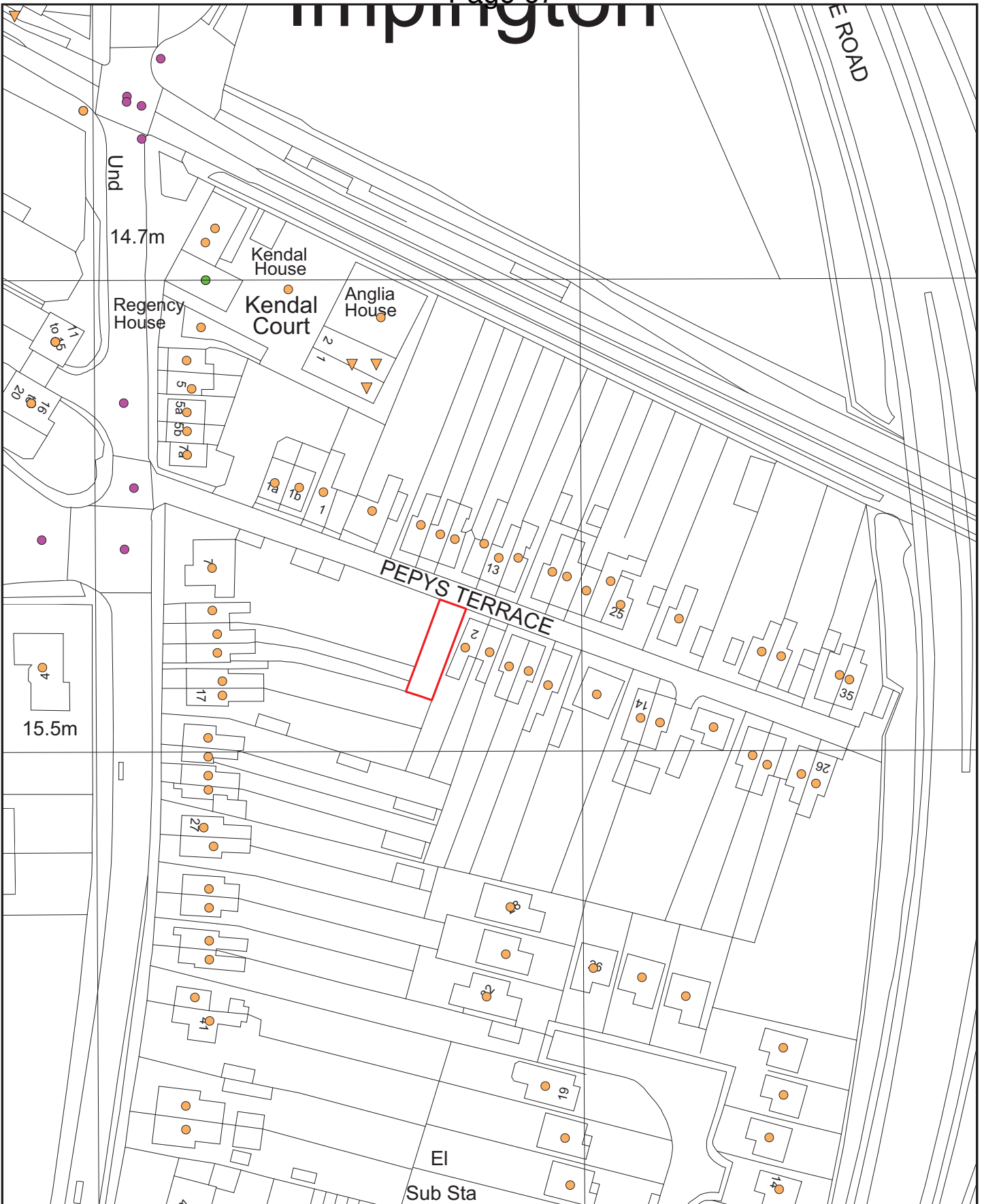
The driveway serving the dwelling shall be constructed using a bound material to prevent debris spreading onto the adopted public highway.

The granting of planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the public adopted highway, and a separate permission must be sought from the highway authority for such works.

**Contact Officer:       Mike Jones – Senior Planning Officer  
01954 713253**



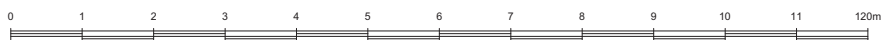
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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

2 March 2011

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

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**S/2191/10 – WESTON COLVILLE****Extension of time limit for implementation of planning permission reference S/0376/08/F, for the erection of a country house, two staff dwellings, and barn, together with parkland, associated site works, and excavation of lake and pond.****- Mines Farm, Weston Green, for Mr Henry D'Abo****Recommendation: Approve Conditionally****Date for Determination: 11 March 2011 (Major Application)****Notes:**

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

**Site and Proposal**

1. The application site, an area of approximately 39 hectares, is located immediately to the south-west of Weston Green. It is situated within gently rolling countryside typified by blocks of woodland, hedgerows and large, irregular shaped fields. The site is made up of two arable fields separated by a deep drain, hedgerow and footpath, the western field triangular in shape and tapering towards the west, with Chapel Road defining the long northern boundary of the field. The eastern field is more rectangular, its northern boundary forming part of the framework of Weston Green.
2. Mines Farm comprises a group of derelict agricultural buildings (dating from the mid 19<sup>th</sup> century) within the western field, set 50 metres back from Chapel Road with an intervening overgrown concrete hardstanding. They consist of a two storey weather-boarded and brick structure and a single storey structure beyond repair. The field rises up from the road to a plateau about half way across the field. The roadside boundary is unfenced but there is a good hedgerow along the south boundary of this field. Within the eastern field, ground levels again are lowest at the northern end, closest to the village.
3. The full application, received on 10<sup>th</sup> December 2010, seeks to extend the time limit for the implementation of an extant permission (reference S/0376/08/F) for the erection of a country house, two staff dwellings and a barn, all within a parkland setting comprising new woodland, meadows, a lake and pond.

4. The proposed country house would be located in the western field and on the crest of the rise, approximately 150 metres to the south-west of the derelict farm buildings and around 220 metres back from the road. It would be a contemporary three storey, eight bedroom dwelling comprising kitchen/lounge/family areas on the ground floor, three bedrooms/bathrooms at first floor level, and five bedrooms/bathrooms on the second floor. There would also be a basement containing car parking, a staff flat, swimming pool and gym. To the south-east of the house, there would be a walled garden surrounded by a 5 metre high concrete wall with circular openings cut into it to provide views through to the surrounding landscape. The walled garden would accommodate a kitchen garden and greenhouse, formal orchard, scented garden and pleasure garden. Immediately to the north and west of the house would be grass mounding whilst the main private garden area would be to the south. The house would be an oak timber framed building with exposed timbers and hempcrete infill. Metal standing seam with hidden gutter detail would be used for the roof. The house would be 12.8 metres high above the grass mounding. To the rear, the land would be cut away to expose the basement areas, giving the house a total height of 15.8 metres above the reduced ground level.
5. The proposed staff cottages would each comprise four bedrooms and would be constructed on the site of the existing derelict farm buildings. They would be predominantly single storey (4.2 metres high) white concrete buildings arranged around a central courtyard. Two elements of the building near to the main access would have first floor accommodation and would be 6.5 metres high. The design and access statement explains that the cottages would be constructed in environmentally friendly white GGBS concrete with no gutters or downpipes. Instead, the surface water would stream down the roof and walls streaking the surface and, over time, staining it as a controlled pattern of weathering like an old ruin.
6. The proposal also seeks to erect a barn, to be used for housing the wood chip boiler, to provide drying space for coppiced timber and for agricultural equipment storage, near to the south-western corner of the site, approximately 80 metres back from the road. The barn would be a timber clad building measuring 30.7 metres long x 9.5 metres wide and standing 8.5 metres high.
7. The landscaping proposals include the creation of a lake to the south of the staff cottages and a pond in the eastern field. Willow energy woodland, on a 4 year short rotation coppice, would be planted alongside the main road, on the north-east side of the lake, and in the eastern field. Standard woodland (oak, ash and pine), on a 7 year mid-rotation coppice, would be introduced alongside the main road, the southern boundary of the western field and the eastern boundary of the eastern field. Sweet chestnut woodland, on a 14 year mid-rotation coppice, is proposed south of the willow areas and along the southern boundary of the eastern field. Finally, alder carr woodland would straddle the boundary between the two fields surrounding the pond outflow.
8. Access to the house and staff cottages would be via the existing access point onto Chapel Road. The driveway would be 6 metres wide and would pass the staff accommodation before turning east along the lake, and then turning back on itself to approach the house from the west with the walled gardens to one side and the meadow to the other. A secondary route from the main house would run westwards and exit at the western point of the site onto

Chapel Road. This road would be used to transport coppiced willow to and from the storage building as well as an alternative route to the main house.

### **Planning History**

9. **S/0376/08/F** – Application for the erection of a country house, 2 staff dwellings, and barn together with parkland, associated site works and excavation of lake and pond. This application was considered at Planning Committee in May 2008 and was refused for the following reason:
- “1. Development of a house in the countryside is contrary to Policy DP/7 of the South Cambridgeshire Local Development Framework unless it can be justified as being essential for the effective operation of identified countryside activities. The proposed development has been advanced as an exception to this policy and argued to comply with the requirements of paragraph 11 of Planning Policy Statement 7 (Sustainable Development in Rural Areas) which states that, very occasionally, the exceptional quality and innovative nature of the design of a proposed new house in the countryside may provide special justification for granting planning permission. The proposed scheme fails to achieve this and would not result in a significant enhancement of its immediate setting for the reasons set out below:
- Due to the height and scale of the country house, together with its proximity to and elevated position above the road, it would be a visually dominant feature within the countryside and would be detrimental to the open and rural character of the landscape;
  - The main house has been designed without an eaves overhang. This would be out of keeping with the English timber frame tradition, which always has a sheltering overhanging roof to protect the wall, and also raises serious concerns about the long term appearance of the building;
  - The introduction of intensively coppiced large blocks of monoculture of willow and sweet chestnut trees, particularly where willows are positioned on a slope, would be alien features that would fail to significantly enhance the character of the landscape;
  - The introduction of a lake, and associated surrounding bunding, in a position sited halfway up a hillside would be an incongruous and artificial feature (lakes normally being sited in valley bottoms) that would not result in an enhancement in the character of the landscape;
  - The landscaping scheme, in proposing to plant woodland on the assumed historical site of Moynes Farm, fails to acknowledge the history of the site;
  - The proposed staff cottages, by virtue of the use of white concrete for the roofs and walls, together with the proximity of the buildings to the main road, would be very stark in appearance and visually harmful features in the landscape. The visual impact of the cottages would be exacerbated by the lack of an eaves overhang or gutters/downpipes meaning that, over time, the character and appearance of the

buildings would change and degrade as they weather, causing further visual harm;

- Due to the height of the proposed maintenance shed, together with its siting in close proximity to the road and elevated position above the road, it would be a visually prominent feature within the countryside.

For the above reasons, the proposal would also be contrary to Policies DP/2, which requires new development to preserve or enhance the character of the area, DP/3, which states permission will not be granted for proposals that would have an unacceptable adverse impact on the countryside and landscape character, and NE/4, which only permits development if it respects and retains or enhances the local character and distinctiveness of the Landscape Character Area in which it is located.

2. In the absence of sufficient justification on the grounds of agricultural need, the proposed staff cottages contravene Policy DP/7 of the Local Development Framework 2007 which states that, outside village frameworks, only development for agriculture and other uses that need to be located in the countryside will be permitted.
3. The application fails to satisfactorily demonstrate that the development will neither cause nor exacerbate flooding to existing property. Consequently, the proposal contravenes Policy NE/11 of the South Cambridgeshire Local Development Framework 2007, which requires proposals to adequately consider the issue of flood risk.
4. In the absence of a full ecological survey and assessment, the application fails to satisfactorily evaluate the present biodiversity value of the site and existing barns, and hence to ensure that all valuable biodiversity species and features are identified and properly integrated into the scheme. Consequently, the proposal contravenes Policy NE/6 of the South Cambridgeshire Local Development Framework 2007, which requires new development to maintain, enhance, restore or add to biodiversity.”
10. The application was subsequently the subject of a planning appeal (an informal hearing). Prior to the hearing, an ecological appraisal and further flood risk information were submitted, resulting in the 3<sup>rd</sup> and 4<sup>th</sup> reasons for refusal being withdrawn. The discussion at the hearing therefore focussed on the 1<sup>st</sup> and 2<sup>nd</sup> reasons for refusal, namely the effect of the proposed development on the character and appearance of the countryside.
11. The Inspector allowed the appeal, on 26<sup>th</sup> February 2009, stating that:

“.....there is no doubt that the building would be of very considerable architectural interest on account of its outstanding design and its innovative use of materials and construction methods.”; and

“I do not accept the assumption, implicit in the Council’s reason for refusal, that because the house would be very prominent it would necessarily be detrimental to the character of the landscape. The building has been designed as a sculptural object and is intended to act as a local landmark. Considerable thought has gone into its siting in relation to the local topography and areas of woodland. In my view the building would make a

positive contribution to the landscape in the same way that other buildings, sculptures and other artefacts have done in the past.”

12. The Inspector also stated that the Council’s objection to the coppiced woodland, on the basis that it would be an alien feature in the landscape, was ill founded, as the extensive areas of coppiced and other woodland included in the scheme would be seen in the context of the large stands of woodland already in the vicinity, as well as increasing the biodiversity interest of the site. The proposed pond and lake were considered by the Inspector to be of great benefit, adding variety and beauty to the landscape and expanding the range of wildlife habitats on the site.
13. With regards to the two staff cottages, the Inspector stated that the scheme fits within the tradition of country estates, in which lodges and cottages for estate workers are common features, and that this staff accommodation would ensure a large degree of self-sufficiency within the development. The appearance of the cottages/barn, and their visual impact within the landscape, was also deemed to be acceptable.
14. The appeal decision concluded that, due to the exceptional quality and outstanding design of the scheme, together with the enhancement to the natural beauty and biodiversity of the landscape, the development fulfils all the criteria of PPS7, and therefore qualifies for exemption from the usual strict controls over development in the countryside envisaged in PPS7 and in the development plan.
15. Prior to the above decision, an application for a country house, staff cottage and associated landscaping works was refused and dismissed at appeal (**S/1472/02/F**). In addition, planning permission had been refused a number of times for the conversion of the redundant agricultural buildings to form a dwelling (**S/0373/89/F**, **S/0352/88/F** and **S/0805/83/F**).

### **Planning Policy**

16. 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
  - NE/1:** Energy Efficiency
  - NE/4:** Landscape Character Areas
  - NE/6:** Biodiversity
  - CH/2:** Archaeological Sites
  - NE/11:** Flood Risk
  - NE/12:** Water Conservation
17. South Cambridgeshire Local Development Framework Supplementary Planning Documents:
  - Trees and Development Sites – Adopted January 2009
  - Biodiversity – Adopted July 2009
  - District Design Guide – Adopted March 2010
  - Landscape in New Developments – Adopted March 2010

18. **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.
19. **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**

20. **Weston Colville Parish Council** - Recommends approval, stating:  
  
"We have no objection to this extension for a maximum of 3 years from the date of the new decision. However we believe the matter should be resolved before the end of the new period."
21. **West Wrating Parish Council** – Recommends refusal, stating:  
  
"The Council objects to this request for an extension of time for the Consent granted on Appeal due to:
  - (1) It being too early to re-consider the application as there are a further 14 months in which the applicant could undertake works in line with the application.
  - (2) The information in the letter does not provide sufficient reason for an extension of time as (a) the economic climate may change considerably within 14 months, and, (b) no information related to the **"unforeseen delays in taking this site forward"** is given to enable the Council to given this proper consideration at this time."
22. **The Landscape Design Officer** – States that the appeal decision restricts the comments that can be made, although previous concerns relating to the poor landscape layout, particularly around the house, are reiterated.
23. **The Environment Agency** – Raises no objections, in principle, to the proposed development. However, the applicant should be aware that, to safeguard the development and third parties from flood risk, the development must be constructed in accordance with flood risk guidance and requirements contemporaneous with the time of construction. The applicant should contact the Agency prior to commencement of development to discuss outstanding issues, including the following which will require a formal consent/permit: - foul water drainage; abstraction license; and culverting/alteration to any watercourse, stream or ditch.

### **Representations**

24. 6 letters have been received from residents within West Wrating.
25. No objections are raised within 1 of the responses, whilst 5 of the letters object to the application for the following reasons:



1. This is an area of outstanding natural beauty. The development would harm the rural character of the area and planning permission should therefore never have been granted for the proposal.
2. The Council originally decided to refuse the application for very good planning reasons, and should therefore make the same decision again.
3. It is too early to grant an extension of time, as the current decision doesn't expire until February 2012.
4. The previous application was speculative in nature and designed to increase the value of the land. Marketing of the site has failed to generate any interest. The land should remain in agricultural use, which would be better for the prosperity of the area and better serve the local community, than the approved country house.
5. The proposed development lies in a remote, unsustainable location.
6. Run-off from the development would result in flooding of the road.

#### **Representation from the applicant's agent**

26. Further to the objection received from West Wrattling Parish Council, the applicant's agent has commented that a permission granted prior to 1<sup>st</sup> October 2009 can be renewed at any time during its three-year time limit. It is unlikely that market conditions will improve in the short to medium term and, due to the complexity of works associated with the proposal, it is unlikely that all the conditions can be discharged and contracts let prior to the current planning permission lapsing. In addition, the applicant wished to allow sufficient time for the renewal application to be determined, given the protracted nature of the original application.
27. With regards to the economic climate, the opinion of many professionals is that it is unlikely the economic climate, and particularly the housing market, will improve for at least 3 years. The Greater Flexibility for Planning Permissions regulations were introduced to make it easier for developers and planning authorities to keep planning permissions alive for longer during the economic downturn so that they can more quickly be implemented when economic conditions improve.
28. The applicant's agent clarifies that unforeseen delays have arisen as a consequence of a sale of the site not proceeding and the need to secure the necessary finance to take the project forward.

#### **Planning Comments**

29. As has been set out within paragraphs 9-14 of this report, planning permission was granted at appeal for the erection of a country house, two staff dwellings and associated landscaping/works in February 2009. Whilst this Authority refused the original application, the current proposal to extend the time limit for implementation of the permission must be considered against the Planning Inspectorate's subsequent decision to allow the appeal.

30. Applications to extend the time limit for implementation of extant planning permissions need to be assessed against any change in planning policies or other material change in circumstances. In this instance, the policy background remains the same as existed at the time of the consideration of the original application, and there has been no material change in policies relating to the erection of country houses. In addition, there has been no material change affecting the site and its surroundings.
31. West Wratting Parish Council has objected to the application on the basis that ample time remains in which to implement the existing permission and due to the lack of justification for the time extension. The existing permission expires on 26<sup>th</sup> February 2012. The applicant's agent has clarified that, due to a combination of market conditions, the general consensus that the housing market is unlikely to improve in the foreseeable future, the need to discharge conditions of the planning permission, and the need to arrange the relevant contracts, it is highly unlikely that the scheme would be implemented before the current permission lapses. The fact that the existing permission remains in force for approximately another year does not represent a justifiable reason for refusing to extend the time limit, as the relevant legislation allows a permission to be renewed at any time during its lifespan. In addition, the Greater Flexibility for Planning Permissions regulations, adopted in October 2009, sought to assist developers and planning authorities in keeping permissions alive during the economic downturn.
32. A nearby resident has commented that the proposed scheme is speculative in nature and of no benefit to the local population. Whether this is the case or not, there are no conditions on the planning permission restricting the occupancy of the main dwelling, and this is not therefore a material planning consideration.

### **Recommendation**

33. Approval, subject to the following conditions:
  1. **The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
  2. **The development hereby permitted shall be carried out in accordance with the following approved plans: 170\_0001, 1001, 1002, 1003, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1201, 1202, 1203, 1204, 1205, 1301, 1302, 1303, 1304, 1305, 1307, and 1308.**  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
  3. **In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars and paragraphs (i) and (iii) below shall have effect until the expiration of 1 year from the date of the occupation of the building for its permitted use.**

- i) **No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).**
- ii) **The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written approval of the local planning authority.**
- iii) **If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by 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.)

- 4. **No development shall take place until details of the finished floor levels of the buildings 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.)

- 5. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no development within Classes A to H of Part 1 of Schedule 2 and Classes A to C of Part 2 of the Order shall take place without the prior written permission of the local planning authority.**

(Reason – To ensure that future extensions and/or alterations that would otherwise be permitted are not carried out with consequent potential harm to the architectural qualities of the building, in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

- 6. **No development shall take place other than in accordance with the Flood Risk Assessment dated January 2008 as amended by the Drainage Review technical Note MAM5970-01 and Supplementary Drainage Notes on 23 June 2008.**

(Reason - To ensure a satisfactory method of surface water drainage and

to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

- 7. No development shall take place other than in accordance with the mitigation requirement set out in Section 5 of the Ecological Appraisal dated August 2008, prepared by the Landscape Partnership (“the scheme”). 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.)
- 8. No development shall take place until the applicant, or his agents or successors in title, has secured the implementation of a staged programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority.**  
(Reason – To secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy CH/2 of the adopted Local Development Framework 2007.)
- 9. Details of any external lighting shall be submitted to and approved in writing by the local planning authority before the buildings are occupied. Development shall be carried out in accordance with the approved details. No external lighting other than that shown in the approved details shall be used without the prior written permission of the local planning authority.**  
(Reason – To protect the character and appearance of this rural area at night, in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- 10. The occupation of the two staff dwellings shall be limited to persons solely or mainly working, or last working on the appeal site, or a widow or widower of such a person, and to any resident dependants.**  
(Reason – The dwellings are situated in a rural area outside any established settlement where the Local Planning Authority would not normally grant permission for such development and this permission is granted solely in order to fulfil a need to satisfy the requirements of the country house.)

**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: Trees and Development Sites; Biodiversity; District Design Guide; Landscape in New Developments.
- Circular 11/95 and 05/2005
- Planning File References: S/2191/10; S/0376/08/F; S/1472/02/F; S/0373/89/F; S/0352/88/F; S/0805/83/F.

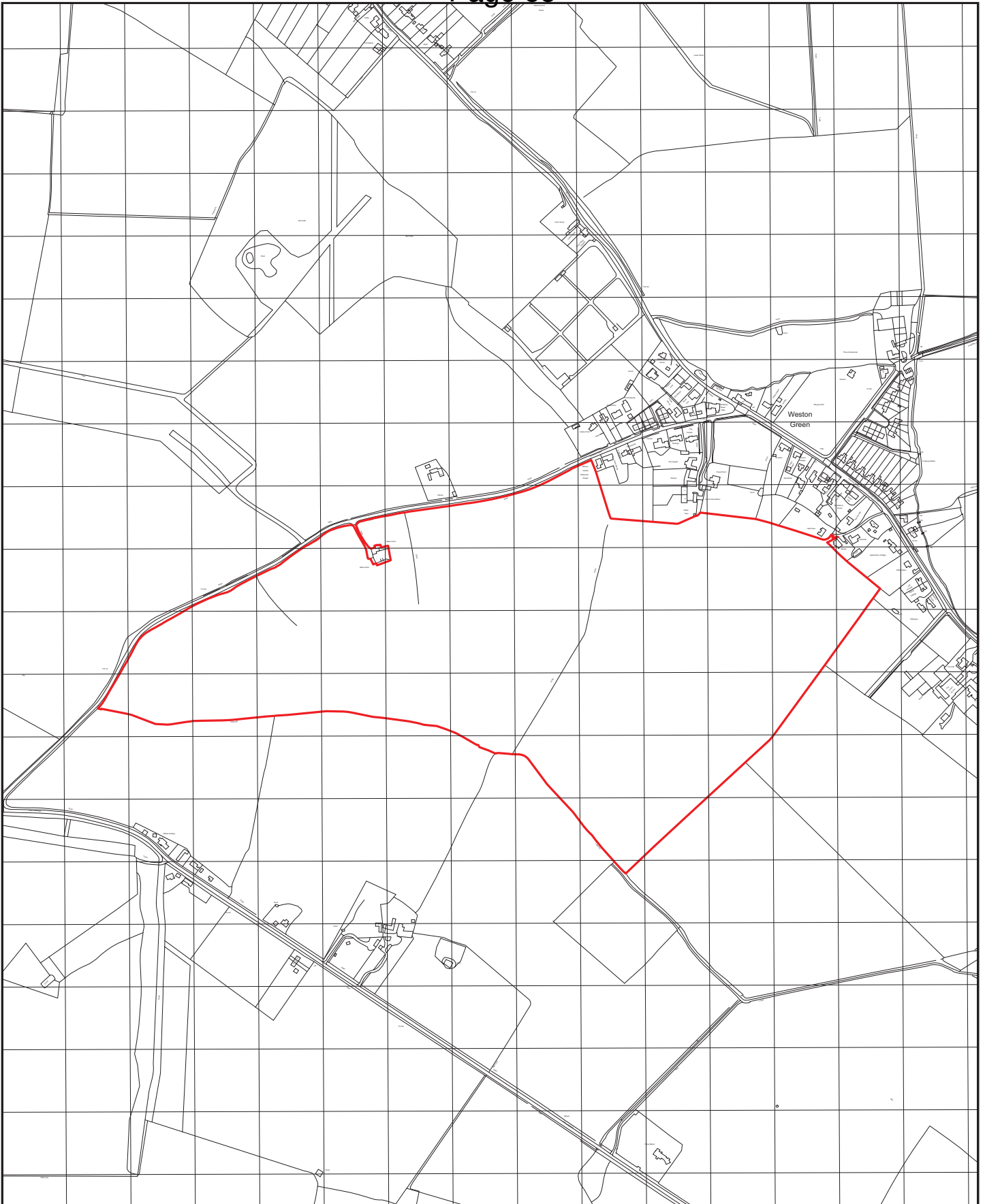
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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

2 March 2011

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

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**S/2058/10/F – WESTON COLVILLE  
Dwelling – Land South of Springhill Lodge, Brinkley Road  
For Mr & Mrs Chennells****Recommendation: Approval conditionally****Date for Determination: 24 January 2011****Members will visit this site on 2 March 2011****Background**

1. This application was deferred at 2 February 2011 meeting to allow Members to visit the site on 2 March 2011.
2. Attached as Appendix 1 is the report to Planning Committee of 2 February 2011.

**Update including amendment, comments from Ecology Officer and Landscape Design Officer, and response from the agent to the comments of the occupiers of Springwood circulated to Members on 1 February 2011.**

**Amendment**

3. The applicants' agent submitted revised drawings (drawing numbers 10:024-2B date stamped 22 December 2010 and 10:024-1B date stamped 14 February 2011) to address concerns from the occupiers of Springwood, adjacent to the site. The amendments include:
  - a. Existing ground levels shown relative to elevations;
  - b. The height of the single storey rear element reduced by 300mm and the internal floor level reduced by 600mm;
  - c. The glazing to the south elevation removed and replaced with four velux style rooflights; and
  - d. The secondary kitchen window in the south elevation removed and the ground floor cloakroom window in the south elevation would be obscure glazed.

**Consultation**

4. **Ecology Officer** considers that removal of mature trees and fruit trees on the site would have had a detrimental effect upon the local biodiversity and new planting to compensate for the loss is required. He has no objection to the proposal but considers that should any development be allowed then in addition to a suitable

amount of new native planting a scheme of bat and bird box provision shall also be implemented on the plot and on land controlled by the applicant.

5. **Landscape Design Officer** has no objection to the proposal subject to landscaping conditions.

#### **Representation**

6. **The agent has responded to the comments of occupiers of Springwood circulated to Members on 1 February 2011:**
7. Width of the plot – The application site has an irregular boundary to Springwood and thus the width varies between 11m and 14m. This compares quite favourably with that of other properties in Brinkley Road where plot widths can be below 10m. The proposed plot is generous in size.
8. Amenity – Springwood has a double garage with a bedroom and bathroom above, and a greenhouse and garden shed located nearest to the application site. Therefore, the main habitable rooms and private usable garden/patio area of Springwood are located at the further southern end of its curtilage and would not be significantly affected by the proposed dwelling. The gable end wall of Springwood is situated approximately 5.5-7m from the boundary of the application site and there is no first floor window in this gable end, therefore, the proposal has a generous area between dwellings. The new dwelling lies to the north of Springwood and so there will be no issue of overshadowing. The scheme has been amended to remove windows in the side elevation to avoid overlooking to this neighbouring property.
9. Proximity of new dwelling to side boundary – The boundary to Springwood is irregular and thus the width of the application site varies. The side elevations of the proposed dwelling is set away from the south side boundary between 1m (from the nearest side elevation) and 7.5m (from the single storey front wing). Due to the angled setting of the dwelling at Springwood that is also set at different distances from the same boundary with its nearby gable end, there is therefore an acceptable degree of space between the two dwellings. Brinkley Road has an established character of continuous built form.
10. Siting of the dwelling and building line – The siting of the proposed dwelling would create a logical and smooth transition between Springwood and Springhill Lodge that follows a notional building line. The proposed siting also enables the provision of on-site car parking and turning area to allow vehicles to exit safely onto Brinkley Road in a forward gear. It would not be appropriate to site a new dwelling within the area of the garden to the north of Springhill Lodge as much of the area falls outside the village framework and part of that area is being used for the extension to the existing dwelling.
11. Windows and dwelling design – Alterations to windows and openings and reduction in the height of the single storey rear element are shown on amended drawing number 10:024-2B date stamped 22 December 2010.
12. General landscaping proposals - It is not the intention of the applications to damage the amenity of the property. The extensive landscaping works that are being undertaken are part of the overall landscaping plan which is supported by Arboriculturist's advice. The proposed plantings for the application site form part of the whole landscaping scheme for the applicant's property.

13. The scheme as amended has responded to comments of the occupiers at Springwood. There will not be an unacceptable level of loss of amenity to neighbouring properties. The siting of the dwelling will read as part of a coherent part of the streetscene albeit that existing trees and hedgerows will screen much of the proposed dwelling from view.

#### **Further planning comments**

#### **Biodiversity**

14. In view of the comments made by the Ecology Officer, it is suggested that a condition should be added to any planning consent that no development shall be until scheme for the provision of bat and bird boxes has been submitted to and approved in writing by the Local Planning Authority.

#### **Recommendation**

Approve as amended by drawing numbers 10:024-2B date stamped 22 December 2010 and 10:024-1B date stamped 14 February 2011.

#### **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. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the side elevations of the dwelling at or above first floor level unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.**  
(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
3. **The development hereby permitted shall be carried out in accordance with the following approved plans: 10:024-0A, 1A, 3A, and 10:024-2B date stamped 22 December 2010.**  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
4. **During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.**  
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
5. **No 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.)

6. **No development shall take place until a plan showing the finished floor levels of the proposed dwelling in relation to the existing and proposed ground levels of the surrounding land has been submitted to and agreed in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.**

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

7. **All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.**

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

8. **No development shall begin until details of a scheme for the provision of open space and community facilities infrastructure, S106 monitoring and waste receptacle provision to meet the needs of the development in accordance with adopted Local Development Framework Policies DP/4 and SF/10 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.**

(Reason - To ensure that the development contributes towards the need for recreation/open space and community facilities in the village and suitable waste provision for the property in accordance with Policies DP/4 and SF/10 of the adopted Local Development Framework 2007.)

9. **In this condition 'retained tree' means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the first occupation of the dwelling hereby approved.**

**(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with the relevant British Standard.**

**(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.**

**(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of 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.)

**10. No development shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority:**

- i) Contractors' access arrangements for vehicles, plant and personnel;**
  - ii) Contractors' site storage area(s) and compounds(s);**
  - iii) Parking for contractors' vehicles and contractors' personnel vehicles;**
- Development shall not be carried out other than in accordance with the approved details.**

(Reason - In the interests of residential amenity in accordance with Policies DP/3 and DP/6 of the adopted Local Development Framework 2007.)

**11. No demolition, site clearance or building operations shall commence 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. 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.)

**12. The dwelling, hereby permitted, shall not be occupied until the parking and turning spaces shown on the approved plans has been laid out and made available for use.**

(Reason - 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. The new accessd driveway hereby permitted shall be constructed in bound material for at least the first 10m from the carriageway edge.**

(Reason - To prevent debris spreading onto the highway, in the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

15. **No development shall begin until a scheme for the provision of bat and bird boxes has been submitted to and approved in writing by the Local Planning Authority; the dwellings shall not be occupied until the next boxes have been provided in accordance with the approved scheme.**

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

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

South Cambridgeshire Local Development Framework Core Strategy DPD 2007

South Cambridgeshire Local Development Framework Development Control Policies DPD 2007

South Cambridgeshire Local Development Framework Development Supplementary Planning Documents:

- District Design Guide 2010
- Open Space in New Developments 2009
- Trees and Development Sites 2009
- Biodiversity 2009

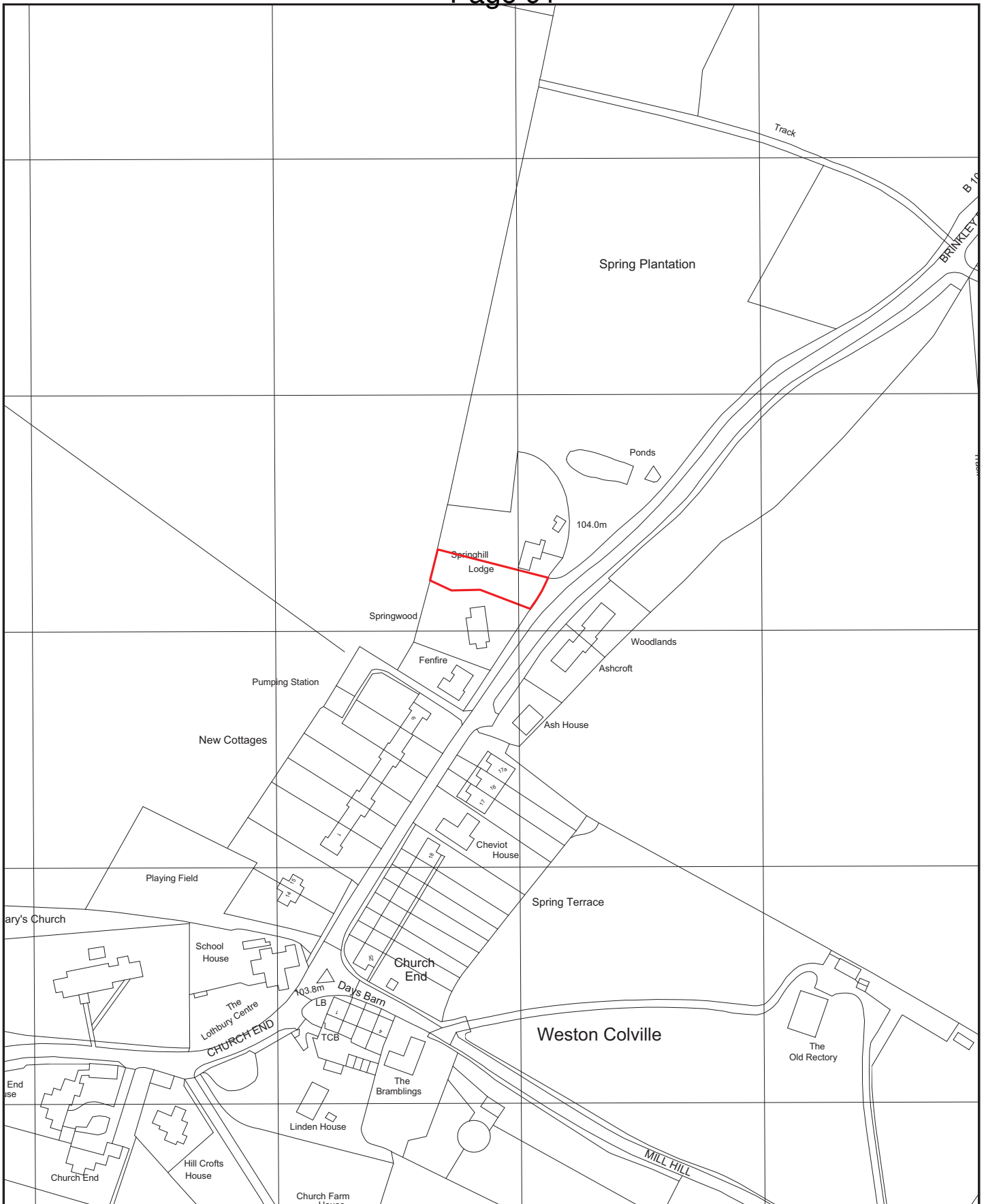
Circular 11/95 – The Use of Conditions in Planning Permissions

Circular 05/2005 – Planning Obligations

Planning application reference: S/2058/10

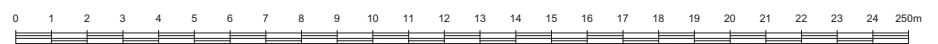
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Telephone: (01954) 713250





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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

2 March 2011

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

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**S/0116/11 – OAKINGTON & WESTWICK  
Extensions - 9, Station Road, Oakington  
for Councillor Thomas Bygott****Recommendation: Refusal****Date for Determination: 23<sup>rd</sup> March 2011****Notes:****This application has been reported to the Planning Committee for determination because the applicant is a District Councillor.****Site and Proposal**

- 1 No.9 Station Road is a semi-detached two-storey dwelling adjoined to No.7 Station Road. The property has a hipped end with a cat-slide roof to the rear flank both of which are finished in plain roof tiles. The building's elevations have a pebble dashed painted render finish. The property is set back from the roadside with a Leylandii hedge enclosing the front garden with openings for a separate vehicular and pedestrian access from the public adopted highway. The property has a range of outbuildings upon the northeast boundary with no.11 Station Road and benefits from an expansive rear garden.
- 2 The common boundary between nos.9 and 7 Station Road comprises of a low fence line that is immersed within a hedgerow. No.7 has several windows within its rear elevation including a bedroom window at first floor and a kitchen and drawing room window at ground floor. In addition the sitting out amenity area of that property is located immediately to its rear with doors opening out onto the rear garden. The application site is located within the village development framework of Oakington. There are examples of extensions within the street, with no.11 Station Road being extended at two-storeys to the rear.
- 3 The proposal comprises the erection of two storey rear and side extensions. The rear extension would project approximately 5m to the rear of the existing dwelling for a width of approximately 8.4m, set 1.5m off the common boundary with no.7 Station Road. The two-storey side extension would project approximately 1.5m from the existing side elevation and incorporate a hipped roof. The proposals would also involve the re-roofing of the dwelling and alterations to the elevations including new fenestration and the re-rendering of the property.

**Planning History**

4. Planning Application S/1700/10 for a two storey side and rear extension was refused due to the detrimental impact upon the street scene and the amenity of the adjacent neighbouring dwelling at no.7 Station Road. Members of the Planning Committee visited the site in the course of their consideration of the application.

### **Planning Policy**

5. 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
6. South Cambridgeshire LDF Supplementary Planning Documents (SPD):  
District Design Guide, SPD, adopted March 2010
7. 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**

8. Oakington Parish Council – No comments have been received.

### **Representations**

9. None have been received.

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

10. The key issues to consider in this instance are the impact of proposals upon the residential amenity of neighbouring dwellings, the public realm and the design of the dwelling.

### **Public Realm**

11. The application site is partially screened by a tall Leylandii hedgerow at the site's frontage. However, there are views of the property from the north when approaching the village. There are also oblique views of the dwelling when exiting the village from the south. Furthermore, the landscaping to the frontage and side of the site is not afforded any statutory protection and could be removed at any time.
12. The main element of the proposal that would be visible from the street scene would be the proposed two-storey side extension. This extension would be

subservient to the main dwelling in height but not its in span and would involve the removal of the cat-slide element to the roof that is presently mirrored by the attached property at no.7, providing symmetry. However, the proposed two-storey rear extension would be articulated from the existing dwelling by way of a stepped building line and chimneybreast. Despite the span of the extension this visual articulation would soften the prominent length and scale of the extension from views from the northeast when approaching the village from Westwick. The adjacent dwelling at no.11 also has a large two-storey rear extension, which is set back from the side of the property and is subservient to the main dwelling and not prominent within the public realm.

### **Design**

13. There is no restriction on the size of household extensions as defined within local planning policy. However, the adopted District Design Guide SPD states that the scale of an extension and its position should normally emphasise a degree of subservience to the main building. This will usually involve a lower roof and eaves height, significantly smaller footprint, spans and lengths of elevations, and the use of different and traditionally subservient materials. It goes on to state that some buildings are more sensitive to extension than others. Symmetrically designed buildings may not be able to accommodate an extension without becoming unbalanced or dominated by the extension, or by detracting from the original design.
14. Notwithstanding the above, it is acknowledged that the proposed alterations to the dwelling, namely the re-rendering and fenestration changes to the principal elevation would be an improvement upon the aesthetics of the property. However, the extent of the proposed extensions would depart in part from the supplementary guidance within the District Design Guide. The proposal would approximately double the footprint and span of the existing dwelling despite a lower ridge height than that of the existing dwelling. The visual breaks and use of different materials would however soften the scale of the impact of the proposals upon public views of the building. The above issues are considered to be important, as the property is one half of a pair of dwellings that share a high degree of symmetry. Nevertheless, whilst the proposals would unbalance the property and detract from its original form, the degree of subservience and use of alternative materials is considered to mitigate this impact. As a consequence the proposals are considered to be appropriate design.

### **Residential Amenity**

15. The proposed side extension would be spatially divorced from the adjacent neighbouring property to the north at no.11 Station Road. The proposal would however introduce a bedroom window upon its north elevation that would overlook the side elevation of the neighbouring property at no.11 Station Road at a distance of 15m. No.11 has roof light windows within this side elevation and therefore a material loss of privacy would occur to the dwelling and to its rear garden. During pre-application discussions the applicant was advised that the adopted design guide states that a distance of 25m from window to window is the guideline to safeguard overlooking.
16. The attached property at no.7 Station Road would be within close proximity to the proposals and would therefore be the most affected by the proposed

development. The proposed two-storey rear extension would be sited approximately 1.5m north of the boundary with the attached neighbouring property at no.7 Station Road. Due to this orientation it is considered that the proposed extensions would not result in a detrimental loss of sunlight to either habitable rooms or the immediate amenity area of no.7.

16. The rear projection of 4.9m at two-storey level within close proximity to the common boundary with no.7 Station Road is considered to be unduly overbearing upon the outlook and the amenity of no.7. Views from windows within the rear elevation of this property and that of the immediate amenity area to the rear of the property would be hindered by the sheer extent of the bulk and scale of the proposed rear extension. The rear extension would disrupt a 45-degree horizontal and 25-degree vertical angle from the centre of the garden area to the rear of the property. In light of this the proposal is considered to result in a poor outlook from this property as a result of being unduly overbearing to the detriment of the amenity that the occupiers currently enjoy. The applicant was advised during pre-application discussion to reduce the depth of the extension to 4m in order to overcome this issue or move the extension further from the boundary.

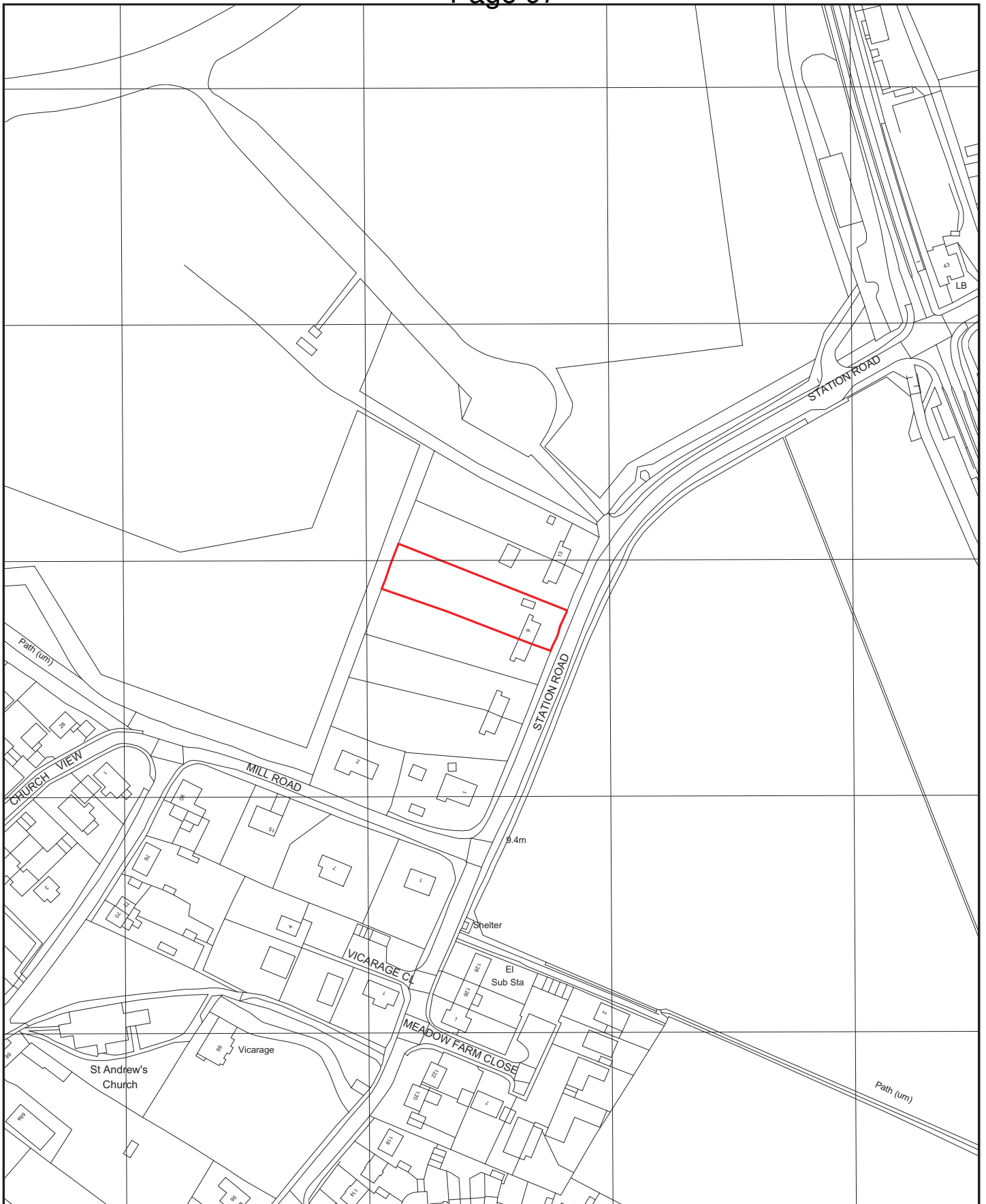
### Conclusion

17. 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 refused in this instance.

### Recommendation

18. **Refuse** for the following reasons:
  1. **The proposed rear extension, by virtue of the excessive rear projection of 4.9m at two-storey level within close proximity to the common boundary, would result in an unduly overbearing impact and poor outlook upon the amenity currently enjoyed by the occupiers of No.7 Station Road. The proposal would therefore be contrary to Policies DP/2 and DP/3 of the South Cambridgeshire Development Control Policies DPD 2007, which states that planning permission will not be granted where the proposed development would have an unacceptable adverse impact upon residential amenity.**
  2. **The proposed first floor bedroom window within the side elevation of the proposed side extension would overlook the house and garden of the adjacent residential property at no.11 Station Road to an unacceptable degree. No.11 Station Road has roof light windows within its south facing elevation at a distance of approximately 15m from the proposed bedroom window within no.9 Station Road. As a consequence these windows and the rooms to which they serve would be overlooked to the detriment of the privacy of the occupier of this property. The proposal would therefore be contrary to Policies DP/2 and DP/3 of the South Cambridgeshire Development Control Policies DPD, 2007, which state that planning permission will not be granted where the proposed development would have an unacceptable adverse impact upon residential amenity.**

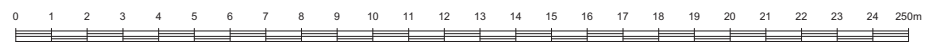
**Contact Officer:** Mike Jones – Senior Planning Officer – 01954 713253



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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

2 March 2011

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

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**S/1692/10 & S/1913/10 - FULBOURN**  
**Alterations and Extension to the Listed Building for a Utility/Bootroom on North Elevation (Regularisation of Unauthorised Works), at 2 Home End****Recommendation: Refuse with Enforcement Action****Date for Determination: 29<sup>th</sup> November 2010 & 3<sup>rd</sup> January 2011****Note: The applications have been reported to the Planning Committee for determination at the request of the local member.****Proposed Development**

1. The scheme seeks retrospective planning and listed building consent for the erection of a single storey utility and boot room structure attached to the projecting north elevation of the existing dwelling.
2. The structure has a covered footprint of 4.5m x 3.7m, measuring 2.3m to its eaves height and 2.8m at its highest point overall. It is designed to feature oak weatherboarding on its external walls, with a small overhang, supported by oak posts, above the north facing external door and window. The roof is constructed of Cambridgeshire mix handmade clay plain tiles, with lead flashing and a small flat roof section (also lead) in the centre, obscured from public view.

**Site And Surrounding Area**

3. The application site is a Grade II listed building, that serves as a residential dwelling, located on a prominent corner where Manor Walk, Home End and Stonebridge Lane meet, located within the Fulbourn Conservation Area. The site is surrounded to the north and east by an approximately 2m high flint and brick wall.
4. To the south is the main frontage and vehicular entrance to the dwelling, beyond which is a business unit. To the north of the site is a public footpath along the highway edge and the roadway. Across the road to the north is a small area of trees, containing no structures. To the east of the site, across the road, is the village hall. To the north west of the site is a detached residential dwelling of approximately 1960s construction. This dwelling has some private amenity space between itself and the application dwelling, but largely faces towards the south-east.
5. The dwelling on the application site is principally a two storey timber framed structure, constructed in a broadly t-shaped footprint, with rendered facing walls and a relatively steep pitched clay tile roof. The main house is gable end on to the road, with a wide frontage of C15 origins but was almost completely rebuilt in two periods in the C17 and restored c.1965. There is a projecting C17-C18

wing to the rear (north), with twin aspect gables, which houses a breakfast/family room at ground floor and master bedroom at first floor. It is on the northern end of this structure that the proposed extension is located.

### **Planning History**

6. In 2000 and 2001 two applications were approved (**S/1955/00/LB** and **S/1310/01/LB**) both of which included an extension for a utility room. The main difference between the two approved schemes is that the 2001 approval is slightly wider.

### **Policies**

Planning Policy Statement 5: Planning for the Historic Environment

Planning Policy Statement 5: Historic Environment Planning Policy Practice Guide

Local Development Framework Development Control Policies 2007

DP/1 Sustainable Development

DP/2 Design of New development

DP/3 Development Criteria

DP/7 Development Frameworks

CH/3 Listed Buildings

CH/5 Conservation Areas

Local Development SPD Listed Buildings: Works to or Affecting the Setting of 2009.

Local Development SPD Development Affecting Conservation Areas 2009

### **Consultations**

7. Fulbourn Parish Council – makes no recommendation.
8. SCDC Conservation Team – recommend refusal on the basis of two reasons: Firstly that the extension is inappropriate and complex in form and design, resulting in a visually intrusive addition that features lead and oak boarding which are uncharacteristic and inappropriate for a building of this age and type. Accordingly the development compromises the character and appearance of the building, and therefore harms the special character and appearance of the listed building.
9. Additionally the listed building makes a strong visual statement within the Conservation Area. By virtue of the inappropriate and harmful extension the character and appearance of the Conservation Area is neither preserved nor enhanced by the proposed development.

### **Representations**

10. The local member, Councillor Williams, has requested that the application be determined by Planning Committee as the extension in question is situated behind an eight foot high wall and considers that it therefore cannot have any impact upon the Conservation Area or adjoining properties. He considers that

the materials are inappropriate but could be resolved through appropriate conditions of consent.

### Planning Comments

11. The key issues to consider in this instance are the impact that proposals would have upon the character and appearance of the listed building and upon the Conservation Area within which the proposal is located.
12. The proposed structure is not located within close proximity to any adjoining property and so does not have any physical impact in this regard. The main issue is of the design and appearance of the structure, relative to its location constructed onto a Grade II listed building, located within the Fulbourn Conservation Area.
13. As outlined above, the proposed extension is located on the northern end of the existing listed building, within the property's own boundary wall. The proposed extension has already been constructed, and therefore the application is effectively seeking retrospective consent for this structure.
14. The walls of the proposed structure are largely obscured from public view, although clearly visible within the listed building's own curtilage. From public view the roof serving the structure can be clearly seen above the height of the boundary wall. By virtue of a fall in levels outside the site, the structure appears to be higher than the surrounding footpath and roadway.
15. The roof form of the proposed extension is untraditional, uncharacteristic of the building, out of proportion with the rest of the proposed extension with a large overhang, and detracts from the appearance of the side and rear elevations of the listed building. The extension spans the whole width of the gable, obscuring the lower part resulting in awkward junctions with the gable wall and historic flint boundary wall. The junction with the boundary wall is particularly unfortunate and future maintenance of the extension and flint wall will be impeded due to restricted access.
16. In terms of materials, lead is inappropriate for a vernacular building as there is an established hierarchy of materials where lead was historically used for churches and high status buildings such as country houses, neither of which could be argued for the building on site. Oak boarding is not considered to be suitable for a building of this type or period, where facing render is typical, as evidenced by the main dwelling. Whereas oak boarding is often used for extensions to simple vernacular buildings, such as cottages, it is not appropriate for a larger house dating from the 15<sup>th</sup> and 17<sup>th</sup> centuries. The boarding has been fixed by screws that are very prominent and visually intrusive. In addition the window has a night vent, which is a modern and incongruous detail that is not seen elsewhere on the main house.
17. Noting the comments of the local Member, whilst some of the concerns expressed regarding the choice of materials could be overcome by conditions of consent typically imposed prior to the commencement of development, it must be noted that this is a retrospective application for development that has already been constructed. Accordingly, the Authority is obliged to consider the unauthorised development and determine the appropriate course of action primarily. Additionally, the concerns regarding materials must be considered

alongside the inappropriate design of the proposed extension, which, by virtue of its form, proportions and design, is considered harmful to the special character and appearance of the listed building. Whilst a large percentage of the structure is obscured from public view, the whole structure is visible from the listed curtilage, and therefore must be considered to affect its appearance and setting. Additionally, that the roof can be seen prominently from the street scene, and therefore creates a relationship between the modified dwelling and the surrounding Conservation Area, dictates that the development also has a wider impact upon the setting of the site. The revision to materials alone would not overcome these concerns.

### Recommendation

1. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is recommended that both applications be **refused** for the following reasons:

1. The extension harms the special character and appearance of this 15<sup>th</sup> and 17<sup>th</sup> Century timber framed and tiled roof dwelling, by virtue of its form proportions, materials and design. The proposal is considered to be inappropriate and complex in form and design and has resulted in a visually intrusive addition that compromises the character and appearance of the side and rear elevations of the dwelling. The materials, which include lead and oak boarding, are uncharacteristic of the building and inappropriate for a building of this type and age.

The proposal is therefore considered contrary to Policy CH/3 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 (DPD); Policies HE7 and HE9 of Planning Policy Statement 5: Planning for the Historic Environment (including HE7.2 and HE9.1); PPS 5 Historic Environment Planning Policy Practice Guide (including 86, 111, 142 and 178), and paragraph 4.12 of the Local Development SPD Listed Buildings: Works to or Affecting the Setting of 2009.

2. The listed building makes a strong visual statement within the Fulbourn Conservation Area. Due to its inappropriate form, proportions, materials and design, the extension neither preserves nor enhances the character and appearance of the conservation area.

The proposal is therefore contrary to Policy CH/5 of the adopted DPD 2007 and paragraphs 3.3 and 3.4 of the Local Development SPD Development Affecting Conservation Areas 2009.

2. Authorise **Enforcement Action** to bring about the removal of the unauthorised structure and the land and buildings be restored within 6 months of the date of refusal.

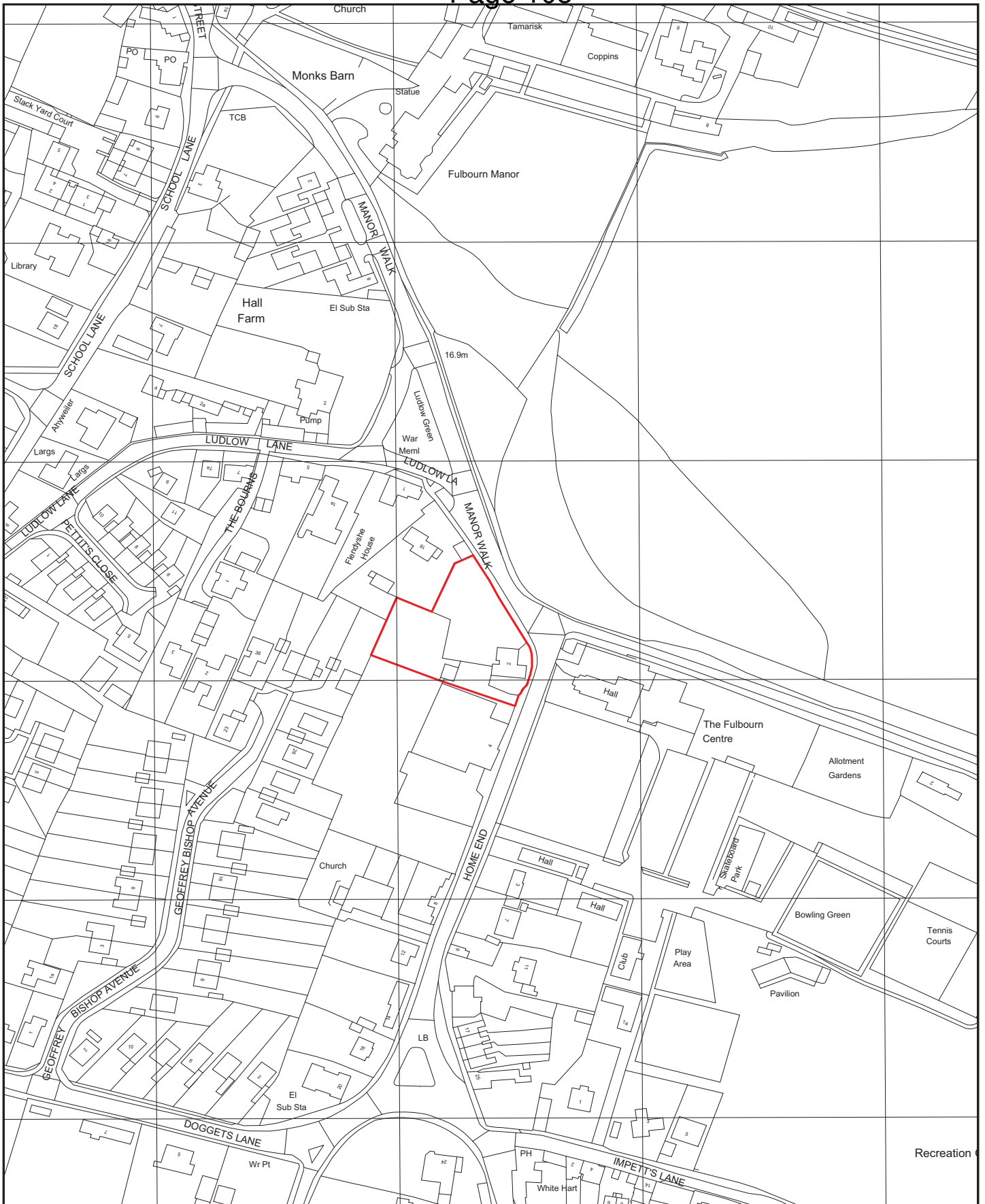
Background Papers: the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007

- Local Development SPD Listed Buildings: Works to or Affecting the Setting of 2009.
- Local Development SPD Development Affecting Conservation Areas 2009
- Planning Policy Statement 5: Planning for the Historic Environment
- Planning Policy Statement 5: Historic Environment Planning Policy Practice Guide
- Planning File Refs: S/1955/00/LB, S/1310/01/LB, S/1692/10 & S/1913/10

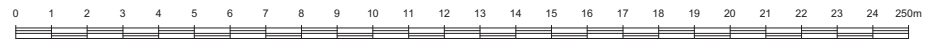
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**South  
Cambridgeshire  
District Council**

**Planning Dept - South Cambridgeshire DC**



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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee2<sup>nd</sup> March 2011**AUTHOR/S:** Executive Director (Operational Services)/  
Corporate Manager (Planning and New Communities)

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**S/2155/10 - GIRTON****Erection of Building to Provide Five Flats Following Demolition of Existing Dwelling - 11, Mayfield Road, Girton, Cambridge, Cambridgeshire, CB3 0PH for Mr David Hargrave, Lon-ist****Recommendation: Approve Conditionally****Date for Determination: 31<sup>st</sup> January 2011****Notes:****This application has been reported to the Planning Committee as Officer recommendation is contrary to that of the Parish Council.****Members will visit the site on the 2nd March 2011.****Site and Proposal**

1. The application site comprises a large residential plot of approximately 0.11ha which at present is occupied by a single dwelling – No.11 Mayfield Road - an unoccupied detached dwelling with a significant expanse of rear garden area, most of which is severely overgrown. There are also several large mature trees within the site, most of which are located within the rear garden.
2. No.11 Mayfield Road is sited at the end of the adopted extent of Mayfield Road and is a detached two-storey dwelling redolent of typical 1920s-1930s house design. Externally the dwelling is characterised by strong brickwork, concrete roof tiles and a hipped roof profile. Vehicular access into the site is afforded from Mayfield Road.
3. Mayfield Road is a narrow linear street that runs south to north with largely single dwelling plots running back from the highway to both the east and west. At the north end of Mayfield Road the highway stops and becomes a private access serving a limited number of detached dwellings. House age, design, mass and scale vary along the length of Mayfield Road but the general character is one of harmonious variety.
4. The full planning application, submitted on 1st December 2010, proposes the erection of a two and a half storey building forming five internal flats of a mix of one and two bedroom. The application is a resubmission of application ref. S/0468/08/F with an amended access arrangement. The design of the proposed building does not differ between the previous approval and the current application. Application S/0468/08/F is an extant application and could be implemented today, however Officers are led to believe that part of the proposed site access is upon third party land and third party permission is not believed to be forthcoming in this instance.

5. The plans have been amended to address concerns identified by both officers and local residents that the access details shown were misleading – see plans refs 2462-04-Rev A and 2462-05-Rev A date stamped 26th January 2010.

### **Planning History**

6. **S/0377/06/F** – For side and rear extensions to no.11 was approved.
7. **S/1246/07/F** – For the Erection of Four Flats of a classical architectural form and proposing a similar access layout to the current proposals was refused for a number of reasons including; design, lack of bin & cycle storage, loss of privacy, failure to provide landscaping details and lack of pedestrian and vehicle visibility splays with a potential to cause an impact upon highway safety.
8. **S/1753/07/F** – For the Erection of Four Flats of the same visual appearance and access arrangements as the scheme approved under S/1246/07/F was refused on the grounds of design, lack of landscaping proposals, insufficient information regarding car parking, manoeuvring and visibility and the failure to provide a sufficient level of affordable housing provision.
9. **S/0468/08/F** – For the Erection of Five Flats was conditionally approved. The scheme proposed a development of identical architectural design to that under consideration today, however the access layout comprised a traditional carriageway design and small turning feature incorporating a tree.

### **Planning Policy**

10. **National Planning Policy**

Planning Policy Statement 3: Housing

11. **South Cambridgeshire Local Development Framework Core Strategy 2007**

**ST/6** – Group Villages

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

**DP/1** - Sustainable Development

**DP/2** - Design of New Development

**DP/3** - Development Criteria

**DP/4** - Infrastructure and New Developments

**DP/7** - Development Frameworks

**HG/1** - Housing Density

**HG/2** - Housing Mix

**HG/3** - Affordable Housing

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

**SF/11** - Open Space Standards

**NE/1** – Energy Efficiency

**NE/2** - Renewable Energy

**NE/6** - Biodiversity  
**TR/1** - Planning for more Sustainable Travel  
**TR/2** - Car and Cycle Parking Standards

13. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**

Design Guide SPD – Adopted March 2010  
Trees and Development Sites SPD – Adopted March 2010  
Open Space in New Development SPD – Adopted January 2009

**Consultations**

14. **Girton Parish Council** – Recommends refusal stating;

*'The committee considered this matter carefully taking note that there had been a number of attempts to develop this property. Five flats in this location would undoubtedly cause parking and other traffic problems and the committee felt that this was not acceptable. The committee had received a number of letters from residents who were also against this development. Therefore the Parish Council recommends that the application be refused on traffic grounds.'*

Following amendment to the application the Parish Council maintains its objection to the proposals.

15. **Local Highways Authority** - Raises no objection to the proposals recommending standard conditions regarding bound material for the driveway, drainage and retention of the manoeuvring area free of obstruction.

16. **Tree Officer** – Recommends that a landscaping scheme be conditioned, commenting;

*'Previous comments on this application to achieve a tree within the parking turning area design to the front were driven by comments from residents on the harshness of the proposals considering the existing front hedge they were looking onto.'*

*'Given that the fence has now been erected where the hedge used to be this has clearly changed that character of the area and has removed the vegetation that softened the site, which the Council were looking to replace with a tree. For this reason I can see no argument now for trying to achieve the previous design incorporating a tree.'*

17. **Landscape Design Officer** – Recommends that a landscaping scheme be conditioned.

18. **Environmental Health Officer** – Raises no objections to the proposals. Recommends that a standard condition limiting the use of power-operated machinery on site be applied.

19. **Sustrans** – 'Cycle parking is commendably close to the building but we doubt it has sufficient width at each end satisfactorily to clear the building and parked cars as bikes are parked or removed. It should be sheltered and appears not to be'

20. **Housing Development Manager** – Agrees to a financial contribution in lieu of on-site provision of affordable housing in this instance.
21. **Pocock and Shaw (independent valuation)** – ‘on the question of the commuted sum I feel that this should now be reduced to £40,000. Since my previous report, property values fell substantially during the remaining 9 months of 2008 with something of a recovery during 2009 which continued until the early part of 2010 although there was a further fall in the latter half of last year. The net result is that prices are now roughly the same as they were when I produced the last report. In the interim period, however, there seems to have been an increase in building costs which will impact on the developers profit as will the fact that he has had to finance the purchase of the land for almost 3 more years’.

### **Representations**

22. Letters of representation have been received from the occupants of nos; 1, 2, 5, 8, 10, 12, 13, 14 & 15 Mayfield Road & Nos; 97, 99A, 101 & 103A Cambridge Road objecting to the proposals for the following reasons:
- a) The proposed design and nature of 5 flats is out of context with the existing detached properties.
  - b) Increase in traffic would cause increased problems for delivery and service vehicles using Mayfield Road due to additional on street parking.
  - c) Increased danger to pedestrians using Mayfield Road.
  - d) Failure to overcome the reasons for refusal of applications S/1246/07/F & S/1753/07/F in terms of scale and mass of the building.
  - e) Noise and disturbance to residents from traffic movements.
  - f) Overbearing and overshadowing upon neighbouring dwellings.
  - g) The national policy context of the recent amendments to PPS 3.
  - h) Failure to provide pedestrian visibility splays and an inadequate access width.
  - i) Failure to provide short term parking for service and visitor vehicles will force traffic to park on Mayfield Road.
  - j) Insufficient bin storage provision.
  - k) Constrained access width not suitable for a scheme of 5 flats.
  - l) Smell arising from additional refuse storage.
  - m) Loss of the turning feature incorporated into application S/0468/08/F makes this proposal less appealing.

**Planning Comments – Key Issues**

23. The key issues to consider in the determination of this application are:
- The principle of the development having regard to the change in national planning policy PPS 3;
  - The impact of the proposals upon the character and appearance of the area;
  - The impact upon residential amenity;
  - The revised access and parking arrangements and the impact upon highway safety.

**The Principle of the Development Having Regard to the Change in National Planning Policy PPS 3**

24. As outlined above the current application is a resubmission of planning application reference S/0468/08/F that was approved by the Planning Committee on the 1st July 2008. Since this time the change in national administration has resulted in a revision to Planning Policy Statement 3: Housing (PPS 3) under which the previous application was, in part, determined.
25. The key changes to PPS 3 are the deletion of a national indicative minimum housing density of 30dph from para 47 of this document and a change in the definition of previously developed land i.e. brownfield sites, to exclude private residential gardens (Annexe B of PPS 3). It should be noted that PPS 3 still strongly promotes the efficient use of land as a key consideration for any planning application (para 45). At the same time policy HG/1 of the Local Development Framework Development Control Policies DPD 2007 remains the statutorily adopted policy for the district and requires that “Residential developments will make best use of land by achieving average net densities of at least 30dph unless there are exceptional local circumstances that require different treatment. Higher net densities of at least 40dph should be achieved in more sustainable locations”.
26. The cumulative effect of the recent change to national policy and adopted local policy means that planning decisions should use 30dph as the required density unless other material considerations indicate that a different density is more appropriate, having regard to the best use of land. Furthermore the site in question is now classified as a brownfield site rather than greenfield as previously. The implication of this change in classification applies to policy ST/6 of the Core Strategy which classes Girton as a ‘Group Village’ and therefore capable in principle of accommodating individual schemes of residential development of up to a maximum indicative size of 8 units as opposed to a maximum indicative number of 15 units for any brownfield site within the village.
27. The proposed scheme seeks the erection of 5 residential units, which equate to a density of approximately 47dph.
28. 5 units are in accordance with the stipulations of policy ST/6, being less than the indicative maximum of 8 permitted in principle on this green field site.
29. The proposed density of 47dph is considered appropriate in this instance given that the location is sustainable being within close proximity of and

affording a variety of public and private transport links to nearby Cambridge City, which is the largest node of service provision in the area.

**The Impact of the Proposals upon the Character and Appearance of the Area**

30. The net density proposed is achieved within a single building and the design of this, whilst being of a contemporary idiom that is currently not present amongst the dwelling design along Mayfield Road, is not considered to be at odds with the general feeling of harmonious variety that characterises the street as identified above. Similarly the more general gabled form and frontage span are not incongruous to the surrounding design or span of some of the neighbouring dwellings. No.12 for example has a greater frontage span than the proposed building, similarly the substantial span of the terrace of nos 97-103 Cambridge Road has a commanding presence within the street scene. To this end it is considered that residential development of the site in question in accordance with the scheme put forward would not be detrimentally uncharacteristic to the character and appearance of the area or wholly unsustainable at the density proposed.
31. In contrast applications ref.S/1246/07/F and S/1753/07/F comprised similar proposals for a large two storey development of four flats. The building proposed was a bland interpretation of classical architectural form and style and had a similar plan form & footprint to the current proposals. Both applications proposed a similar access arrangement to that currently proposed.
32. Both applications were refused for myriad reasons. Critically though the design of the proposals formed a common key reason for refusal, with both applications being refused on the grounds of mass, height and design (this wording varies slightly between the two decisions).
33. Although not thoroughly addressed in the Committee Report for application ref.S/0468/08/F the question of whether the scheme submitted under this application overcame the previous reasons of refusal would have formed a key consideration in arriving at the recommendation by both Officers and Committee members alike. For avoidance of doubt it is considered appropriate to outline this reasoning in this report.
34. The frontage span of the 2007 proposals were similar to that proposed by the current scheme. However the visual massing of the frontage elevation of the 2007 scheme was significantly greater than that currently proposed due to the fact that the ridge line proposed in 2007 ran parallel to Mayfield Road and thus presented a flank elevation and substantial roof slope to the street. The current proposals, whilst proposing a similar frontage span, mitigate this massing effect by employing a ridge that is perpendicular to Mayfield Road. The resultant impact is that massing is reduced and a greater sense of openness is retained within the street scene.
35. The proposals put forward under applications ref. S/1246/07/F and S/1753/07/F proposed ridge heights of approximately 9.5m and 8.7m respectively. The current proposals have a ridge height of approximately 10m (although in reality approximately 1m of this height is taken up by the architectural detail of the pointed element of the 'interlocking roof'). The

heights of surrounding two storey dwellings are typical two storey height and thus around 8m.

36. The proposed height, whilst being in excess of previous schemes that have been refused on the grounds of scale, is incorporated into an architectural design that follows the eaves heights of surrounding dwellings, has a more appropriate mass and retains a greater degree of openness to that of the 2007 schemes and thus is not considered to be to the detriment of the character and appearance of Mayfield Road. Hence the previous citing of scale as a reason for refusal is considered to be overcome by the present scheme.
37. When considering the more general subject of 'design' it is clear that whilst the proposals submitted in accordance with the 2007 applications were of a bland and ubiquitous articulation the current proposals are of a bespoke architecture, the likes of which are advocated by the Adopted Design Guide for the re-development of infill plots (para.5.60) and is considered to contribute to the architectural variety and quality of the surrounding area.
38. As such the proposed scheme is considered to overcome the previous reasons for refusal of applications S/1246/07/F & S/1753/07/F with regard to design.

#### **The Impact upon Residential Amenity**

39. The impact upon the residential amenity of surrounding properties is not considered to have significantly changed from the impact of the previously approved scheme. The elevational aspects of the proposal do not vary from that approved in accordance with application ref.S/0468/08/F and there appears to have been no material change in circumstance with regard to the layout and use of the two residential sites that abut the application site.
40. Similarly the access amendments proposed will not give rise to any material increase in the intensity of traffic movements associated with the scheme. Thus noise and disturbance associated with traffic movements is not considered to be materially greater than the previously approved scheme.

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

41. Plan refs. 2462-04-Rev A and 2462-05-Rev A date stamped 26th January 2010 illustrate the proposed access and parking layouts. A traditional carriageway layout is proposed with an access width of 4.1m which corresponds with the width of the adopted public highway affordable for use as access.
42. The Local Highways Authority do not consider that the proposed access arrangement would unduly harm highway safety at this point making the following comments;

*'The minimum access width for an emergency service vehicle is 2.75m, but 3.1m is preferred.'*

*The proposed access is able to achieve a width of 4.1m within the confines of the adopted public highway. This will allow two domestic cars to just pass*

*each other, though what is in effect a width restriction rather than being a longer drive or similar.*

*The publication of Manual for Streets 2 in September 2010 has allowed Highway Engineers much greater freedom within guidance to place sites within their context, rather than having to rely on a series of more prescriptive measures. The proposed access has excellent visibility along Mayfield Road. The visibility from the access to the private drive is more constrained. However, the 'hit and miss' fence along with the lower section of the same at the proposed entrance should allow satisfactory inter-vehicle visibility in particular as vehicle speeds will inherently be low at this location. Most users of either the proposed entrance and or the existing access will be aware of the constraints, so should behave appropriately. It is highly unlikely that motor vehicles will achieve excessive speeds at this point and therefore, although representing a point of conflict (all accesses of whatever nature do) the likelihood of a personal injury accident occurring is very low.'*

43. There is also the matter that previous applications ref. S/1246/07/F and S/1753/07/F were refused on highway safety grounds and proposed a similar access arrangement. However it should be noted that the access width proposed for these previous schemes was approximately 3m whereas the current proposals are approximately 4.1m. Further to this at the time of the determination of these applications the common boundary with the private access to the west of the access comprised a coniferous hedge which was considered at the time to inhibit visibility to the greater extent than the current hit and miss fence treatment.
44. In addition to this, and also a material consideration, is the publication of Manual for Streets 2 which gives guidance on the consideration of sites within their context, rather than having to rely on a series of more prescriptive measures.
45. With regard to parking provision, letters of representation received raise concerns for the impact of overspill parking upon Mayfield Road, which at present, has no parking restrictions along the length of the adopted highway.
46. The scheme proposes seven car parking spaces (one disabled) to serve the 5 flats and sheltered cycle parking provision for 8 cycles. It is considered reasonable to condition the implementation of the parking areas prior to occupation of the development.
47. Policy TR/2 "Car & Cycle Parking Standards" states that for residential development the "maximum" standard is for 1.5 space per dwelling. At this maximum standard the site should provide 7.5 spaces. However, this site is located within the heart of the village, with a bus stop located at the bottom of Mayfield Road with the junction to Girton Road. In light of the scale of the development and the nearby services for public transport it is deemed that the provision of 7 spaces is acceptable within this location as it accords with Policy TR/1 "Planning for More Sustainable Travel" which states that planning permission will not be granted for developments likely to give rise to a material increase in travel demands unless the site has a sufficient standard of accessibility to offer an appropriate choice of travel by public transport or other non-car travel mode. In line with this policy the Council is minded to minimise the amount of car parking provision in new developments by restricting car parking to the maximum levels.



48. There is no dedicated parking provision for sporadic demand arising from service and visitors vehicles. Residents of Mayfield Road are concerned that this could lead to increased parking on Mayfield Road itself, which is a narrow lane. These concerns, whilst salient, would be hard to sustain as a reason for refusal due to the fact that there are no parking restrictions along Mayfield Road at present that would restrict vehicles from parking along its length. Thus the identified impact could reasonably occur irrespective of the granting of planning permission.
49. Critically, this is the same level of parking provision as proposed by the scheme that was previously approved in accordance with application ref. S/0468/08/F. There is therefore no sound basis to oppose the scheme on these grounds.

### **Developer Contributions**

50. Policies SF/10, SF/11 and DP/4 of the LDF DCP DPD 2007 require provision of open space, community facilities, bin provision and affordable housing in accordance with the scale of any scheme proposed. It has previously been agreed that affordable housing will be provided off-site by way of a suitable financial contribution.
51. At the time of writing the precise level of developer contribution for the above is undergoing negotiation in accordance with the provisions of policy DP/3 of the adopted Local Development Framework, Development Control Policies DPD, 2007. An update will be issued to members of the Planning Committee to confirm the nature and scale of contributions in this instance.

### **Conclusion**

52. This application has generated a significant amount of local representation, however, having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that there are no justifiable grounds to prevent planning permission from being granted in this instance.

### **Recommendation**

53. Approve, as amended by plan refs 2462-04-Rev A and 2462-05-Rev A date stamped 26th January 2010

### **Conditions**

1. **The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. **The development hereby permitted shall be carried out in accordance with the following approved plans: 2462-04-Rev A and 2462-05-Rev A date stamped 26th January 2010, 2462-02, 2462-06, 2462-07, 2462-08, 2462-09, 2462-10, 2462-11, 2462-12, 2462-13, 2462-14, 2462-15 & 2462-16.**

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

3. **No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

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

4. **No development shall take place until details of the refuse storage accommodation following 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 refuse storage is adequately provided within the site without causing visual harm to the area)

5. **No development shall take place until full details of 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.)

6. **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.)

7. **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 upon the site. The boundary treatment shall be completed before the development 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.)

- 8. The development, hereby permitted, shall not be occupied until details of a scheme for the provision of outdoor sports, play and informal open space, community facility and waste receptacle 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 Local Planning Authority.**

(Reason - To ensure the development provides a suitable level of public open space, community facilities and waste receptacle infrastructure for occupants of the development, in accordance with Policies DP/4, SF/10 and SF/11 of the South Cambridgeshire Local Development Framework 2007.)
- 9. The development, hereby permitted, shall not be occupied until details of a scheme for the provision of affordable housing to meet the needs of the development in accordance with Policies DP/4 and HG/3 of the Local Development Framework Development Control Policies 2007 has been submitted to and approved in writing by the Local Planning Authority.**

(Reason - To ensure the development provides a suitable level of affordable housing in accordance with Policies DP/4 and HG/3 of the South Cambridgeshire Local Development Framework 2007.)
- 10. No development shall take place until a scheme of ecological enhancement outlining the provision of bird and bat boxes 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 ecological enhancement of the site in accordance with Policy NE/6 of the adopted Local Development Framework 2007.)
- 11. No demolition works shall commence on site until a management plan in relation to construction traffic and storage of building materials has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

(Reason – In the interests of Highway Safety.)
- 12. During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.**

(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
- 13. The bicycle parking facilities as shown on the approved plan refs 2462-04-Rev A and 2462-05-Rev A date stamped 26th January 2010 are to be provided prior to the first occupation of the development and retained at all times thereafter.**

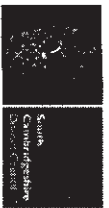
(Reason – To ensure the development provides adequate secure cycle parking, as required by policy TR/2 of the Local Development Framework Development Control Policies 2007.)

- 14. The development shall not be occupied until the car parking area indicated on the approved plan refs 2462-04-Rev A and 2462-05-Rev A date stamped 26th January 2010, including any parking spaces for the mobility impaired has been hard surfaced, sealed and marked out in parking bays. The car parking area shall be retained in this form at all times. The car park shall not be used for any purpose other than the parking of vehicles that are related to the use of the development.**  
(Reason – To ensure the development is served by adequate car parking, as required by Policy TR/2 of the Local Development Framework 2007.)

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

- South Cambridgeshire Local Development Framework 2007
- South Cambridgeshire Design Guide SPD – Adopted March 2010
- PPS3: Housing

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



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## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

2 March 2011

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

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**S/2189/10/F – HISTON**  
**Raising of Roof Height of Factory to Allow the Installation of Jam**  
**Manufacturing Equipment – Premier Foods, Chivers Way**  
**For Premier Foods Ltd**

**Recommendation: Approve Conditionally**

**Date for Determination: 16<sup>th</sup> February 2011**

**Notes:**

**This Application has been reported to the Planning Committee for determination because the recommendations of the Parish Council cannot be satisfied through the imposition of conditions.**

**Site and Proposal**

1. The site comprises a large factory building for the manufacture of food preserves and is surrounded by Park Farm to the west, an electrical sub-station to the south, residences to the north and a business park to the south-east. The site falls within the village framework of Histon and within a flood zone 3 area.
2. The development involves raising the roof height of part of the existing factory to allow the installation of jam manufacturing equipment. The existing ridge height of the building would be increased by 1.3m with a 1.1m high railing on top covering an approximate floor area of 116.4m. The materials are proposed to be composite metal with profiled cladding finished in goose wing grey.

**Planning History**

3. Planning permission **S/0741/07/F** was refused for a roof extension in the same location as that later approved in planning application **S/1216/07/F** due to insufficient information regarding the projected levels of noise created by the development.
4. A retrospective application was approved in 2008 for two air flow units and two extraction units over the boiler plant (ref. **S/2237/07/F**).
5. A roof extension was granted to the boiler house in 2007 (ref. **S/1216/07/F**), and increased the original ridge height by 1.1m. This development is now built and is located in close proximity to the north of the current proposed roof extension. The development is subject to a condition, which restricts further

openings in any elevation in order that such openings can be properly assessed with regard to potential noise disturbance to nearby residents.

6. Planning consent was granted for a boiler house and erection of chimney (ref **S/0087/08/F**). However, it was discovered that the chimney within its proposed location could not be built due to the confined environment.
7. Planning consent was granted in 2008 for a retrospective extension to the boiler house and to erect a 24m high chimney (ref. **S/1157/08/F**).

### **Planning Policy**

#### **South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007:**

8. DP/1 Sustainable Development  
DP/2 Design of New Development  
DP/3 Development Criteria  
DP/7 Development Frameworks  
NE/11 Flood Risk  
NE/15 Noise Pollution  
ET/5 Development for the Expansion of Firms

#### **Supplementary Planning Documents:**

9. District Design Guide SPD – adopted March 2010

#### **Consultation**

10. Histon Parish Council – Recommend approval with a condition to restrict the access onto the roof to weekdays and to certain hours on those weekdays.
11. Environmental Health Officer – Recommends a condition to restrict the hours of power operated machinery during the period of construction.
12. Environment Agency – A permit is currently being drafted for the site by the Environment Agency and the permit will have a number of environmental controls on the activities it will regulate which are as follows:
  - i) Energy efficiency
  - ii) Efficient use of raw materials
  - iii) The activities will be subject to the controls of the permit and will operate within the conditions of the permit.
  - iv) Emission to water, air and land will be recorded and monitored.
  - v) Odour will be controlled by ensuring that all processing will be done undercover and all tanks for storage or treatment will be sealed and covered.
  - vi) Noise and vibration will also be controlled by conditions of the permit.

Once the permit is issued the site will be regulated and inspected by a compliance officer from the Environment Agency who will ensure that the site operates within the confines of the permit.



### **Representations**

13. Owner/Occupier at 21 New School Road – Object to the proposal due to noise and smell concern and loss of privacy from staff going on the roof as well as construction workers.
14. Owner/Occupier at 11 New School Road – Concern regarding noise in relation to the proposed ventilation fans.

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

15. The development is considered to comply with the requirements of Policy ET/5 and therefore the key issues to consider in this instance are the impact of the proposal upon the local character of the area and the residential amenity of surrounding neighbours.

### **Local Character**

16. The increase in the height of the roof is considered to be small in comparison to the size and scale of the existing factory. Views of the development would be very limited from surrounding areas and consequently the development is not considered to have a significant impact on the local character.

### **Residential Amenity**

17. The proposed development would be sited approximately 70m away from the north boundary of the site, which adjoins the nearest residential neighbours along New School Road. Concern of loss of privacy to these neighbours is not considered to be significant given the distance between the development and the neighbours and given the sole purpose of accessing the roof, which is for maintenance of the ventilation fans. Intervening buildings located between the development and the neighbours are also considered to mitigate any overlooking. Consequently, the development is not considered to cause unacceptable loss of privacy of immediate neighbours and the suggested condition of the Parish Council to restrict hours of access on to the roof is considered unreasonable and unnecessary.
18. The proposal involves the installation of 4 ventilation fans on the roof and the environmental health officer has found the noise output of these fans to be acceptable. It is unknown if plant or machinery installed within the proposed building could give rise to noise issues in the future if further openings are provided and therefore a condition is suggested (see paragraph 22) to ensure that such openings are properly assessed.
19. Smell pollution has also been raised as a concern and the applicant has stated that no smells will be produced as a result of this development. Wash down effluent is treated in the treatment works on site and, as mentioned above, the Environment Agency is drafting a permit for the site, which is proposed to place controls on aspects such as noise and odour.
20. No lighting has been proposed on the proposed development and the development is considered to be sufficiently distant from the surrounding neighbours to avoid an adverse impact on local residents.

### Conclusion

21. Visually, the development is considered to be have little impact on the character of the local area and the proposed development would be sufficiently distanced from nearby neighbours to avoid any adverse impact upon residential amenity in terms of, overlooking, odour pollution, noise pollution or light pollution, subject to the suggested conditions below.

### Recommendation

22. Approve, subject to the following conditions:

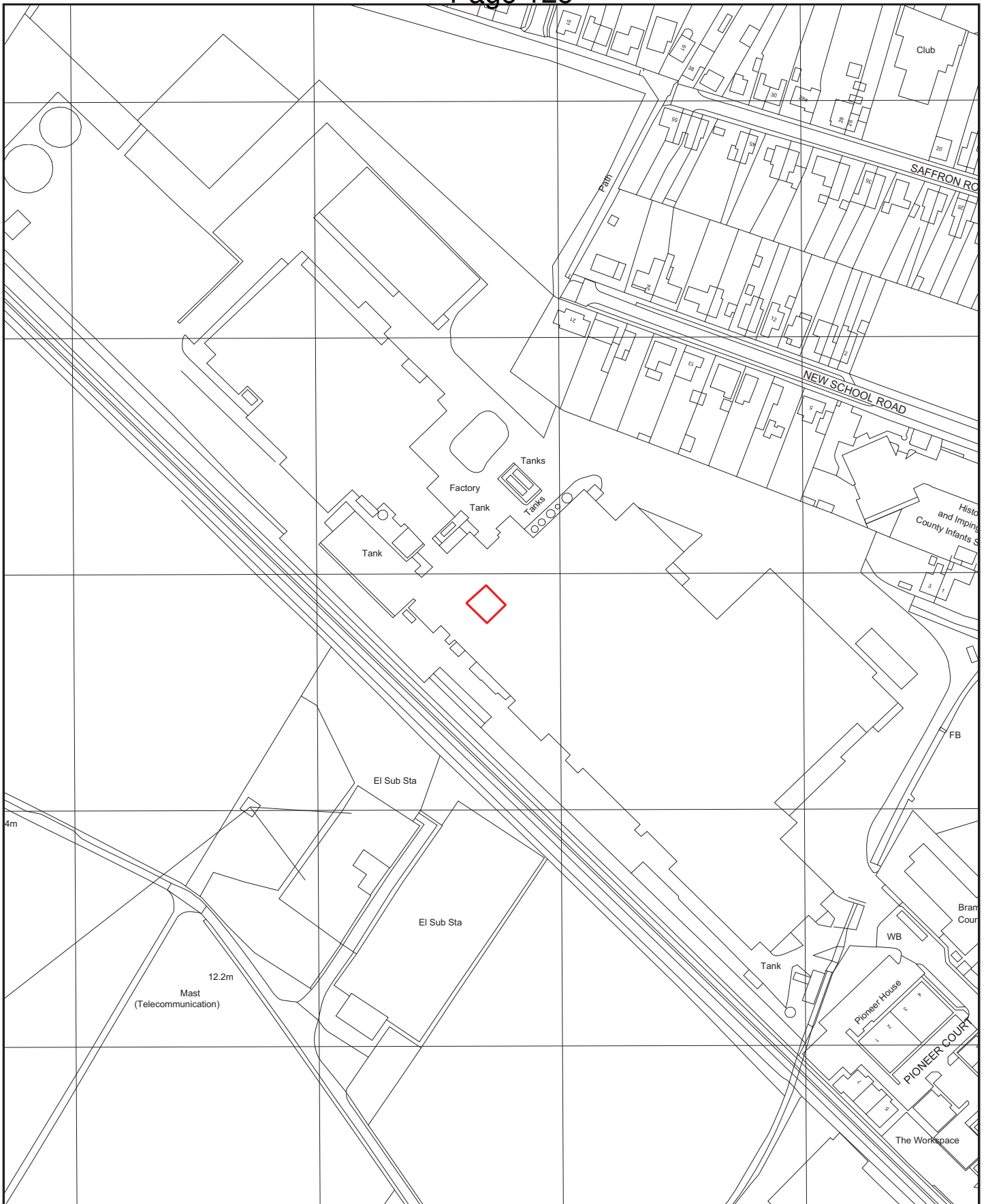
### Conditions

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: 4150/01, 4150/02 and 4150/03.**  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. **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 in accordance with any agreed noise restrictions.**  
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
4. **Other than the extraction units shown on drawing 4150/02, no further louvers, windows, doors or openings of any kind shall be inserted in any elevation of the development, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.**  
(Reason – In order that the impact of such openings can be properly assessed to minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

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

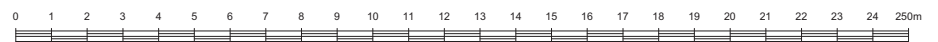
- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire LDF Development Control Policies DPD, 2007:
- Planning Applications: S/0741/07/F, S/2237/07/F, S/1216/07/F, S/0087/08/F and S/1157/08/F.

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



**South  
Cambridgeshire  
District Council**

**Planning Dept - South Cambridgeshire DC**



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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

2 March 2011

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

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**S/1463/10/F - LONGSTANTON****Erection of Convenience Store and 4 Commercial Units (Classes A1, A2, A3, A5 or D1) with 6 Flats Above, Erection of 4 New Dwellings with Associated Stores, Garages and Parking Areas and Formation of Access, Land to North of Nelson Crescent, High Street, Longstanton, for CPP (Stortford) Ltd****Recommendation: Delegated Approval****Date for Determination: 25 November 2010****Notes:**

**This Application has been reported to the Planning Committee for determination the officer recommendation is contrary to that of Longstanton Parish Council and local residents**

**Major Development****Departure Application****Site and Proposal**

1. Members will recall deferring this application at the February meeting (Item 11). This full application, as amended by drawings received 11 January 2011, proposes the erection of a convenience store and four commercial units with six flats above, the erection of 4 new dwellings with associated stores, garages and parking areas, and the formation of an access, on a 0.265ha area of disused grassland to the west of High Street, Longstanton, immediately to the north of Nelson Crescent.
2. To the west of the site are the side and rear gardens of existing houses in Nelson Crescent and Collingwood Drive. To the north the site abuts a surfaced public footpath, which links High Street to the Home Farm development to the west, beyond which are the gardens of houses in Collingwood Drive and High Street, and a pumping station. To the south of the site, on the other side of the entrance to Nelson Crescent, is a large area of public open space, provided as part of the Home Farm development. To the east of the site, on the other side of High Street, is a planted boundary which forms the rear gardens of properties in Brookfield Drive.
3. The development comprises a 279m<sup>2</sup> convenience store on the corner of High Street and Nelson Crescent, with four smaller retail units, one with a floor area of 46m<sup>2</sup>, two with floor areas of 65m<sup>2</sup>, and one with a floor area of 68m<sup>2</sup> fronting High Street linked to the convenience store but in a staggered form, tapering back from High Street, allowing for the provision of a car parking area for 10 cars, including one space for disabled use, in front of the units, which will be accessed direct from High Street. A total of 20 cycle parking spaces are provided in two areas at the front of the site.

4. 6 flats are provided above the commercial floorspace, 5 of which will be two bedroom units and the other a three-bedroom unit. The building has a maximum ridge height of 11.3m.
5. A new access roadway will be formed to the rear of the commercial units from Nelson Crescent. This roadway will provide access to the rear of the units and the car parking area for the flats. A total of 10 car parking spaces are provided for the flats. 3 solar panels are provided in the roof of this building.
6. The application also proposes a pair of two and a half storey, 4 bedroom houses adjacent the end of the line of existing houses in Nelson Crescent. A pair of garages, with parking spaces in front, is provided to the rear of the dwellings, and is accessed from the new roadway to the rear of the commercial units. These dwellings have a ridge height of 10.5m. Solar panels are provided in the south facing roofs fronting Nelson Crescent.
7. In addition, the application also proposes two detached 4 bedroom houses to the north of the commercial units, fronting the footpath which leads from High Street to the Home Farm development. Pedestrian access to these properties will be from the footpath, with garages (including a storage area over), provided at the rear, accessed by the new roadway to the rear of the commercial units. As amended these dwellings have a ridge height of 9.65m. Solar panels are provided in the rear facing roofs of these dwellings.
8. The applicant is seeking a mixture of uses for the commercial space which would fall within classes A1, A2, A3, A5 or D1 of the Use Classes Order 1987, as amended.
9. No affordable housing is provided under Policy HG/3, and the applicant has commented that the development would not be viable if affordable housing is included in the scheme. A detailed appraisal has been submitted to support this case.
10. The site is within the village framework. The density of the housing scheme is 37dph.
11. The site is within Flood Zones 2 and 3.
12. The application is accompanied by a Design and Access Statement, Flood Risk Assessment, Energy Statement, Lighting Assessment, Utilities Assessment, Drainage Disposal Statement, Water Conservation Statement, and an Affordable Housing Statement

### **Planning History**

13. Outline planning consent was granted on 16<sup>th</sup> October 2000 for a 'Comprehensive phased development to provide B1050 Bypass for Longstanton and related road works together with housing (21ha), Business Park (6.3ha), extension to village recreation area (2.8ha), village green including land for local shop and surgery, open space, landscaping and related infrastructure', on land described as being to the west of Longstanton (**Ref: S/0682/95/O**).
14. Condition 29 of that consent requires that 'for a period of 10 years from the commencement of development on any part of the site the Community Site specified on drawing no. E0459/1/K shall not be used or developed for any purpose other than uses falling within classes A1, A3 or D1 of the Schedule to the Town and Country

Planning (Use Classes) Order 1987 (or in any provision equivalent to those Classes in any Statutory Instrument revoking or re-enacting that order.’ The reason for the condition was ‘to safeguard land in the centre of the village for essential village services and to reduce the number of journeys out of the village’.

15. Applications for reserved matters were to be submitted within 7 years of the date of approval (October 2000). That period has now lapsed.
16. At the October 2009 meeting an application for a very similar development (**Ref: S/0745/09**) was refused by Members on two grounds. Firstly it was resolved that the introduction of the residential element would result in the loss of part of a site in the centre of the village which is reserved for essential village services in order reduce the number of journeys out of the village. The development would therefore be contrary to the aims of Policy DP/1 and objectives DP/b and DP/c. Secondly it was resolved that whilst evidence had been submitted which demonstrated to the Councils satisfaction that it was not possible to provide 40% affordable housing, as required by Policy HG/3, it had not been satisfactorily demonstrated that the scheme could not provide for a reduced proportion of affordable housing. An appeal was lodged against the decision but was subsequently withdrawn.
17. The current application relates to the ‘Community Site’.

#### **Planning Policy**

18. South Cambridgeshire Local Development Framework – Core Strategy – adopted January 2007:  
**ST/6** – Group Villages
19. South Cambridgeshire District Council – Development Control Policies – adopted July 2007:  
**DP/1** – Sustainable Development  
**DP/2** – Design of New Development  
**DP/3** – Development Criteria  
**DP/4** – Infrastructure and New Development  
**DP/7** – Development Frameworks  
**HG/1** – Housing Density  
**HG/3** – Affordable Housing  
**ET/4** – New Employment Development in Villages  
**SF/2** – Applications for New Retail Development  
**SF/4** – Retailing in Villages  
**SF/6** – Public Art in New Development  
**SF/10** – Outdoor Playspace, Informal Open Space, and New Developments  
**SF/11** – Open Space Standards  
**NE/1** – Energy Efficiency  
**NE/2** – Renewable Energy  
**NE/6** – Biodiversity  
**NE/9** – Water and Drainage Infrastructure  
**NE/14** – Lighting Proposals  
**NE/15** – Noise Pollution  
**NE/16** – Emissions  
**TR/1** – Planning for More Sustainable Travel  
**TR/2** – Car and Cycle Parking Standards

20. South Cambridgeshire District Council Supplementary Planning Documents

**Open Space in New Developments SPD** – adopted January 2009

**Public Art SPD** – adopted January 2009

**Biodiversity SPD** – adopted July 2009

**Landscape in New Development SPD** – adopted March 2010

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

**Affordable Housing SPD** – adopted March 2010

### **Consultation**

21. **Longstanton Parish Council** recommends refusal.

*Context within the Home Farm development*

22. The land is designated as a 'Community Site'. It has also been referred to subsequently as the 'Amenity Use Area'. The outline application called for this land to be used for 'Local Shop and Surgery' (see paragraph one of the Outline Consent). Section 29 of the outline consent of 16 October 2000 required that this land be used solely for class A1, A3 and D1 development for 10 years from the commencement of development on any part of the site (which was in 2004/5, not 2000). These classes cover shops, cafes, and non-residential institutions. They do not include residences. The reason for this clause was to ensure that there was sufficient infrastructure to support the additional homes.
23. The application therefore is manifestly contrary to the outline consent. In order to justify the deviation from the plan, there must be a compelling benefit to the community. It is reasonable that any 'extra' space on the site is put to good use, and it is therefore reasonable to consider flats atop commercial units. These will provide greater security for the area, as noted in the application.
24. It is much harder to justify the two detached and two semi-detached dwellings. Design and Access Statement section 2.0 indicates that the use classes may be extended to include A2 and A5 (professional services and take-aways). The basis of this statement from SCDC is unclear, given the very explicit designations in the outline consent. Certainly professional services would need to be examined carefully. The purpose was to provide an amenity to the village, not to provide employment or to provide amenity to the larger surrounding area. Estate agents and the like would provide none of the amenity that is required in the village. Take-aways, while amenities, have their own concerns and would need to be agreed rather than imposed upon the village given the clear outline consent limitations. Take-aways would create a nuisance not conducive to the quiet enjoyment of the surrounding residences.
25. *We therefore object to broadening of the classification beyond that in the Outline Consent.*
26. In this same section, there is reference to providing residences to make the site 'viable'. The entity of Home Farm must be considered in viability; the fact that it has been sold in parcels rather than developed as one unit is not of material consideration to planning.



27. In fact, based purely on what is written in section 3.1, it would appear that the initial application had more amenity facilities and therefore may have had more advantages, with SCDC concerns possibly being overcome with means other than discarding the initial Outline Consent. We cannot, for example, see any justification for a mandate for more houses to 'continue the development line along Nelson Crescent.' That is completely contrary to the outline consent.

28. *We do not support the principle that any dwellings are justified for viability or aesthetic reasons.*

#### *Village Status*

29. Longstanton is classified as a Rural Growth village, which generally restricts new development to infill not exceeding 8 dwellings. The current application calls for 10 dwellings contrary to the village classification. Again early engagement with the village would have helped uncover concerns in this area.

30. *We do not support 10 dwellings on this site regardless for this reason alone, aside from any factors favouring or disfavouring residences at all.*

#### *Affect on Village Life*

31. A new convenience store will certainly affect the viability of the existing shop in Longstanton. While the Parish Council cannot consider competition as a negative thing in the village, it can consider the adverse effect that any new units may have on the post office. The Post Office acts as a cohesive element in any community and a lifeline for the many elderly residents that live in close proximity to it. Any development that would put its viability at risk must be considered in that light.

32. The village is certainly in need of more amenities such as cafés, pubs, and the like. The current application does not provide the scope for such amenities. On the contrary, it precludes them by using the last space specifically designated for such purposes for units unsuitable for cafés and pubs due to their size.

33. There has been concern from nearby residents that an off licence (or sales from the convenience store) would encourage loitering, noise, and littering later in the evening. We would expect that any licence would have restrictions against the sale of alcohol into the evening. However the Parish Council would submit specific comments and suggested remedies in light of particular applications for the use of the commercial units.

34. Finally, there is concern that there will be too much noise from extractors and air conditioning units at the rear of the commercial units, affecting both existing and proposed residences.

35. *There is insufficient space for the types of amenities needed in the village. There must be some form of restriction that will ensure that Longstanton is not left without a post office.*

#### *Drainage*

36. Anglian Water has recently written to the Parish Council to state that they can (and will) do nothing to remedy the existing sewage flooding. They state that they cannot cope with high volumes of surface water entering the drains, and offered no plans for remedy. Any further impervious surfaces will only exacerbate the problem. Current

year-on-year evidence is that current sewage flooding is intolerable let alone any further increase.

37. The Drainage Disposal Statement seems to have been written without any knowledge of the continuing sewage problems in the village as noted above. *It is completely unacceptable to drain further surface water into the sewage system as proposed, especially given Anglian Waters' clear statement that they could do nothing to prevent future flooding from surface drainage.*
38. *No construction can be permitted until Anglian Water has improved the infrastructure to cater for the surface run-off that the sewers receive.*

*Conclusion*

39. Being contrary to section 29 of the Outline Consent for the Home Farm development and being contrary to the infill guidelines for Rural Growth villages, the application must provide a particular added benefit. The current application provides insufficient scope for the types of amenities needed within the village. The additional housing is therefore not justified, *and the Parish Council recommends refusal.*"
40. The **Local Highway Authority** requested that the application be refused as originally submitted as the inter-vehicle visibility splay to the north encompassed land which was not adopted public highway nor under the control of the applicant and therefore future control of this area could not be guaranteed. The splay also traversed through the pillars of the bridge to the local brook. The proposed inter-vehicle visibility splay to the south was not shown in full, therefore, the Highway Authority could not be certain that this splay was unobstructed.
41. Should consent be granted it requests that a condition is attached requiring the submission and approval of a suitable drainage design so that no water from any private areas within the development can drain onto the adopted public highway.
42. It requested that the proposed access to the car park should be a simple dropped kerb rather than being formed in radii kerbs as shown, to give pedestrians clear priority. The proposed height of the 'low brindle battered kerbs' should be shown, and in areas where these are intended to allow pedestrian or cycle usage the face of the kerb should not exceed 6mm. The location of the bin stores and cycle parking for the private dwellings should be shown as in the past poorly located bin stores have been shown to lead to bins being stored on the adopted public highway which represents a potential hazard for footway users. As Longstanton now has a bypass through traffic is relatively light therefore well located cycle parking will encourage the use of this sustainable mode of transport for short to medium length trips were walking may not be considered acceptable.
43. The Local Highway Authority confirms that the amended drawing is acceptable as it overcomes the former objection as suitable inter-vehicle visibility splays can now be provided. Conditions are requested to safeguard the visibility splays and to ensure that the driveway is constructed to ensure that no private water from the site drains across or onto the public highway.
44. The **Urban Design Team** commented in respect of the original scheme as follows:
45. The addition of a further retail unit has reduced the space between unit 4 and plot 9, and the resulting 'garden' space belonging to plot 9 has become unusable and dark.

46. The addition of the hipped roof over unit 4 has upset the balance achieved by the previous submission and does not read well as it begins part way across. Removing the hipped roof and reverting to the straight ridgeline as per the previous submission would solve this.
47. In terms of massing the height of units 2,3 and 4 and the 2 detached dwellings adjacent to this block should be reduced. Reducing the height of the ridge will reduce the steep pitches more in keeping with the adjacent buildings and this would reduce the overall scale that the development will have on the street scene.
48. The height of the screen wall in front of plot 9, at 1.65m, is unacceptable. It should be no taller than 1m
49. The cycle parking in front of the building leaves cyclists in a vulnerable position where cars could shunt forward and hit someone locking up a bike. It should be moved away from car parking spaces so they are safer, especially for children.
50. The Urban Design Team comments that the revised drawings, in lowering the ridge heights and removing the hipped roof have improved the appearance of the commercial units and dwellings. It is also pleased to see that the screen wall has been reduced in height. The issue of the odd shaped garden between unit 4 and dwelling 9 has not been addressed.
51. The **Housing Development and Enabling Manager** comments that consultants have been appointed by the Council to look at the viability of this scheme in terms of delivering affordable units as part of the overall scheme. Negotiations are continuing but the payment of a commuted sum would be supported although affordable units on the site would be accepted provided that this does not affect the overall viability of the scheme.
52. The **Acting Environmental Health Manager** notes that the proposals may include uses within Classes A1, A2, A3, A5 and D1, which may include food premises such as a takeaway and or restaurant, and that the proposed development will be in close proximity to existing residential property. On balance there is no objection in principle to the application but there are a number of environmental health issues which need to be carefully considered and appropriately controlled to protect the amenity and health of the proposed and existing residential units and other premises.
53. It is therefore recommended that a series of conditions are attached to any consent controlling noise and dust during the construction phase; noise impact of retail/commercial premises on proposed and existing residential premises; operational odour generation and impact, and artificial lighting.
54. It is suggested that a number of informatives are attached to any consent giving guidance on what will be required to satisfy the various conditions.
55. In respect of comments raised by Anglian Water in respect of the proximity of its pumping station to the new development (see below), it is noted that there are existing residential properties as close or closer than the proposed development and there are no records of any complaints. It is felt that the pumping station is unlikely to have an impact on amenity and/or cause statutory nuisance in terms of odour and noise.
56. **Anglian Water** has not commented on the current application. In commenting on the earlier application it stated that that the site is within an area where there are no

public foul sewers within the vicinity of the development. However there is a private foul sewer currently under a Section 104 adoption agreement that may be able to accommodate the foul flows from the development. The owners therefore need to be approached for comments on available capacity.

57. The foul drainage from the development will be treated at Over Sewage Treatment Works that at present has available capacity for these flows.
58. It points out that the development site is within the 15 metre cordon sanitaire of a pumping station. Whilst it takes all reasonable practicable steps to prevent any nuisance arising from the site, it is nevertheless prudent that there should be no new development within 15 metres if the development is potentially sensitive to odour or other nuisance, or which might give rise to complaints from the occupiers regarding the location of the pumping station.
59. The **Environment Agency** comments that it has been previously consulted with the submitted Flood Risk Assessment (FRA) in respect of the previous application and it has essentially not changed from when the FRA was found to be acceptable for that proposal. It therefore has no objection provided similar conditions/informatives to those previously suggested are attached to any consent.
60. Conditions should require that the floor levels of the retail units and convenience store should be set no lower than 7.30m above Ordnance Datum Newlyn (ODN) unless otherwise agreed; the floor levels of any garages should be set no lower than 7.08m above ODN unless otherwise agreed; submission of scheme for surface water drainage; submission of amendment to the remediation strategy for approval if any contamination, not previously identified, is found to be present on the site
61. The **Ecology Officer** states that no specific scheme of ecological enhancement is required for this site due to the high density, limited landscaping and presence of mainly retail units. Landscaping will provide some limited biodiversity opportunities.
62. The comments of the **Landscapes Officer** , and the **Environment and Operations Manager**, will be reported at the meeting.

### **Representations**

63. 12 letters were received, commenting on the plans as originally submitted, from the occupiers of **Nos 6, 12, 16, 20, 24 and 26 Nelson Crescent, 37 and 42 Collingwood Drive** and **58 and 62 Stevensons Road** objecting to the application. The objections can be summarised as follows:
64. Erection of 4 dwellings and 6 flats does not fit the planning application remit which has set aside the land for "Community Site" or Village Amenity Use Area. There is a 10-year planning covenant on the land, due to expire in 2015, restricting the use to amenity purposes – housing is not an amenity.
65. The detached house design would afford view into the gardens and windows of several homes in Stevensons Road such as numbers 60, 62 and 64, leading to loss of privacy.
66. The application states that the four smaller units will be occupied by A1, A2, A3, A5 or D1 uses in accordance with the original outline consent. This is clearly not a true statement as the outline consent says the land should be used for no purposes other than A1, A3 or D1. The new planning statement gives a reason why A2 has been

included but it is silent about the addition of A5 – takeaway food – a use which would be objected to in the strongest possible terms by the local community. Any retail units being adopted for the purposes of a take-away shop would create a nuisance in terms of noise, smell and litter pollution and spoil the quiet enjoyment of the surrounding residences.

67. 9 car parking spaces for the convenience store and 4 retail units is too low and barely sufficient to cover for the parking provision of staff let alone customers. There is no specific parking provision for employees. This will result in parking alongside existing residences and blocking access to private driveways in Nelson Crescent. Vehicles parking along Nelson Crescent will not be able to turn without encroaching on private property due to the narrowness of the road. It will also lead to parking along High Street, blocking the pavement and reducing traffic to a single lane. There is concern that this may restrict access for emergency services vehicles.
68. The Cooperative store in Willingham has 28 parking spaces and at the weekend it is not unusual for all the spaces to be occupied.
69. The garages for the semi-detached homes will not accommodate cars due to their size and lack of storage space within the dwellings. The driveways for these homes are too small to support the two cars that a 4-bed home is likely to have. This will result in more parking along Nelson Crescent.
70. Allowing for one space per residential unit proposed ten parking spaces are required. Will these have to be taken off the parking for the shops?
71. If deliveries take place at the rear of the shops, adjacent to the play area, and as the flats have no gardens, it is likely that children will frequently be crossing from the proposed new dwellings to the play area. Coupled with the narrowness of the road there is a significant safety issue concerning the delivery of goods. Should deliveries take place from High Street there is no provision for parking. On this basis delivery areas do not appear to have been catered for at neither the front nor rear of the shops.
72. Nelson Crescent is not suitable for access by lorries and there is nowhere to turn around. Parking on High Street would be hazardous as there is a pedestrian crossing adjacent the site, although this is not shown on the site plan. It would also block visibility from Nelson Crescent. This area is now used as a route for parents and children to walk to Hatton Park Primary School.
73. Since the Longstanton By-Pass has opened through traffic has decreased dramatically and therefore the school run is much more enjoyable without HGV lorries to contend with, which was very worrying with small children on bikes etc, as well as being noisy.
74. Concern that an off licence (or sales from the convenience store) would encourage loitering, disruptive behaviour, noise and littering later in the evening, especially around the Nelson Crescent play area and spoil the quiet enjoyment of surrounding properties.
75. There will be too much noise from extractors and air conditioning units at the rear of the commercial units, affecting both existing and proposed residences.
76. Noise disturbance will be exacerbated by late night shopping and Sunday opening which will cause stress and impact on the quality of life of nearby residents.

77. The design of the shops, which are situated right across the High Street pavement, is totally out of character with existing residences and other commercial properties in the village which are typically set well back from the pavements and roads. The position, size, design and external appearance would be an intrusive development, out of character with surrounding development in the locality and harmful to the appearance of the surrounding street scene.
78. The need for an additional convenience store and retail units in the village is questioned given that there was a store in the village which has stood disused for many years and has recently been converted to a dwelling. In addition Cambridgeshire's largest Tesco's superstore is located in neighbouring Bar Hill as well as a Cooperative Supermarket in neighbouring village Willingham. Furthermore, a Post Office/Convenience Store already exists on the same road in Longstanton, the viability of which will be threatened by the proposed development. There is also a vets, dentist and a Chinese takeaway in the village. There is therefore concern that the addition of a further convenience store and retail units will site disused and neglected for a number of years to come.
79. The convenience store and retail units will result in adverse lighting at night thereby creating a nuisance to local residences.
80. Noise at all hours from delivery vehicles.
81. It is understood that Anglian Water has recently been in contact with the Parish Council to say that it is unable to remedy the existing sewage flooding in the village. It appears that Anglian Water cannot cope with the high volumes of surface water entering the drains, and had no plans to implement a remedy. This situation is totally unacceptable to local residents, and additional impervious surfaces will only exacerbate the problem. There should be no further development until the problem has been sold.
82. Additional flood risk as the site is adjacent a stream and in a flood plain.
83. Any building on the proposed site would leave the village deficient of a public green open space. There is insufficient provision of quality amenity space on the site.
84. The original decision to refuse should be upheld in respect of this unrevised application.
85. Serious overdevelopment of the site.
86. Disruption from construction noise and traffic.
87. There is concern that the application states that the applicant has undertaken significant consultation with both the Local Planning Authority and Parish Council however at a recent Parish Council meeting it was publically stated that there had been no communication between the applicants and the Parish Council since the Parish Council recommended refusal of the previous scheme. It appears that there is an attempt to portray this application as having the support of the Parish Council and the local population, when clearly it has the support of neither.
88. Concern at the possibility of litter dropping and youths gathering outside the convenience store and causing damage to the adjacent green area, particularly if alcohol is served.

89. The two new houses that will be located on Nelson Crescent are totally different in style to existing dwellings.
90. The attraction of shops will bring traffic back into the village which will significantly increase risk to residents.
91. The development proposed is inappropriate for this site with unacceptable consequences on the local infrastructure i.e. character, noise, traffic, pollution, open space, loss of light, wildlife, safety, transport, loss of privacy and, parking.
92. One letter, from the occupier of **16 Duddle Drive**, supports the application on the basis that a local store for emergency shopping will be far better and sustainable than having to travel.
93. In respect of the amended drawings further letters have been received from the occupiers of **Nos 6, 16 and 24 Nelson Crescent, 42 Collingwood Drive and 58 and 62 Stevensons Road**. The letters rehearse previous objection and state that the revised plans do not address these concerns . One letter queries how revisions can be made to the application at this stage. The is concern about possible damage to the block paving of Nelson Crescent from HGV lorries and if this road is still not adopted it is queried who will be responsible for maintenance.
94. In addition letters have been received from the occupiers of **60 and 63 Stevensons Road** rehearsing comments outlined above in this section and expressing concern about potential overlooking and loss of light. The design of the proposed development is questioned, particularly as the shops will be right against the High Street pavement.

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

95. The outline planning consent for the Home Farm development, granted in 2000, accepted that this area of land would be developed for the uses specified in Condition 29 of that consent. In assessing the current application the key issues for Members to consider are land use; scale of development; visual impact on the character of the area; access and car parking; affordable housing; neighbour amenity; drainage and; open space.
96. Members should be mindful that the previous application, which was very similar in scale, form and layout was refused only on the two grounds referred to under Planning History above.

#### ***Land Use***

97. This application is submitted as a full application and should be considered on its merits. As a full application it is not bound by the conditions attached to the outline consent. Whilst the time limit to submit reserved matters has expired, Condition 29 of the outline consent restricting the uses on the site remains extant. However the condition is only effective for a period of 10 years from the commencement of any part of the development on the whole site. From information supplied by the Building Control Section it would appear that work on Stage 1 of the Home Farm housing development commenced in July 2005, however Condition 29 stated that the period of 10 years was to run from the commencement of development on any part of the site.

98. The outline application included, in addition to the housing element, the B1050 Bypass for Longstanton and related road works. Condition 11 required the provision of a haul road and it would appear that work on this commenced in the second half of 2003. I am therefore of the view that Condition 29 only remains in effect until the second half of 2013.
99. There is to be a meeting between officers, Longstanton Parish Council and Councillor Riley to look at the this date as I understand there is some local concern that it may not be correct and I will update Members on this point at the meeting
100. The application contends that in order to provide a viable scheme for the commercial development of the site the provision of residential accommodation is required. A financial appraisal of the development has been supplied to officers to support this position.
101. There is no requirement within the existing outline planning consent for the community site to be developed, and there is therefore a possibility that the site could remain in its current undeveloped state, if a viable scheme for development is not supported. After the expiry of the 10 year period, which is now just over 2 years away, any future application for development of the site would have to be judged against relevant policy at that time, but would not be necessarily obliged to provide any of the uses for which the land was reserved in the outline consent.
102. I am therefore of the view that if the introduction of some residential development on the site will help to bring forward a viable scheme, which will include some, or all of the uses originally envisaged, it should be considered as an appropriate way forward.
103. I am aware that Members previously did not accept this argument and reason of refusal 1 reflected this. I am of the view that given it now appears that Condition 29 of the outline consent ceases to have effect in 2013 that the principle merits further consideration if there is a desire to ensure that the site is developed by a scheme which includes the uses originally envisaged
104. There has been local concern about the possibility of a takeaway being introduced into the commercial units (Class A5). Members should note however that when outline planning consent was granted in 2000 the definition of an A3 use at that time, permitted as one of the possible uses, 'the sale of food or drink for consumption on the premises or of hot food for consumption off the premises'. A separate use class for takeaways was introduced when the Use Classes Order was amended in 2005. As such the potential for a takeaway use was accepted at the time of granting the original outline consent. The introduction of an A2 use is new.

***Scale of Development***

105. The application proposes the erection of ten dwellings as part of the mixed-use scheme. Policy ST/5 of the Local Development Framework Core Strategy identifies Longstanton as a Group Village (not a Rural Growth village as referred to in the Parish Council comments). This states that within village frameworks schemes for residential developments up to an indicative maximum size of 8 dwellings may be permitted, although exceptionally development of up to about 15 dwellings may be permitted, where this would make best use of a single brownfield site.
106. The site cannot be considered as brownfield and therefore the application has been advertised as a departure from the Development Plan. The applicant argues that the number of dwellings proposed is required in order to bring forward a viable mixed-use



development, and given the potential benefits to the village in bringing forward the proposed commercial element of the scheme I do not object to the additional two dwellings as a matter of principle. I am of the view that the application would not need to be referred to Go-East.

***Affordable Housing***

107. Policy HG/3 seeks to secure 40% or more of the total number of dwellings provided as affordable housing, although it states that within individual developments the proportion and type of affordable housing will be the subject of negotiation with applicants and that account will be taken of any particular costs associated with the development and other viability considerations. In this case the applicant has stated that the scheme is not viable if the scheme provides the 4 affordable units as required under Policy HG/3, and a detailed financial appraisal has been submitted to support this claim.
108. The text of Policy HG/3 indicates that it would not be appropriate to look for a financial contribution towards affordable housing in lieu of built provision in major developments and this application has been advertised as a departure from the development plan
109. There have been ongoing discussions with the applicant since the refusal of the original application regarding the viability appraisal of the scheme, in particular in agreeing the methodology to be employed. It would appear that there is now agreement on this point, although there remains some debate about the figures to be used for residential sales values and commercial yields. The consultant acting for the Council has put forward a figure for an initial commuted sum of £71,640 to the applicant, but has stressed that this is very much based on an assessment of existing market conditions. This figure is for affordable housing only and excludes an additional payment of £31,364 as an off-site open space contribution. It is therefore suggested that any agreement contains an escalator provision that would allow the Council to secure a higher sum, subject to an agreed limit in total of £377,201, should market conditions improve.
110. The applicant responded by offering a total figure of £50,000 (affordable housing and open space contribution). The applicant did not feel that an escalator provision was appropriate for a development of this scale but suggested that a condition could be imposed on any consent requiring implementation within 12 months, to help address concerns that might arise should market conditions change within the normal 3 year life of a planning consent.
111. Since the February meeting the applicant has now confirmed acceptance of a fixed financial contribution of £103,004 based upon the conclusions of the Council's consultant, comprising £31,364 for public open space and a residue of £71,640 for affordable housing. The applicant would wish the consent to be for a 3 year period but would accept an escalator provision if the development has not commenced within 1 year. Details of the escalator provision would be submitted as part of the legal agreement. A new condition is offered to the effect that the housing elements shall not be occupied until the commercial space is available as shell and core units which the applicant states will protect the Council against the position that a material start is made to the housing but not the commercial facilities.
112. I am of the view that the sum offered by the applicant, which accords with that suggested by the Council's consultant is acceptable, with the provision of an escalator clause in the legal agreement as suggested.

***Visual Impact on the Character of the Area***

113. The design of the earlier scheme (S/0745/09) had been influenced by the input from the Council's Urban Design Team and design was not one of the two reasons of refusal of that application. The general form of the development proposed will sit well in the street scene, although the height of the buildings, which rise to just over 11m for a section of the buildings fronting High Street will be above that of the existing development in the surrounding residential developments.
114. The comments of the Urban Design Team have been considered by the applicant and amended drawings submitted.
115. The applicant does not agree with the comments of the Urban Design Team regarding the garden to house 9 stating that it will gain sunlight from the east and west and could have a variety of uses. It is stated that the recommendation that No 9 is rotated does not work as it would result in a narrow alley between it and unit 4 without access and would be totally unusable and unpleasant. There is concern that it would also result in a loss of privacy for No 9 as it would face directly onto the car park

***Access and Car Parking***

116. The revised drawings address the concerns of the Local Highway Authority regarding the ability to provide adequate visibility splays on land within the control of the applicant. To achieve this the access to High Street has been moved further south, which has resulted in the loss of one parking space at the front of the site.
117. The Council's adopted car parking standards would indicate that the maximum level of car parking that should be provided on the site to serve the commercial uses proposed is 34 (based on all units being food shops). The amount of parking available on site for parking for the commercial uses is 10 spaces and is therefore significantly below the maximum requirement.
118. In negotiations over the design and scale of the scheme the Urban Design Team has sought to reduce the number of car parking spaces provided within the site, in an attempt to avoid a layout which would otherwise be potentially visually dominated by such provision.
119. The applicant has argued that the commercial uses envisaged for the site will predominately serve the immediate community and therefore many people will be able to walk or cycle to the site, thereby reducing the need for on-site parking provision. 20 cycle parking spaces are provided on the site to encourage people to travel to the site by methods other than the car.
120. In my view the level of car parking provided is towards the minimum that should be considered, however it is difficult to see how additional on-site parking could be provided without a reduction in the amount of commercial floorspace provided, or a reduction in the number of residential units, both of which may affect the viability of the scheme as a whole.
121. There is concern that the lack of parking will lead to additional parking in Nelson Crescent, and that delivery vehicles will cause traffic problems in Nelson Crescent and be a potential danger to children using the adjacent open space.

122. There is no formal area for turning within Nelson Crescent, however the applicant has provided a drawing to the Local Highway Authority demonstrating that a delivery vehicle using the parking area provided within the new development will be able to turn out of the site into Nelson Crescent and leave in forward gear. A condition can be attached to any consent restricting the hours of deliveries.
123. The application envisages that only deliveries to the convenience store will be via the rear access and that these should probably be no more than two a week.

***Neighbour Amenity***

124. The issues of the impact of the development on neighbour impact should be assessed both in terms of the impact from the residential development and commercial units.
125. In terms of the impact of the residential elements of the scheme concern has been expressed about the potential overlooking of properties in Collingwood Drive and Stevensons Road and their gardens. The proposed flats above the commercial units are between 13m and 20m from the rear boundary of the gardens with Nos 42 and 44 Collingwood Drive, with a distance of between 21m and 30m from building to building.
126. The first floor windows in the rear elevation of Flat 8, which look towards the rear of the houses in Collingwood Drive, serve a kitchen and bedroom. These windows are a minimum of 16m from the boundary.
127. The first floor windows in Flat 7 which look towards the rear of the houses in Collingwood Drive, also serve a kitchen and bedroom. The kitchen window is one of two serving that room and be required to be obscure glazed by condition. The bedroom window will be 14m from the boundary.
128. A landing window in the access stairway which serves Flats 8 and 9 may have the potential to overlook the rear of the properties in Collingwood Close, but this window can be obscured glazed by condition.
129. I am of the view that the distance from the rear first floor windows of the proposed detached house on Plot 10 (15m) to the gardens of houses in Stevensons Close, and the relative positions of the dwellings, is sufficient to prevent any unreasonable loss of amenity to the occupiers of these properties from overlooking.
130. I do not consider that the proposed development will have an unreasonable impact on light to adjacent properties.
131. Regarding the impact of the commercial units I have commented earlier on the possible use of one of the units as a takeaway and that such a use would have been permitted under the terms of the original outline consent. The Acting Environmental Health Manager does not object to such a use in principle but requires conditions to be included in any consent to secure odour and noise control. Conditions controlling opening hours and delivery hours are also suggested, and should be included in any consent.

***Drainage***

132. The Environment Agency previously agreed the Flood Risk Assessment submitted by the applicant. As conditions of any consent it suggests minimum finished floor levels

and the finished floor levels shown on the submitted drawings comply with the requirement of the Environment Agency

133. Anglian Water did not object to the previous application, commenting that there is sufficient capacity at the Over Sewage Treatment Works.
134. Conditions can be attached to any consent requiring the submission of a scheme for foul and surface water drainage for approval.

***Open Space***

135. An area of informal space has not been provided within the site, however given the mixed nature of the development and its location immediately to the north of an existing area of open space, I am of the view that a contribution towards off-site provision is appropriate in this case, and should be a figure of £31,364. This figure has now been agreed by the applicant.

***Other Matters***

136. The impact of the proposed development on the viability of existing commercial enterprises in the vicinity is not a material planning consideration in considering a development of the scale proposed.
137. The applicant has submitted an Energy Statement, which concludes that a scheme for solar water heating can best meet the objectives of Policy NE/3 in this case. Details of the scheme can be secured by condition.
138. The Ecology Officer does not require a biodiversity assessment in this case.
139. I agree with the Parish Councils comment that a condition should be included in any consent regarding the timing of development to ensure that the commercial units are brought forward at the same time as the residential development.

***Conclusion***

140. Members will need to take a view as to whether the current application has adequately addressed the two reasons for refusal of the earlier application.
141. I have set out above my view that, given that the condition on the outline consent which reserves this site for 'communal uses' remains extant for a further period of less than 3 years, which is less than that envisaged when considering the previous application, it may be reasonable to accept this application as providing an opportunity to ensure that the commercial uses come forward on the site. I will update Members at the meeting on the outcome of the discussions between officer, Longstanton Parish Council and the local member regarding the period for which Condition 29 remain extant
142. The applicant has now agreed to the contribution identified in lieu of the provision of affordable housing on the site and in my view this addresses the second reason of refusal of the earlier consent.
143. Members will have to balance the desirability of bringing forward these commercial uses, and the benefits this may bring for the community, against the introduction of residential accommodation on the site and accepting the lower commuted payment

offered for affordable housing and open space, although this sum is as a result of a full financial appraisal of the scheme

144. I am of the view, on balance, the scheme can now be supported as it achieves a viable proposal which will bring forward the uses on the site which were envisaged in the outline consent.

#### **Recommendation**

145. That the application be approved subject to safeguarding conditions, including the following
- a. **Time limit – 3 Years**
  - b. **The development hereby permitted shall be carried out in accordance with the following approved plans: 1282 50 Rev C, 1282 52 RevB, 1282 53 RevC, 1282 54 RevC, 1282 55 RevB and, 1282 57 RevC**  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
  - c. **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.)
  - d. **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.)
  - e. **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.)

- f. 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.)
- g. Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.**  
(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the adopted Local Development Framework 2007.)
- h. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.**  
(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
- i. No construction work and/or construction collections from or deliveries to the site shall take place, other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless previously agreed in writing with the Local Planning Authority. No construction works or collections/deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise previously agreed in writing by the Local Planning Authority.**  
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
- j. No development shall commence until a programme of measures to minimise the spread of airborne dust (possible wheel washing and dust suppression provisions) from the site during the construction period or relevant phase of the development has been submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be implemented in accordance with the approved details unless otherwise previously agreed in writing by the Local Planning Authority.**  
(To protect the amenities of nearby residential properties in accordance with Policies DP/6 and NE/15 of the adopted Local Development Framework 2007.)

- k. Before the development/use, hereby permitted, is commenced, a noise assessment of the building(s) (other than residential) and/or associated plant and equipment and a scheme for the insulation as necessary, in order to minimise the level of noise emanating from the said building(s) and/or plant/equipment shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall thereafter be maintained in strict accordance with the approved details in perpetuity and shall not be altered without the prior written approval of the Local Planning Authority.**  
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
- l. No development shall commence until full details of a scheme of sound insulation between any retail, food or commercial (any premises class use other than residential) and residential uses within the same building – the apartment building, has been submitted to and approved in writing with the Local Planning Authority. The scheme shall subsequently be implemented and maintained in strict accordance with the approved details in perpetuity and shall not be altered without the prior written permission of the Local Planning Authority.**  
(Reason - To minimise noise disturbance for residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
- m. No collection of refuse or recyclates arising from any retail, food or commercial uses shall take place outside the hours of 0700 to 2100 Monday to Saturday, and shall not take place at all on Sundays, Bank and Public Holidays unless otherwise agreed in writing by the Local Planning Authority.**  
(To protect the amenities of nearby residential properties in accordance with Policies DP/6 and NE/15 of the adopted Local Development Framework 2007.)
- n. No vehicles associated with any retail, food or commercial units shall be loaded or unloaded outside the hours of 0700 and 2100 on Monday to Saturday, and shall not take place at all on Sundays, Bank and Public Holidays unless otherwise agreed in writing by the Local Planning Authority.**  
(To protect the amenities of nearby residential properties in accordance with Policies DP/6 and NE/15 of the adopted Local Development Framework 2007.)
- o. Restriction on the hours of opening times of the retail and commercial uses. 0700 hours to 2300 hours Monday to Saturday, 2100 on Sunday (to be discussed with applicant)**
- p. No individual retail or commercial unit shall be first occupied, and shall not be occupied by each subsequent occupier, until details of equipment for the purpose of extraction and/or filtration and/or abatement of fumes and/or odours, or air conditioning, has been submitted to and approved in writing with the Local Planning Authority. The approved extraction/filtration/abatement scheme/s shall be installed before the use hereby permitted is commenced and shall thereafter be maintained for the duration of that use. Any approved scheme /system shall not be**

**altered without the prior written approval of the Local Planning Authority.**

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

- q. Prior to the commencement of the development a lighting scheme, to include details of any external lighting of the site such as street lighting, floodlighting and security lighting, shall be submitted to and approved in writing by the Local Planning Authority. The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its prior written consent to variation. No lighting shall be installed on the site other than in accordance with the approved scheme.**  
(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.)
- r. Ground floor levels of any part of the residential development shall be set no lower than 7.40 metres above Ordnance Datum Newlyn (ODN) unless otherwise agreed in writing with the Local Planning Authority.**  
(Reason – To protect the development from flooding in extreme circumstances.)
- s. Floor levels of any retail units and the convenience store shall be set no lower than 7.30 metres above Ordnance Datum Newlyn (ODN) unless otherwise agreed in writing with the Local Planning Authority.**  
(Reason – To protect the development from flooding in extreme circumstances.)
- t. Floor levels of any garages shall be set no lower than 7.08 metres above Ordnance Datum Newlyn (ODN) unless otherwise agreed in writing with the Local Planning Authority.**  
(Reason – To protect the development from flooding in extreme circumstances.)
- u. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.**  
(Reason – To prevent the increased risk of contamination or migration of contaminants to the water environment.)
- v. No development shall begin until details of a scheme for the provision of affordable housing and recreational infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policies HG/3 and SF/10 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.**  
(Reason - To ensure that the development contributes towards affordable housing, recreational and educational infrastructure in accordance with the



above-mentioned Policies and Policy DP/4 of the adopted Local Development Framework 2007.)

- w. **Notwithstanding the submitted details, no development shall commence until a scheme for the on-site generation of renewable energy has been submitted to and approved in writing by the Local Planning Authority.**

**The scheme shall include:**

- **Details of the predicted energy requirements of the development, hereby permitted;**
- **Details of the measures for the on-site generation of at least 10% of the predicted energy requirements of the development, hereby permitted;**
- **Details of the provision for future monitoring of the energy requirements of the development and the energy output from the renewable energy generation measures;**
- **A timetable for the implementation of all necessary works.**

**The scheme shall be fully implemented in accordance with the approved details and the timescales contained therein unless otherwise agreed in writing by the Local Planning Authority.**

(Reason – In the interest of reducing greenhouse gas emissions in accordance with Policy NE/3 of the adopted Local Development Framework 2007.)

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

(Reason – To comply with Policy NE/12 of the adopted Local Development Framework 2007.)

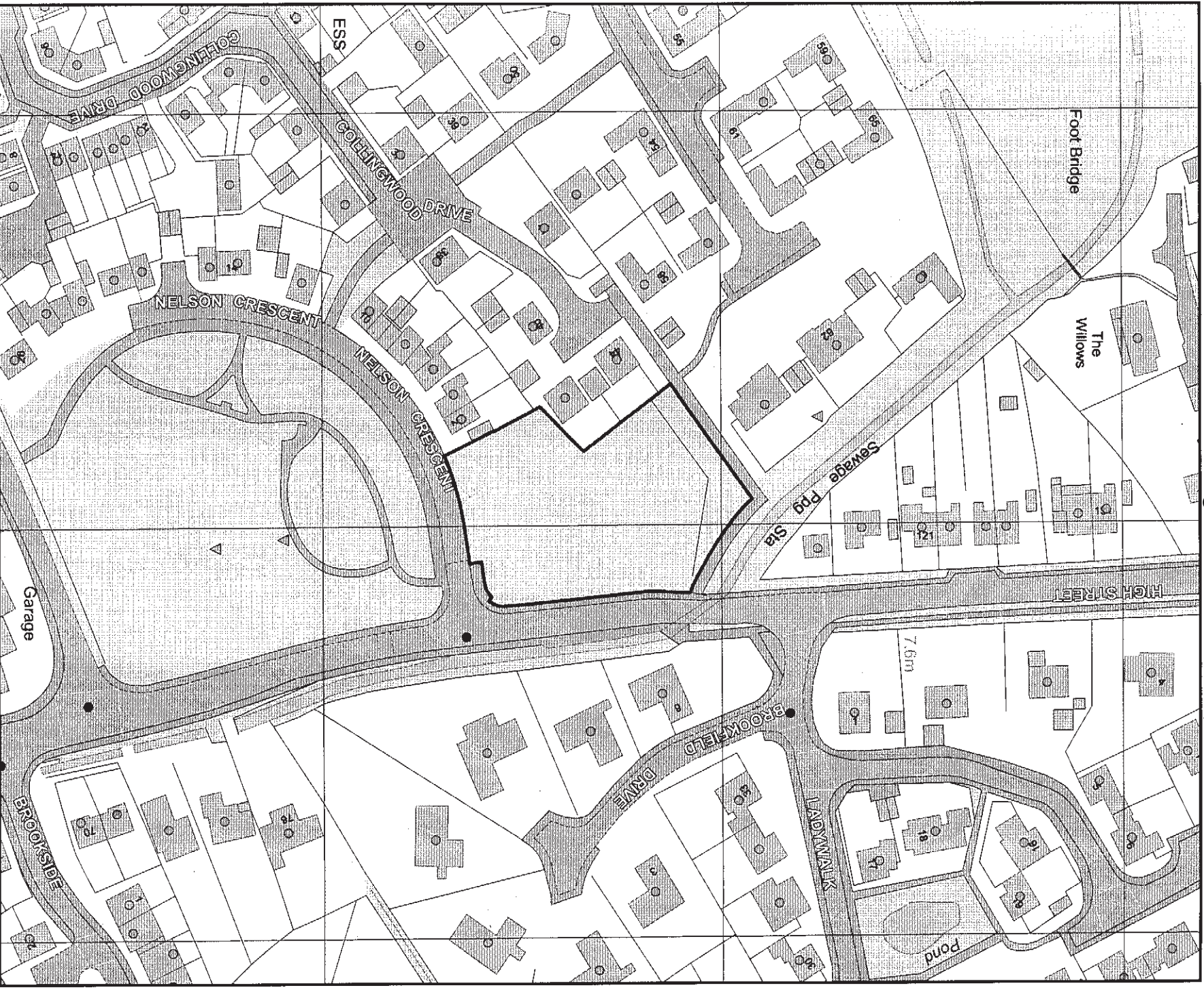
+ Highway conditions  
Timing/phasing of development  
Obscure glazing to specified openings  
Control of mix of commercial units

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Planning File Ref: S/1463/10, S/0745/09/F and S/0682/95/O

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

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1463 Longstanton

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

2 March 2011

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

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**S/2079/10 - LONGSTANTON****Erection of 8 affordable units and cycle/bin store following demolition of two dwellings and garages – Garages 18 &19, Haddows Close, Longstanton, Cambridgeshire for Bedfordshire Pilgrims Housing Association****Recommendation: Refusal****Date for Determination: 17 January 2011****This Application has been reported to the Planning Committee for determination because the land is owned by South Cambridgeshire District Council.****Site and Proposal**

1. The site is located within the designated Longstanton village framework, and seeks the erection of eight affordable dwellings following demolition of two existing dwellings and the block of garages on the site. This would create 2x3 bed dwellings including a bungalow, 2x2 bed dwellings, 2x2bed flats and 2x1 bed flats. The dwellings to be removed are the Airey houses of 18 and 19 Haddows Close, which front the junction within Haddows Close. To the west side of these dwellings is a narrow single track road leading to an area of hardstanding surrounded by 21 garages. There are residential dwellings to the north, west and east of the site. To the south is a drain with some mature trees planted. Beyond this is a public footpath and open countryside. The site is located partially within flood zones 1, 2 and 3a given the proximity of the drain.
2. The full application was validated on 22nd October 2010. It is accompanied by a Design and Access Statement, a Flood Risk Assessment, an Ecological Appraisal, and a Landscape Strategy.

**Planning History**

3. A parking area for residents of 22-25 Haddows Close was granted planning permission through application **S/1010/05/F**, extending the cul-de-sac to allow vehicle access.
4. Parking bays between 27 and 28 Haddows Close were granted consent through application **S/1411/97/F**.
5. An application for a residents parking bay to the south of 13-16 Haddows Close (**S/1703/94/F**) was withdrawn.

### Planning Policy

6. **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007: ST/6 Group Villages**
7. **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, **HG/3** Affordable Housing, **SF/10** Outdoor Playspace, Informal Open Space, and New Developments, **SF/11** Open Space Standards, **NE/1** Energy Efficiency, **NE/6** Biodiversity, **NE/11** Flood Risk, **NE/15** Noise Pollution & **TR/2** Car and Cycle Parking Standards.
8. **Open Space in New Developments SPD** – adopted January 2009, **Affordable Housing SPD** – adopted March 2010, **Trees and Development Sites SPD** – adopted January 2009 & **District Design Guide SPD** – adopted March 2010.
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. **Longstanton Parish Council** recommends approval subject to attention paid to flooding potential and the effect of flooding on the foul drainage system. Off street parking is considered essential for 30 Haddows Close.
12. The **Environment Agency** objects to the proposal as submitted on grounds of flood risk and the risk of contamination to groundwaters. The first objection is based on the flood risk assessment not complying with the requirements of Planning Policy Statement 25. The proposal does not have a safe means of access during floods, is not currently defended to appropriate standards, would impede flood flow and reduce storage capacity, and is inappropriate in a flood risk vulnerability category. With regards to groundwaters, the Environment Agency object as inadequate information has been provided to demonstrate that risks posed to groundwater can be satisfactorily managed.
13. The **Council's Trees Officer** notes the trees are already compromised by the hardstanding on the site, and area that would become garden. There would be potential pressure on the trees from shading, but the trees are not considered of a quality worthy of a Tree Preservation Order.
14. The **Local Highways Authority** note they would not adopt the road as it does not serve five or more individual dwellings. Conditions are requested seeking a traffic management plan for the demolition and construction phase, pedestrian visibility splays to be retained, materials to be used for the access,

and drainage mechanisms for the access. An informative regarding works to the public highway is also proposed.

15. Members will be updated on comments from the Housing Development and Enabling Manager.

### **Representations**

16. Letters of objection have been received from occupiers of 16 dwellings on Haddows Close. The objections are based on the following:

- Flood risk
- Proposed drainage and waste disposal methods
- Design of the dwellings
- Impact upon the character and appearance of the area
- Impact upon the trees along the southern boundary
- The proposed tenure mix
- Parking provision in Haddows Close
- Highway safety along Haddows Close and High Street
- Lack of public consultation

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

17. The key issues to be considered in the determination of this application area are the principle of development, flood risk, impact upon the amenity of the occupiers of neighbouring properties, impact upon the street scene, impact upon the trees, open space provision, and highway safety and parking provision.

#### *The Principle of Development*

18. The application site lies within the Longstanton village framework. The village is classified as a Group Village under Policy ST/6 of the Core Strategy 2007, where residential development or redevelopment up to a maximum scheme size of eight dwellings will be permitted within village frameworks, subject to site-specific issues. The proposal is for 100% affordable housing but given Policy ST/6 of the Core Strategy, the proposal is not an exceptions site.
19. The site has an area of approximately 0.198 hectares. Policy HG/1 of the LDF DCP 2009 seeks residential developments to make best use of a site by achieving average net densities of at least 30 dwellings per hectare unless there are exceptional local circumstances that require a different treatment, and higher densities of 40 dwellings per hectare should be achieved in more sustainable locations close to services. The development provides 40 dwellings per hectare. I do not consider that the site could be defined as a more sustainable location. However, the density figure is large due to the proposal for the flats on the site. I consider the local need for such units would overcome the higher density in this instance. Members will be updated on comments from the Housing Development and Enabling Manager.

*Flood Risk*

20. The site is located within varying flood zones. Plots 1 and 2 and the majority of the access road lie within flood zone 1. The majority of the rest of the site falls within flood zone 3a including the area where six of the dwellings would be located, although there is a strip of land approximately 4m in width within flood zone 2. Flood Zone 3a is defined in the South Cambridgeshire and Cambridge City Level 1 Strategic Flood Risk Assessment (SFRA) as an area with a high probability of flooding. The zone comprises land assessed as having a 1 in 100 or greater annual probability of river flooding (>1%). Only water-compatible and less vulnerable uses of land are considered appropriate to the zone. Dwellings are classified as a “more vulnerable use”, and the SFRA states such uses should only be permitted in zone 3a if the Exception test is completed. The SFRA notes that Councils should seek to reduce overall level of flood risk in such area, relocate existing development to land in zones with a lower probability of flooding, and create space for flooding to occur by restoring natural floodplains and flow paths.
21. The applicant has provided a Flood Risk Assessment with the application. However, the comments from the Environment Agency are noted. They object on grounds of flood risk and risk of contamination to underground waters. The submitted Flood Risk Assessment is not considered appropriate to the site. With regards to flood risk, the proposal does not include a safe means of access in flood events, the site is not defended to an appropriate standard, the site would impede flood flow and reduce storage capacity, and the development is inappropriate in zone 3a. Regarding risk to contamination to groundwaters, it is considered not enough information has been provided to demonstrate the risks posed. Reference is made to the relevant Government Guidance (Planning Policy Statement 25: Development and Flood Risk and Planning Policy Statement 23: Planning and Pollution Control).
22. Given the views of the Environment Agency, the application is recommended for refusal. The comments have been fed back to the applicant, and Members will be updated on any further comments received on this matter. There is no objection to the redevelopment of plots 1 and 2 that are located in flood zone 1.

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

23. Plots 1 and 2 would replace the existing two-storey properties on this part of the site. The existing two-storey dwelling lines up with 17 Haddows Close. The bungalow on the adjoining plot would extend deeper into the plot by approximately 5m and would be set 1.8m from the shared boundary. Whilst the dwelling would be visible from the rear garden of 17 Haddows Close, the eaves height of the proposed bungalow is 2.3m, with the roof sloping away from the shared boundary. The highest point of the roof at 5m in height would be 7m from the shared boundary. Plot 2 is set a considerable distance from 17 Haddows Close and would not have any impact. I do not consider the proposal would create any material harm to the amenity of the occupiers of 17 Haddows Close.
24. The existing properties of 13-16 Haddows Close currently have garages forming their rear boundary. Removal of these garages allows the potential for land to be given to the occupiers of these properties to create longer rear



gardens. This land does fall outside of the application site. Plot 3 would be located 6.4m from the existing rear boundary of 13 and 14 Haddows Close. This distance would be reduced to 1.8m if the additional land were given to these properties. The eaves height of plot 3 would be 5m. This dwelling would be clearly visible from the rear gardens of the 13-16 Haddows Close. However, the harm created by its proposed proximity is countered by the additional land being offered to these properties. If the land were to remain with the site, the 6.4m gap would be acceptable. I therefore do not consider the proposal would be viewed as overbearing when viewed from the houses and rear gardens of these adjacent properties. If the land was not transferred, it would still provide relief from the development, and therefore no condition insisting this should take place would be required.

25. A condition would be required to ensure that no further windows are added at first floor level to the first floor side elevation of plot 3. There is a proposed bathroom window that would require a condition to be obscure glazed. There would be some overlooking of the rear gardens of 15 and 16 Haddows Close from the front bedroom window to plot 3. However, these properties would have long gardens given the extra land to be passed on, and they will both retain private amenity space that would not be overlooked. I do not consider the proposal would unduly harm the amenity of the occupiers of 13-16 Haddows Close. It should also be noted the occupiers of 16 Haddows Close would benefit from the removal of 18 Haddows Close, which does cause some overlooking to its rear garden. The replacement bungalow in this location would not cause any overlooking. I do not consider that any noise and disturbance from the use of the access would harm surrounding properties, especially given the potential for journeys to the existing garages.
26. The occupier of 20 Haddows Close would lose half of the rear garden to allow for the turning and parking area to the rear. The dwelling would still have a rear garden approximately 11m in length although this would include the newly created parking space. Given the existing road to the garages, I do not consider the occupier of this property would suffer any significant noise and disturbance from vehicles passing. Nor would they be overlooked by any of the proposed dwellings although a condition would be required to prevent first floor side windows to plot 2 that could overlook the rear garden of 20 Haddows Close. I do not consider the proposal would result in any serious harm to the occupiers of 20 Haddows Close.
27. The rear gardens of plots 3-7 would be between the unit and the drain to the south. These gardens would measure between 10-14m in length. The trees along the rear boundary would be located mostly outside the application site. However, given the size of the trees, they would overhang the rear gardens, and would cause a large amount of overshadowing in this area. Some loss of light would occur to the dwellings particularly at ground floor level. Whilst the overshadowing is unfortunate and would detract from the use of some of the gardens, I do not consider it would seriously harm the amenity of the occupiers of these dwellings.

*Impact upon the Street Scene*

28. The proposal seeks to replace two Airey houses at 18 and 19 Haddows Close. These dwellings are not considered of any architectural merit, and there is no objection to their removal. The two dwellings proposed are a three-bed two-storey dwelling linked to a three-bed bungalow by a carport.

The two-storey dwelling would total 7m in height, and its bulk would be reduced by the introduction of hips to the roofs. The bungalow would total 5m in height at its highest point. The Airey houses are located at the end of the main road into Haddows Close and are relatively prominent in the street scene. Whilst a bungalow would be a new feature, I do not consider that any serious harm would result to this element of the street scene.

29. Plots 3-8 are located at the end of the proposed widened road. These dwellings would be viewed in the back drop of the existing housing on the site. They would be taller than the frontage plot, with a roof height of 7.6m. There is a gap of 1m between plots 4 and 5 that will break up the bulk, as would the frontage gable to the flats and the hipped roofs. I do not consider that the design of these rear units would harm the existing street scene, and nor would they create a negative street scene in their own right for plots 3-8.
30. It is noted there is local concern about the use of hipped roofs. The majority of properties do not have hipped roofs, but they are evident at the residential block south of 17 Haddows Close and at the bungalow of 3 Haddows Close in close proximity to the site. The hipped roofs would not therefore be an alien feature in the street scene, and they will reduce the bulk of the development, particularly to plot 3. There is also local concern about the brick to be used. The applicant has stated their desire to use a red/orange brick. A condition can be added to ensure details are appropriate to the area. A lighter brick may well be more appropriate, but this can be negotiated post decision where necessary. The removal of the ageing garages is also likely to be a visual improvement for the area.

#### *Impact upon Trees*

31. The southwestern boundary of the site has a large tree belt that is growing in and around the drain. This tree belt provides a green edge to the village when viewed from Haddows Close, and the trees are clearly visible above the existing garages. The trees are also important given the views from Hattons Road to the northwest. There is a break in the boundary hedging along this road, with the trees clearly visible across the adjacent agricultural land. There is a footpath that runs to the south of the tree belt, further increasing the importance in the street scene.
32. The Council's Trees Officer notes that the trees are already compromised by the existing garage block and the associated hardstanding. This area would be reverted to garden land and therefore the pressure on the root systems would be reduced. The trees are not considered of being of a quality worthy of a Tree Preservation Order. The location of the gardens to the north of the tree belt is likely to increase the pressure on the trees to reduce shading, and the trees are also likely to drop branches in the rear gardens. However, retention of a significant tree belt is considered to be achievable.

#### *Open Space Provision*

33. The proposal does not include any on site provision of open space in lieu with Policies DP/4 and SF/10 of the LDF DCP 2007, the Open Space in New Developments SPD and the Longstanton village audit. The applicant is aware that a financial requirement is required in lieu of on-site provision. This would

be to the sum of £10,467.24. Members will be updated as to whether the applicant is willing to make such a contribution. The pre-application advice prior to submission did not make reference to community facility provision, or the Section 106 monitoring and waste receptacle provision. It is considered unreasonable to now add these requirements.

*Highway Safety and Parking Provision*

34. The comments from the Local Highways Authority are noted. The access would be designed as a shared surface 6m in width, with a 4.5m roadway and 1.5m footway to one side. There would need to be some delineation between the two, details of which could be provided through a planning condition. The Local Highways Authority recommend conditions regarding a traffic management plan for the demolition and construction phase, pedestrian visibility splays to be retained, materials to be used for the access, and drainage mechanisms for the access. These could be added to any approval. An informative regarding works to the public highway can also be added.
35. Parking provision in the area is tight given the narrow roads and dense form of development. There are on-street parking areas for residents use and a number of dwellings do have off street parking. Plots 1 and 2 would each be provided with two designated spaces each, and the proposal would also provide an additional off-street parking space for the occupiers of 20 Haddows Close, which would be accessed from the new road into the site.
36. The proposal would also provide an additional eight dwellings at the end of the new access road to serve plots 3-8. It should be noted that these dwellings are a pair of two-bed semi-detached properties, two one-bed flats and two two-bed flats. The Council's maximum parking standards seeks 1.5 parking spaces per dwelling, although members should be aware of the recent changes to PPG13 (Transport) where maximum standards are no longer provided. The site as a whole provides twelve spaces for the eight units, which is in line with the current maximum standard. The scheme also provides the additional space for 20 Haddows Close. There is large local concern about parking provision in the area. However, I consider that the scheme provides adequate parking for the units. The dwellings are also shown to have a store or a shed, which would provide a secure covered area for cycle storage to encourage cycle use.
37. The proposal does remove the existing garages from the area. The occupiers of neighbouring properties note the garages and hardstanding area are regularly used as an overflow area given parking pressures in the vicinity. It is however noted that the garages are not specifically let to occupiers of Haddows Close. The applicant states that of the 21 garages, two are let to residents of Haddows Close, one is let to another Longstanton resident, two are let to occupiers of other villages, whilst the remaining are vacant. Whilst the loss of the hardstanding itself may reduce parking options, I do not consider the loss of this area in itself would cause any serious parking issues in the local vicinity.

*Other Matters*

38. There was local concern regarding the tenure mix proposed for the development. The proposal seeks all dwellings to be social rented. The Affordable Housing SPD seeks a 70/30 split between social rented and

intermediate housing where possible. Given the funding mechanism at this moment, a flexible approach should be taken to ensure the provision of affordable housing. Should the dwellings all be rented, such tenure type is considered acceptable at this time.

*Conclusion*

39. While I am satisfied the development is acceptable in principle and the impact upon residential amenity, the street scene and highway safety is acceptable, this does not outweigh the risks caused by flooding and contamination.

**Recommendation**

Refusal, for the following reasons

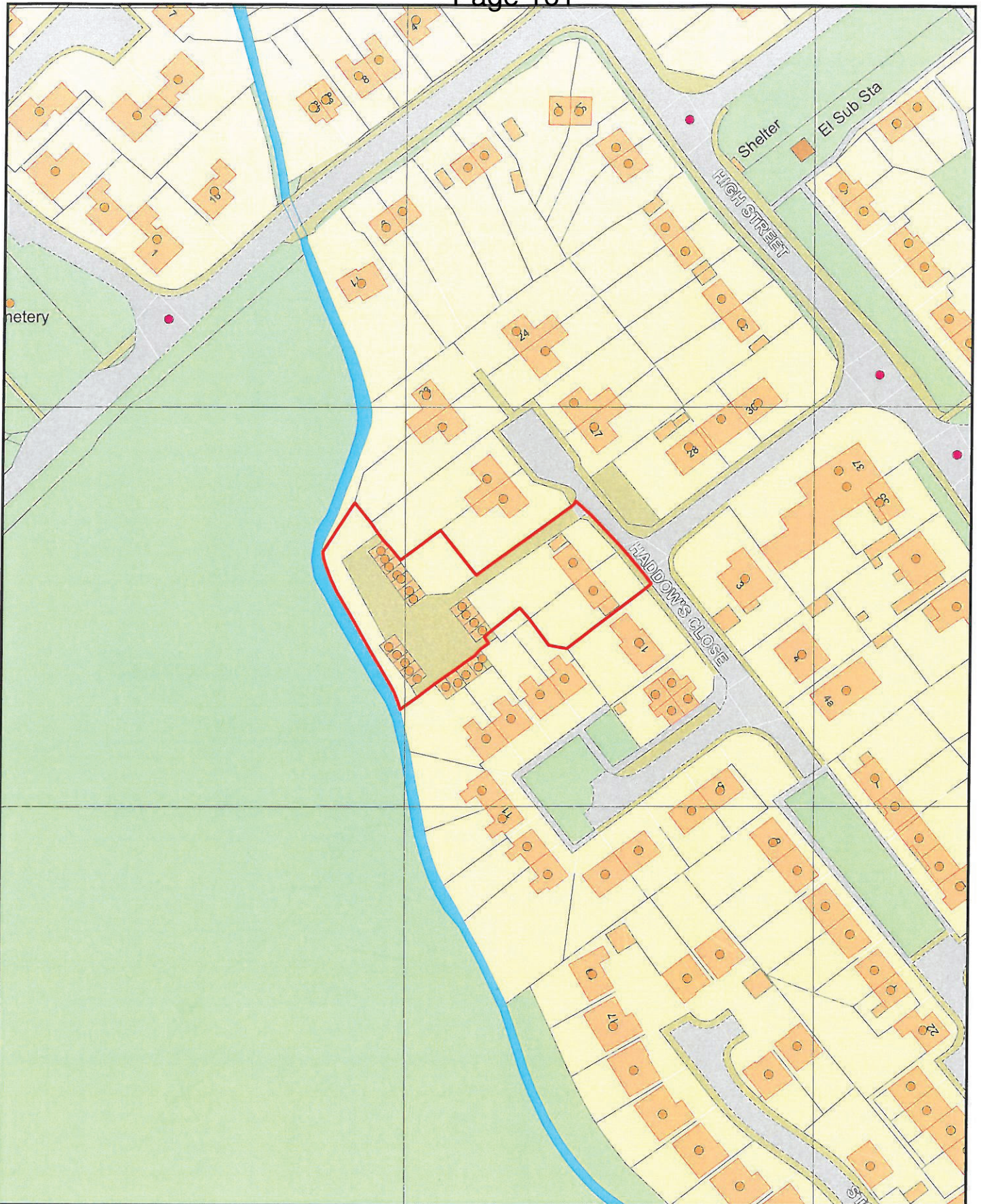
1. Plots 3-8 of the application site are located within Flood Zone 3a as defined in the South Cambridgeshire and Cambridge City Level 1 Strategic Flood Risk Assessment. The Flood Risk Assessment (FRA) that has been submitted with the application is not considered to comply with the requirements set out in Annex E, paragraph E3 of Planning Policy Statement 25 (Development and Flood Risk). The FRA is not therefore a suitable basis for assessment. In particular, the proposed development does not have a safe means of access and/or egress in the event of flooding creating an unacceptable risk to the health and safety of future occupiers, the site is not currently defended to an appropriate standard and no provision is made to compensate for the loss of floodplain. The development would impede the flow and/or reduce storage capacity of water, and is classified as a more vulnerable use in the flood zone. The proposal is therefore contrary to Policy NE/11 of the Local Development Framework Development Control Policies 2007, which states applications will be judged alongside national policy, and advice within PPS 25 which provides the minimum requirements for FRA's.
2. With regard to the risk of contamination to groundwaters, the applicant is not considered to have supplied adequate information to demonstrate that the risks posed to groundwater can be satisfactorily managed. The proposal is therefore contrary to advice within PPS 23 (Planning and Pollution Control) which notes the key role the planning system plays in determining the location of development which may give rise to pollution directly or indirectly, and in ensuring that other uses and developments are not affected by major existing or potential sources of pollution.
3. A further reason for refusal could be added if the applicant is unwilling to contribute towards open space provision.

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

- **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007**
- **Local Development Framework Development Control Policies 2007**
- **Open Space in New Developments SPD, Affordable Housing 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 Ref Files: S/2079/10, S/1010/05/F, S/1411/97/F, and S/1703/94/F**

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

2 March 2011

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

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**S/2267/10 - HEYDON****Dwelling and Carport - Hill Farm House, 20, Chishill Road, for Mr John Dutton****Recommendation: Delegated Approval****Date for Determination: 16th February 2011**

**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.**

**Members will visit this site on 2nd March 2011**

**Site and Proposal**

1. The majority of the site is located within the designated Heydon village framework, although the rear element of the garden is located outside of this area. The site is also located within the Heydon Conservation Area, the boundary of which runs with the village framework along the north boundary of the site and cutting through the rear garden element. The land outside the village framework does have a lawful garden use.
2. To the north of the site is the residential property of Picots set on a large plot. This property is not listed. The shared boundary (north) is a 1.8m high wall with a trellis above. There are a number of trees along this shared boundary. Picots have a single storey outbuilding between the main dwelling and the shared boundary. This appears to be ancillary accommodation to the main dwelling.
3. There are currently gates by the proposed access, where occasional vehicles use was previously granted. The boundary along the road is a 2m high hedge that screens the large pond on site from public views. There are taller trees by the gates too. On the opposite side of Chishill Road southeast of the site is the grade II listed barn at Halls Cottage located hard against the road. There is a further listed building at Heydon Place, 82m northeast of the application site. To the south is the main dwelling of 20 Chishill Road, which has a long single storey element currently used as offices. The western boundary has a newly planted hedge, with a further hedge beyond.
4. The application, received on 22nd December 2010, seeks the erection of a dwelling and carport on the site. The property would be two-storey, with the carport located forward of the front elevation. The application is accompanied by a Design and Access Statement, an Ecology Survey, and an Arboricultural Report.

### Planning History

5. A previous application for a dwelling on the site (S/0502/10/F) was withdrawn prior to the submission of the new application.
6. Planning application **S/0348/03/F** granted consent for an extension to the garage and store, pedestrian access, a lich gate and a new vehicle access at Hill Farmhouse. The new access is that to the north of the dwelling that would serve the new dwelling.
7. Planning application **S/0559/02/F** granted consent for the change of use of land outside the designated framework to become garden land. Condition 4 removed permitted development rights for outbuildings and means of enclosure in this area.

### Policies

8. **Local Development Framework Core Strategy Development Plan Document 2007: ST/7** Infill Villages
9. **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/1** Housing Density, **SF/10** Outdoor Playspace, Informal Open Space, and New Developments, **SF/11** Open Space Standards, **NE/1** Renewable Energy, **NE/6** Biodiversity, **NE/15** Noise Pollution, **CH/4** Development Within the Curtilage or Setting of a Listed Building, **CH/5** Conservation Areas & **TR/2** Car and Cycle Parking Standards.
10. **Open Space in New Developments SPD** – adopted January 2009, **Trees and Development Sites SPD** – adopted January 2009, **Biodiversity SPD** – adopted July 2009, **Development Affecting Conservation Areas SPD** – adopted January 2009, **Listed Buildings SPD** – adopted July 2009 & **District Design Guide SPD** – adopted March 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. **Heydon Parish Council** recommends refusal of the application on grounds of overdevelopment of the site, the design not fitting comfortably with the two listed buildings on either side of the proposed dwelling, proximity to Picots and the boundary trees, potential attic space in the rear element, impact upon

trees by the entrance, the safety of the access and insufficient space for recreational use.

14. The **Local Highways Authority** seek the addition of a condition ensuring gates are set back 6m from the boundary of the adopted public highway.
15. The **Council's Ecology Officer** has no objections to the proposal. The pond is considered to be an unlikely habitat for Great Crested Newts although they are recorded in the locality. A condition is requested ensuring development takes place in accordance with point 1 (clearance of the access) and point 2 (protection of the site by amphibian fencing) of the ecological survey.
16. The **Council's Tree Officer** notes the yew tree (tree T1) is the most significant, and a plan is requested showing its Root Protection Area in relation to the proposed dwelling.
17. The **Council's Acting Environmental Health Manager** notes concerns regarding noise and therefore suggests conditions are attached restricting use of power operated machinery and seeking details if pile foundations are proposed. An informative regarding bonfires and burning of waste is also proposed.
18. The **County Archaeology Team** notes the site is located in an area of high archaeological potential and request a condition seeking a scheme of archaeological investigation.

### **Representations**

19. The occupiers of **Picots, 14 Chishill Road** object to the scheme. The proposal is considered as garden grabbing, and is excessive in scale and mass for a tight site and represents overdevelopment. Its location just 3m from the boundary with Picots is considered unreasonable, especially given its height. The glazed elements would allow light to be visible around the site. The views of the Parish Council are noted, and no neighbour consultation took place. The proposal is considered to impact upon the roots of the trees along the shared boundary. There is also concern the pond should be a public amenity but it has been included within the garden land. It is noted the boundary between the dwelling and Hill Farmhouse does not follow any physical line, and could be changed to allow the dwelling to be shifted from the shared boundary with Picots.
20. The occupiers of **31 Chishill Road** object to the proposal on grounds of overdevelopment of the site, proximity to the neighbouring property, poor visibility at the access, and the scale and design in relation to the adjacent farmhouse and Conservation Area.

### **Planning Comments**

21. The key considerations for the determination of this application are the principle of development, the impact upon the Conservation Area and adjacent Listed Buildings, impact upon the amenity of the occupiers of the

adjacent properties, impact upon trees, ecology considerations, highway safety and open space provision.

*The Principle of Development*

22. Heydon is classified as an Infill Village, where residential development will be restricted to not more than two dwellings within the village framework, subject to site specific issues and in certain locations, including in a gap in an otherwise built-up frontage to an existing road or the sub-division of an existing residential curtilage. The site meets these criteria.
23. 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 unless there are exceptional local circumstances that require a different treatment. The site has an area of approximately 0.14 hectares within the village framework, which also includes the large pond. The density of the development therefore provides 7 dwellings per hectare. The applicant has stated in the Design and Access Statement that two dwellings on the site is not appropriate given the irregular shape of the site, the character of the Conservation Area and the potential impact upon the pond. It was agreed at pre-application stage that such factors could justify a single dwelling in this instance. It is considered that a single dwelling is therefore suitable on the site in principle.

*The Impact upon the Conservation Area and Adjacent Listed Buildings*

24. Members should be aware that formal comments have not yet been received from the Conservation Officer regarding the proposal. However, the proposed design follows pre-application discussions involving the Conservation Officer. The previous application (S/0502/10/F) was of a similar design, but was more bulky, with a larger two-storey element across the front, a larger frontage gable, and full two-storey levels to the rear. The proposal has introduced a single storey element to the front elevation, and whilst the rear section remains two-storey, its height has been lowered for this element to appear subservient to the main frontage.
25. This part of the Heydon Conservation Area to the western side of Chishill Road is characterised by large dwellings on large plots. The neighbouring property to the north, the existing farmhouse, and 22 Chishill Road to the south all fit this description. Whilst this does not set a precedent for further development of this kind, the dwelling should be viewed in its context. The two-storey element of the front elevation has been reduced to 13m in length, with the single storey element appearing subservient to that. Whilst there is a lot of glazing to the frontage gable, the design is considered to be appropriate for its location, and would preserve the character and appearance of the Conservation Area. A condition can ensure appropriate materials are used. Members should also be aware there is limited public views of the site given the 2m tall frontage hedge. Members will be updated should comments be received from the Conservation Officer.
26. The listed barn at Halls Cottage is located opposite the proposed access into the site. Given the front boundary of the site, and the location of the proposal 23m into the plot, the proposed dwelling is not considered to harm the special architectural and historic interest of this building.

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

27. The shared northern boundary with Picots is a 1.8m wall with a trellis above. There is planting beyond in the garden of Picots that provides a good screen. The dwelling of Picots itself is located 7m from the boundary and its nearest point, where the single storey element is located. The main two-storey bulk of the dwelling is located further away at approximately 16.5m. Picots is also located behind the existing shed area of Hill Farmhouse, and the dwelling would be located 24m from Picots at its closest point. Given this location, the proposal would not have any impact upon the main dwelling of Picots.
28. The rear garden area to Picots runs along the north boundary of the application site, behind the planting described above. The proposed dwelling would be located 3m from the boundary at its closest point. Given the orientation of the house, the closest elements at 3m would be the eaves height of the main two-storey frontage element, and the eaves height of the rear element, which measure 4.2m and 4.5m respectively. The north facing gable of the plot is not parallel with the boundary, and the highest point of the dwelling at 7.4m in height would be 4.3m from the boundary. The concerns raised from the occupiers of Picots are noted. The dwelling will be visible from the rear garden area. However, given the level of planting in the rear garden of Picots, I do not consider that any undue harm would result through the dwelling being overbearing.
29. The rear element of the dwelling is all two-storey space. The rear element at first floor level is described as loft space, but there would be room for habitable rooms in the future. There are rooflights in the north elevation above the landing. The section shows the cill height of these to be 2m from the floor level. No overlooking would result. Conditions would be required to ensure no further windows are added to the side elevation at first floor level, and these cill heights are adhered to in construction. The rear facing dormer window serves a bathroom. It would have the potential to overlook the rear of the garden at Picots. A condition can ensure this window is obscure glazed. Whilst the location of the dwelling would mean it would be visible from Picots, I do not consider any serious harm would result to the occupiers of this property.
30. The proposal would require an additional boundary to be created between it and Hill Farmhouse to the south. The site plan shows this to be a new hedgerow, details of which will be required in the landscape plan. The proposal would be 3m from this newly created southern boundary. The dwelling has a single storey element by this boundary totalling 4.9m in height to the roof ridge. The dwelling would be easily visible from the rear garden of Hill Farmhouse. However, given the orientation, I do not consider any serious harm would result to the occupiers of Hill Farmhouse. There would be some glazing in the facing elevation at first floor level but this would serve the staircase. The frontage two-storey element would block views of this, allowing views of the rear garden only. The landscape plan could include a small tree in the garden to screen these windows if necessary. A condition would be required to prevent further first floor windows in the side elevation.
31. There would be a proportion of overlooking from the first floor balcony area, to be located 12m from the boundary. This distance is not ideal. However, the main two-storey element again screens views into the rear garden, and a

Landscape plan could again plant a small tree to ensure occupiers of Hill Farmhouse do not feel significantly overlooked.

*Impact upon Trees*

32. The comments from the Trees Officer are noted. The most significant tree on the site is the yew in the rear garden of Hill Farmhouse. The rear element of the dwelling would be within 10m of the trunk. Details of the Root Protection Area have been requested and Members will be updated on progress on this matter. The Trees Officer has no objection if this point is clarified and a method statement is provided. The latter could be done by condition.

*Ecology Considerations*

33. The comments from the Ecology Officer are noted. Given the nature of the pond, it is unlikely to provide a habitat for the Great Crested Newt. A condition is requested to ensure the clearance of the site and amphibian protection is completed in line with the Ecological Survey submitted with the application. I consider such a condition to be reasonable.

*Highway Safety*

34. The access to the site was approved as part of application S/0348/03/F, where the approved plan shows it to be used for occasional/infrequent use for maintenance purposes only. Members should be aware that there was no condition stating this and that it could have been used more formally if needed. This development would bring about this more formal use. The comments from the Local Highways Authority are noted. As a result, an amended plan shows the gates to be located 6.3m back from the road. Members will be updated on comments received in relation to the amended plan.

*Open Space Provision*

35. The applicant has confirmed in their letter dated 12th December 2010 their willingness to contribute towards the provision of open space in the village in lieu of on-site provision. The proposal seeks a four bed property, and therefore a contribution of £4258.90 would be required. A condition can ensure this is secured through a scheme, and an informative can be added to any consent to show the required amount. Pre-application discussions did not include the need for community facility provisions, and it is unreasonable to request this for the application.

*Other Matters*

36. I note local concern regarding the inclusion of the pond into the garden of Hill Farmhouse. I do not consider this is a material planning consideration for the determination of this planning application.
37. Comments from the Acting Environmental Health Manager and County Archaeology Team are noted, and conditions and informatives can be added accordingly.

### **Decision/Recommendation**

Delegated approval, subject to comments from the Local Highways Authority, the Trees Officer, and the Conservation Officer, and any new material planning considerations relating to the recently received amended plans. If approved conditions would be required regarding approved plans, time implementation, materials to be used, open space provision, timings for power operated machinery, the restriction of further windows in the side elevations, the minimum cill height of the north facing rooflights, obscure glazing to the rear dormer window, landscaping and associated time implementation, boundary treatments, archaeological investigation, site clearance and amphibian protection, prevention of gates within 6m of the road, and a construction method statement regarding impact upon trees.

Informatives regarding pile foundations, bonfires, and the amount of open space contribution would also be added.

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

- **Local Development Framework Development Control Policies (LDF DCP) 2007**
- **Local Development Framework Core Strategy Development Plan Document 2007**
- **Open Space in New Developments SPD** – adopted January 2009, **Trees and Development Sites SPD** – adopted January 2009, **Biodiversity SPD** – adopted July 2009, **Development Affecting Conservation Areas SPD** – adopted January 2009, **Listed Buildings SPD** – adopted July 2009 & **District Design Guide SPD** – adopted March 2010
- **Circular 11/95 – The Use of Conditions in Planning Permissions**
- **Circular 05/2005 - Planning Obligations**
- **Planning File Refs: S/2267/10, S/0502/10/F, S/0348/03/F and S/0559/02/F**

**Contact Officer:** Paul Derry - Senior Planning Officer  
01954 713159

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

2 March 2011

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

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**S/2139/10 - MILTON****Provision of additional caravan plot; extensions to day blocks including air source heat pumps; erection of metal palisade fencing on site boundaries at Blackwell Travellers Site, Kings Hedges Road for South Cambridgeshire District Council****Recommendation: Delegated Approval****Date for Determination: 1 March 2011****Notes:****This Application has been reported to the Planning Committee for determination because the Council is the applicant.****Members will visit this site on 2 March 2011.****Departure application.****Site and Proposal**

1. The site comprises the Blackwell Travellers site to the north of the A14 at Milton. Access is gained from Kings Hedges Road, via an underpass below the A14 which leads from the northern car parks serving Cambridge Regional College. It contains 15 plots for travellers, including semi detached day blocks and hard surfaced parking and caravan storage areas. To the north and east are fields used as paddocks. To the west, a track (the Mere Way) runs parallel to the western boundary, separated by established hedging and trees. Some vegetation marks the other boundaries, but they are mainly marked by a variety of fencing in poor condition, mostly chain link.
2. The site lies within the Green Belt.
3. The application proposes the splitting away of part of the back gardens to 2 of the plots so that they can be combined to form an additional plot. Additionally the amenity/day blocks would be upgraded. At present they each consist of a kitchen and a bathroom but no living or storage space. The proposed extensions would provide a hallway with storage cupboard, and a living room. They would be upgraded with insulation, and air source heat pumps would improve heating and hot water provision. Finally, the site would be provided with a more robust metal palisade fence. Funding for the scheme is to be provided by the Homes and Communities Agency (HCA).

**Planning History**

4. **S/0587/09** – Replacement warden’s office, approved  
**S/1247/92** – Amenity blocks and site office, approved.  
**S/1372/90** – 15 amenity blocks and warden’s office, withdrawn  
**S/0579/84** – 15 pitch Gypsy caravan site, approved  
**S/1250/80** – outline application for Gypsy camp, approved

#### **Planning Policy**

5. **South Cambridgeshire LDF 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/5** Cumulative Development  
**DP/7** Development Frameworks  
**GB/1** Development in the Green Belt  
**GB/2** Mitigating the Impact of Development in the Green Belt  
**NE/1** Energy Efficiency  
**NE/2** Renewable Energy  
**TR/2** Car and Cycle Parking Standards
6. **Gypsy & Traveller DPD Issues & Options 2 Report: Site Options & Policies** (Consultation document published July 2009)
7. **Gypsy & Traveller DPD Issues & Options 2: Technical Annex** (Consultation document published July 2009)
8. **Planning Policy Guidance Note 2: Green Belts**
9. **ODPM Circular 01/2006** ‘Planning for Gypsy and Traveller Caravan Sites’  
**ODPM Circular 11/1995** ‘The Use of Conditions in Planning Permissions’  
**ODPM Circular 05/2005** ‘Planning Obligations’
10. **DCLG ‘Designing Gypsy and Traveller Sites: Good Practice Guide’, May 2008**
11. **East of England Plan, adopted May 2008:**  
**Policy H3: Provision for Gypsies and Travellers**
12. **Accommodation for Gypsies and Travelers and Travelling Showpeople in the East of England: A Revision to the Regional Spatial Strategy for the East of England, adopted July 2009**
13. **Cambridge Sub-Region Traveller Needs Assessment, published May 2006**

#### **Consultation**

14. **Milton Parish Council** – We do not envisage any problem with this application so have decided not to hold a planning meeting specifically for it and will discuss it at our next PC meeting on 7<sup>th</sup> March.
15. **Acting Environmental Health Manager** – to be reported.

16. **Traveller Site Team Leader** – to be reported.
17. **Trees officer** - no objection.
18. **Highways Agency** – to be reported.

#### **Representations**

19. None

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

20. The issues to consider in this application are the impact of the proposals on the character and openness of the Green Belt and the needs of the Traveller community.
21. The proposal does not represent an “appropriate” form of new building in terms of compliance with the definition in PPG2 (agriculture, outdoor uses or limited extensions to dwellings). The proposed additional plot and extensions to the day blocks would therefore be classed as inappropriate development. However, the harm that the new and extended buildings and additional caravans would represent to the character and openness of the Green Belt is considered negligible due to the extensions being of small scale, and the new plot being located within the midst of this established site containing other similar structures.
22. The supporting information submitted with this application explains the problem of fuel poverty on the site, as a result of the existing amenity blocks being poorly insulated and having inefficient systems for heating and hot water. The application provides an opportunity to rectify this by providing improvements and updating, such that the amenity blocks would have improved insulation and increased energy efficiency. To address the issues of excessive energy consumption, these measures will be supplemented by the provision of air source heat pumps to the rear elevations, to contribute to the heating and hot water needs, and in turn a reduction in CO2 consumption. The extensions to provide living room accommodation will bring the facilities up to standard.
23. The additional plot will be simply accommodated by splitting garden land away from 2 other plots within the site, providing much needed accommodation for an additional family in the District, where there is an acknowledged shortfall of Gypsy and Traveller pitches.
24. It is therefore considered that the upgrading of the facilities to current standards, the provision of an additional plot to meet an acknowledged need, and the provision of energy from a renewable source are very special circumstances to outweighing the harm to the Green Belt by reason of inappropriateness.
25. The proposed palisade fencing would be 2m high, and can be required by condition to be painted green to assimilate it into the landscape.

#### **Recommendation**

26. Delegated powers to **Approve**, subject to the comments of the Parish Council, and subject to the following conditions:
1. **The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
  2. **The development hereby permitted shall be carried out in accordance with the following approved plans: 4001, 4002, 4004.**  
(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. **The palisade fence hereby permitted shall be coloured dark green, unless otherwise approved in writing by the Local Planning Authority.**  
(Reason - To visually assimilate the fence into the Green Belt landscape in accordance with Policy GB/2 of the adopted Local Development Framework 2007).

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

- Planning file ref: S/2139/10
- Policy documents as referred to above

**Contact Officer:** Kate Wood - Team Leader (East) – 01954 713264



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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

2 March 2011

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

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**S/2217/10 - MILTON****Erection of stable building and use of land for stabling of horses  
Land to rear of The Barn, FEN ROAD, Chesterton  
for Mr Ben Moore****Recommendation: Approve Conditionally****Date for Determination: 7 February 2011****PROPOSED DEVELOPMENT**

Proposals comprise the erection of a stable and the associated use of land for stabling and grazing of horses.

The proposed stable building would comprise of four loose boxes and a feed store. The building would be single storey in height (4.7m to ridge with an eaves height of 2.7m). The application contains information regarding a lease to occupy the adjacent field, which comprises 1.9ha.

**SITE AND SURROUNDING AREA**

The application site relates to a piece of agricultural land (Grade 4) adjacent (southwest) to the residential property known as 'The Barn', which is a detached bungalow. The site is outside of the Milton Development Framework within the open countryside and Green Belt. The site is accessed off Chesterton Fen Road and is north of the River Cam, outside of any designated flood risk zone. The site is accessed via a gated private driveway and relatively enclosed and screened by established landscaping to its perimeter. The field associated with the proposed stable within the ownership of the applicant is approximately 0.34ha in area.

**PLANNING HISTORY**

Planning Application S/1744/10 for the erection of stables and associated use of land for stabling and grazing of horses was refused for inappropriate development within the Green Belt and other harm by virtue of a detrimental impact upon the visual amenity and openness of the Green Belt.

Enforcement Notice PLAENF.3270 & 3271 was issued for the change of use land from agriculture to a storage yard and the erection of a covered structure. This notice was dismissed at appeal with the instructions to return the land to its former use and remove all structures within 10 months of the date of the decision. As a consequence the applicant has until the 21<sup>st</sup> of March to adhere to this decision.

Planning Application S/1310/08/F for the change of use of land for the stationing of storage containers and general storage was refused. This application was refused on the grounds that the proposals would represent harm by way of inappropriate development to the Green Belt and open countryside.

Planning Application S/1266/07/F for the conversion of barn into dwelling was approved.

Planning Application S/0933/07/F for the erection of a carport was refused on the grounds of harm upon the Green Belt.

Planning Application S/02162/06/F for the conversion of barn into dwelling was withdrawn.

Planning Application S/0179/05/F for the conversion of barn into dwelling was refused on the grounds of harm upon the Green Belt.

Planning Application S/1934/03/F for the change of use to tropical plant nursery with associated glasshouses was refused and dismissed upon appeal.

Planning Application S/1230/02/F for the siting of a temporary chalet accommodation was refused on the grounds that there was insufficient evidence to justify temporary living accommodation within the Green Belt.

Planning Application S/1683/96/O for the erection of a stable and store was refused on the grounds of harm upon the Green Belt.

Planning Application S/1379/94/F for the erection of a stable was approved.

## **POLICIES**

Planning Policy Guidance Notes  
PPG2 Green Belts

Local Development Framework Development Control Policies 2007  
DP/1 Sustainable Development  
DP/2 Design of New development  
DP/3 Development Criteria  
DP/7 Development Frameworks  
GB/1 Development in the Green Belt  
GB/2 Mitigating the Impact of Development in the Green Belt  
NE/17 Protecting High Quality Agricultural Land

## **CONSULTATIONS**

Milton Parish Council – Recommends refusal, commenting that in view of the history of the site, whereby a stable became a dwelling, there is a concern that this could happen again. Furthermore, the size of the stable is considered to be out of keeping with the rural scene within the Green Belt.

Local Highway Authority – Raise no objections subject to the provision of a condition ensuring that the stable be for private use only and that not business use would occur.

## **REPRESENTATIONS**

None were received.

## **PLANNING COMMENTS**

The key issues to consider in this instance are the impact that proposals would have upon the character and openness of the Green Belt, public realm, open countryside and highway safety.

### **Green Belt**

Planning Policy Guidance Note 2 'Green Belts' (PPG2) states that inappropriate development is, by definition, harmful to the Green Belt and it is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Paragraph 3.4 of PPG2 states that the construction of new buildings for the purposes of essential facilities for outdoor sport or recreation, such as a 'small stable', would constitute appropriate development inside the Green Belt.

The British Horse Society set out principles for general horse welfare. These principles state that a stable loose box should be approximately 12sqm in area and should essentially provide an ancillary feed room to safeguard a food store of hay during wetter months. In addition these principles state that an area of approximately 1 acre should be provided per horse to ensure adequate exercise and grazing room.

Whilst the proposed stable would provide adequate loose box and food store facilities for four horses it is evident that the land associated with the proposed stable in the ownership of the applicant would be insufficient for the occupation of no more than one horse. However, the land to the south, which is sought under lease, would provide adequate facilities to enable the occupation and exercise of 3 horses. Therefore, in total the applicant would appear to have control of sufficient land to justify the provision of a stable for four horses.

Notwithstanding the above, there is a concern that should the use of the land to the south, cease to be secured by a lease, the land that would remain to serve up to four horses would be inadequate in terms of their welfare. Nevertheless, in such an eventuality the welfare of the horses would be out of the control of the Local Authority. Nevertheless, a condition will be attached to the consent stating that the stable block shall be used wholly for the stabling of horses or the purposes of agriculture. Therefore should the building cease to be required for use by horses, it would retain an agricultural use in the context of the surrounding land within the ownership of the applicant and could not be used for any other purpose.

In light of the above, the stable as proposed is considered to be in scale for the general principles of horse welfare. In consideration of the principles of Green Belt policy the proposed stable building is considered to be small scale and ancillary to

the main dwelling and building group and would constitute appropriate development within the Green Belt.

### **Other Harm**

Paragraph 3.15 of PPG2 states that the visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt, which, although they would not prejudice the purposes of including land in Green Belts, might be visually detrimental by reason of their siting, materials or design.

The siting of the proposed stable is considered suitably related to existing buildings within the adjacent residential curtilage in consideration of an acceptable distance for residential amenity and adequate overlooking in terms of site security. Furthermore, the scale of the proposed building is deemed to be acceptable within the context of what is an open, Green Belt, countryside location. The proposed building would be appropriate in scale, mass and height and the building's proportions and external materials would be appropriate within this rural setting.

The proposed use is one of a private stable serving the applicant and would not be used as a private business use, such as a livery or riding school. However, in light of the concerns raised by the Local Planning Authority an informative will be added reminding that any such use would require full planning permission.

Concerns have been raised by the Parish Council to the future conversion of the stable to a dwelling should it be approved. This is due to the history of the site whereby the existing dwelling was approved following the conversion of an existing stable block. This issue is not a material planning consideration and any future proposal to convert the building to an alternative use would require planning permission, any application for which would be considered on its planning merits at that time.

### **Conclusion**

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

### **DECISION**

Approve, subject to the following conditions:

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

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

**2. The development hereby permitted shall be carried out in accordance with the following approved plans: 10\_358\_001, 10\_358\_004 & 10\_358\_003.**

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

**3. The stable block, hereby permitted, shall not be used other than for the purpose of stabling horses or for the purpose of agriculture, and shall not be used for any commercial purpose.**

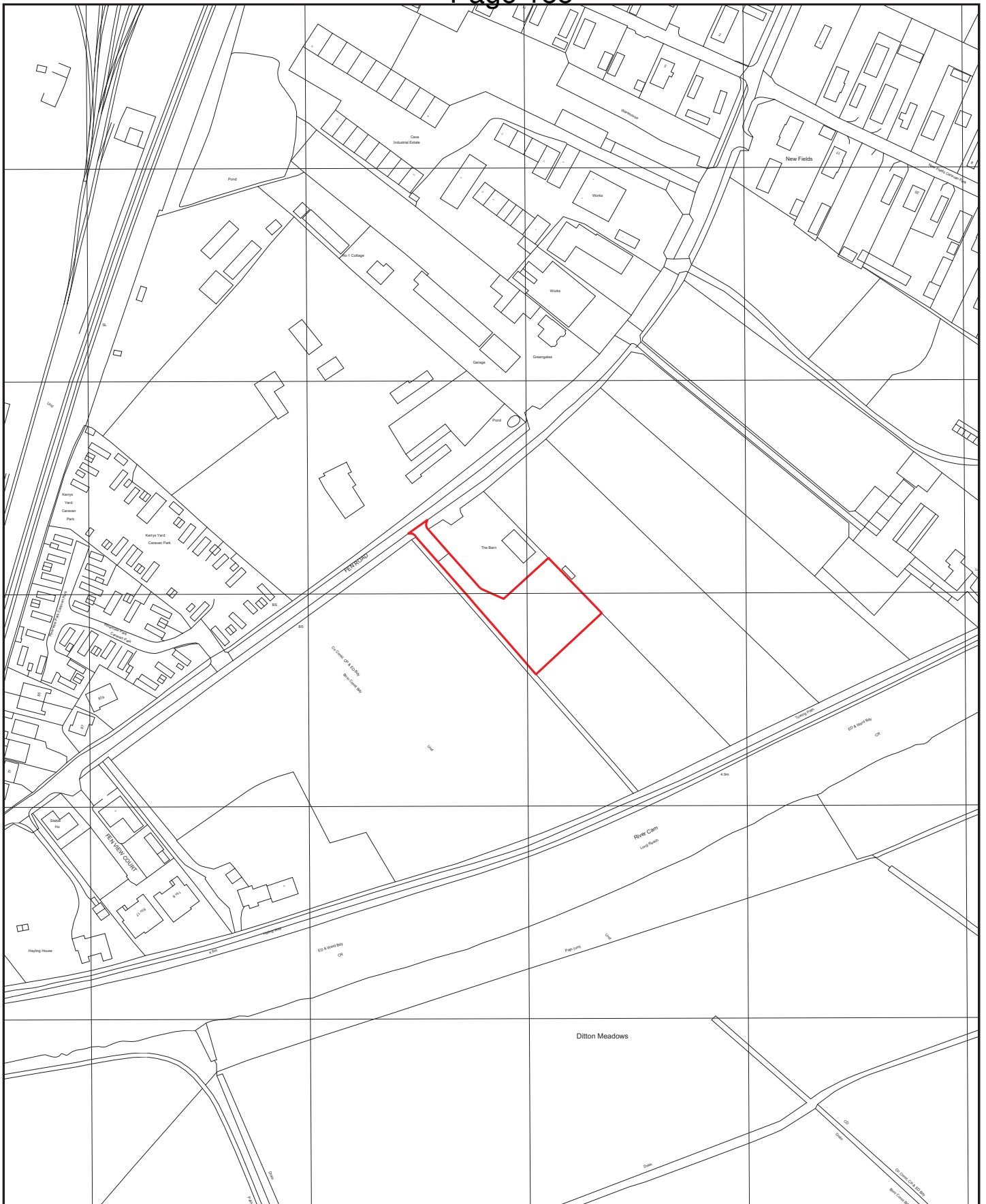
(Reason – To maintain the rural character and appearance of this sensitive Green Belt location in accordance with Policies DP/7 and GB/1 of the of the adopted Local Development Framework 2007.)

**4. 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.)

**Contact Officer:** Mike Jones - Senior Planning Officer  
01954 71325

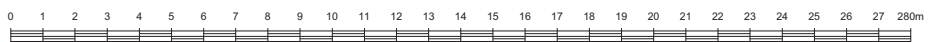




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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

2 March 2011

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

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**S/1669/05 - TEVERSHAM****Proposed Deed of Variation to S106 Agreement to Allow Commuted Sum for Off-Site Provision of Affordable Housing in Lieu of On-Site Provision at Redwings Development (18 flats), 750-754 Newmarket Road for Gibson Developments****Recommendation: Delegated Approval****Date for Determination: N/A****Notes:**

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

**Site and Proposal**

1. The application site is a residential development completed during 2009, comprising 18 flats, of which 7 are affordable.
2. The applicant is seeking a Deed of Variation to the S106 Agreement to accept a commuted sum in lieu of on-site provision of affordable housing, so that all the units may be let or sold on the open market.

**Planning History**

3. Planning permission was granted for this development on 30<sup>th</sup> November 2005, subject to a S106 Agreement (by way of Unilateral Undertaking). This required the applicant to enter in an agreement with a Registered Social Landlord (RSL) to deliver 7 of the units as affordable housing prior to the occupation of any of the private units. The affordable housing would all be shared ownership.
4. At their meeting in February 2009, Members agreed to a Variation of the S106 Agreement, to allow the private units to be occupied on an assured shorthold tenancy basis for 12 months, but still not to be sold pending the occupation of the affordable units.
5. Following problems in securing an RSL to deliver the affordable housing, the matter was reported back to Planning Committee again on 13<sup>th</sup> January 2010. The developer had requested that either a contribution in lieu of on-site provision be agreed, or that the affordable flats could be rented on the open market until 30<sup>th</sup> June 2011, by which time it was hoped an RSL could be found. Members agreed the following:

- (a) **Approved** a Variation of the S106 Agreement to allow the renting of the affordable units on the open market on an Assured Shorthold Tenancy basis until 30<sup>th</sup> June 2011; and to detach the occupation of the market dwellings from the occupation of the affordable units, replacing it with a suitably worded alternative safeguarding clause; and
- (b) **Deferred** making a decision as to whether or not to accept a commuted sum in lieu of on-site affordable housing until officers had agreed a valuation with the developers and received satisfactory evidence from an independent valuer that the viability of the scheme would otherwise be at risk.

### **Background to the Proposal**

- 6. Following the Committee decisions, the applicant has still found it difficult to secure an RSL to take on the 7 affordable flats. In the agent's covering letter the following reasons are cited as to why the scheme is unviable:
  - (a) The development comprises flats, which incur a service charge. This is inconsistent with the delivery of low cost accommodation, and off-putting to potential RSLs. Added to this is that one of the affordable flats is located within a block of market units, which makes management of the affordable elements of the overall site difficult for an RSL, and again off-putting.
  - (b) There is a lack of public funding for intermediate (shared ownership) provision.
  - (c) There was a verbal offer from Luminus Group, a Registered Provider (RP) of affordable housing, but this never translated into a firm offer. No other RPs were interested in the site.
- 7. Consequently the agent has written to request that the Council accept a commuted sum and has provided information which the Council's valuer has included in his consideration (see consultation response below). The agent has also submitted details of the attempts at further marketing of the affordable units to RSLs, which have been significant but fruitless.
- 8. It is proposed that the agreed commuted sum for each unit (£33,286) be paid upon the sale of each of the 7 identified units that would otherwise be affordable (sales due to start later in 2011), but with any remainder being paid within 12 months from the date of the Deed of Variation.

### **Planning Policy**

- 9. South Cambridgeshire Local Development Framework Development Control Policies DPD 2007:
  - HG/3 Affordable Housing** requires 40% of dwellings on sites of 2 or more dwellings to be provided as affordable housing, but in exceptional circumstances, on smaller sites, financial contributions may be accepted towards off-site provision.
  - HG/4 Affordable Housing Subsidy** states that where there is a considerable time-lag between the grant of permission and implementation, and where it can be demonstrated that there are insurmountable subsidy issues or demonstrable changes to the viability of the development, the Council may consider a lower proportion of affordable housing to be provided on site.
- 10. LDF Affordable Housing SPD clarifies policy HG/4. Paragraph 5.13 states that the unavailability of social housing grant is one scenario is one example of exceptional circumstances. Paragraph 5.16 makes it clear that off-site provision is a last resort, the acceptance of which is purely at the Council's discretion. Paragraph 5.17 notes that the sort of circumstances that might justify commuted sums are where there may

be difficulties over delivery, design or on-going management of small numbers of units. Paragraph 5.21 clarifies that in terms of size, it will not be appropriate for major developments (10 or more dwellings) to provide financial contributions in lieu of on-site provision.

11. In terms of calculating commuted payments, the SPD states that the amount of contribution will reflect the amount of free serviced land that would have been provided consistent with the number, type and size of properties that would have been provided on site. The amount will reflect the differential land values that can be achieved between affordable housing plots and open market plots, to be assessed by an independent Valuer appointed by the Council but paid for by the applicant.

### **Consultations**

12. The **Housing Development and Enabling Manager** has been involved in the process leading up to this recommendation, including meetings and the appointment of the Valuer. She is satisfied that RSLs would not consider the development on offer a good proposition because it is unviable, partly through being flats with management issues including that one would be in a block of otherwise market flats, and partly through the lack of government grant funding. The commuted sum would provide the funding for the purchase of around 20 exception site plots which would be passed to an RSL to deliver affordable housing in the District.
13. The Council-appointed independent Valuer calculates that a commuted sum of £33,286 per unit would be an appropriate difference between market and affordable value, a total of £233,000.
14. The **Section 106 Officer** is happy with the approach provided the plots which were to be affordable are clearly identified in the S106 Variation so that occupations can be monitored for the purpose of invoicing on time, subject to indexation and a suggested backstop date of 12 months from the date of the Deed of Variation. He notes the following:
  15. Members deferred making a decision as to whether or not to accept a commuted sum in lieu of on-site affordable housing until officers had agreed a valuation with the developers and received satisfactory evidence from an independent valuer that the viability of the scheme would otherwise be at risk.
  16. District Council officers have therefore undertaken to understand whether the scheme is viable to provide for 7 affordable units.
  17. The applicant has provided open book appraisals demonstrating the residual land value based on a scheme providing 7 affordable units, in accordance with the offer from Luminus Group, and one with full open market units. Whilst this is not in the format of the standard HCA economic appraisal tool, the information has been scrutinised by District Council officers and is found to be acceptable. The information submitted is also based on actual costs incurred by the applicant rather than assumptions. The residual land value is shown to be circa £502,000 for a scheme including 7 affordable units and £700,000 for a full open market scheme.
18. The Luminus offer is considered to be reasonable given the current availability of Government grant and despite the applicant's best endeavours, there was little interest from other registered providers in terms of considering making an offer for the units.

19. In terms of development viability, national and local planning policy requires the planning authority to look at the scheme in terms of the residual land value against the existing or alternative use value. In this instance the application was for the erection of 18 flats following the demolition of 2 houses. The District Council therefore has to take a view as to the 2005 value of the 2 houses that were demolished to allow the scheme to come forward. If the residual land value of £502,000 is greater than the existing use value then the scheme would be considered viable.
20. It is the view of District Officers that the market value of the 2 dwellings in question far exceeds today's residual land value and therefore a commuted sum is acceptable in accordance with the deferral request. This view is based on having undertaken desk top research as well as confirmation that the price paid for the land was in the region of £1.1m.

### **Representations**

21. The Local Member for Teversham, Cllr Mrs Amrani, has been consulted on this proposal and any comments will be reported in an update.

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

22. The key issue to consider is whether the provision of affordable housing off-site is acceptable, bearing in mind the viability and deliverability issues and compliance with the Council's policies.
23. Unusually the applicant has already built the properties, taking an element of risk in finding a Registered Provider (RP) to purchase the affordable units. It has become apparent that the 7 affordable units are not appropriate for an RP to take on, particularly due to the management issues associated with one of the flats being in a block shared with market units. Over time, the proposition has become even less viable for an RP because of changes to Government funding that have resulted in there now being no grant available to an RP to subsidise the purchase. Officers are satisfied that this is the reality of the situation and that the applicant has made sufficient attempt to attract an RP. In the interests of actually delivering affordable housing on the ground, it is therefore considered that on-site provision cannot be secured in this instance, such that a financial contribution may now be considered appropriate.
24. The financial viability of the scheme has been assessed by officers and agreed not to be viable, such that a contribution in lieu of on-site provision is acceptable in principal.
25. Whilst acknowledging that the site is a major development (more than 10 units overall), it would not be appropriate to require that the commuted sum is ring fenced for affordable housing in Teversham, although this would of course be desirable if a need is to be met. It is preferred by Housing colleagues that the sum is available for the purchase land throughout the District as required on an as-needed basis, so that affordable housing can be delivered as quickly as possible.
26. Therefore, in terms of the Committee's reason for deferring the decision whether to accept a commuted sum, the scheme has been demonstrated to be unviable, the amount for a commuted sum has been agreed between all parties, and officers are satisfied that the affordable housing that has been provided on the site is no longer a viable proposition for an RP such that it would be unlikely to be deliverable for that purpose.

**Recommendation**

27. That delegated powers be granted to officers to accept a commuted sum of £233,000 in lieu of on-site provision, to be secured through a Deed of Variation to the S106 Agreement, subject to clauses discussed in paragraphs 11 and 14 above.

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

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- Affordable Housing Supplementary Planning Document 2010
- Planning File reference S/1669/05/F

**Case Officer:** Kate Wood – Team Leader (East) Development Control  
Telephone: (01954) 712164

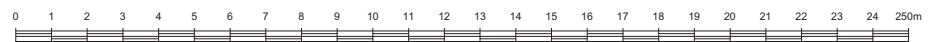
**Presented to the Planning Committee by:** Kate Wood

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

2 March 2010

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

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**S/1985/10 - LANDBEACH****Erection of replacement office and workshop building, refuelling facilities, storage areas and vehicle parking following demolition of existing office and workshop buildings at Ely Road, Waterbeach  
For M Dickerson Ltd****Recommendation: Approval****Date for Determination: 9 February 2011****Notes:**

**This Application has been reported to the Planning Committee for determination because the Council would benefit from a grant of planning permission.**

**Departure application.**

**Site and Proposal**

1. The site has an area of 2.44 hectares (6 acres). It is accessed from the A10 and comprises part of a larger site allocated as an Established Employment Area in the Countryside (Policy ET/3.2d) and lies within Flood Zone 3 (high risk).
2. To the south of the site lies the IQ / Cambridge Research Park, to the north and west are Beach Ditch and Engine Ditch (IDB drains), County Wildlife Sites (including Landbeach Pits Willow Wood), a lake formed by sand and gravel extraction and an arable field. Beyond these features lies the Cambridge Waste Management Park operated by Donarbon and there is direct access to it from the application site. To the east are other industrial uses including the SCDC Waste Collection Service "depot", adjacent to the access and A10. On the other (eastern) side of the A10 are Denny End, Waterbeach Barracks, and Denny Abbey further to the north.
3. At present the site contains various workshop and office buildings that have evolved in a piecemeal fashion, along with car and lorry parking areas, fuelling facility and outdoor storage. The present occupiers of the site are the applicant's company M Dickerson Ltd (aggregate production and supply), Farrans Construction Ltd (civil engineering), and Donarbon Ltd (waste management). The Farrans Construction part of the site is separate from the part occupied by Dickerson and Donarbon. The Farrans site contains a workshop, offices, various small outbuildings and open storage of plant, vehicles and construction materials.

4. The remainder of the site is shared by Dickerson and Donarbon and contains several office buildings, a fabrication workshop, a building for commercial vehicle maintenance for the heavy plant and 55 lorries operated by these 2 companies, a yard for manoeuvring and open storage, tanks for fuel and oil storage, and an overflow parking and open storage area.
5. The application proposes the redevelopment of the site, involving the demolition of the existing buildings on the site and their replacement with a large new building containing a workshop and offices, along with a storage building, a biomass boiler, fuel storage and fuelling facilities, and parking. The building would be 84m by 35m, and 10.3m high, and has been reclaimed from the building used for the production of the concrete sections of the Guided Busway. It would be located towards to the north east end of the site so that existing operations can continue until it is completed, following which the other buildings will be demolished and the site laid out for 207 car parking spaces and 33 light goods spaces, plus overnight lorry parking. The office accommodation within it would be split between the respective users, whilst the remainder of the building would provide full height workshop facilities comprising 7 lorry bays, a separate workshop for Farrans, and bays for plant maintenance and repair along with a fabrication workshop.
6. Also on the site would be provided a fuel island with canopy, up to 9 fuel tanks containing diesel for the plant and lorries, and a biomass plant and fuel store (using wood chip from recycled materials at the adjoining Waste Management park), a bin store, and cycle and motorbike shelter. As there is no mains drainage accessible, a new sewage treatment system will be installed under the new parking area. A 3m high weldmesh fence would be provided to the south, west and east site boundaries, with vehicle gates where there are crossings over Beach Ditch and between the car park and workshop yard. The northern boundary would be provided with a 1m high post and rail fence, and 1.8m wooden fences would be utilised within the site.
7. It is intended that the site will then be occupied by the three companies mentioned above, plus South Cambridgeshire District Council's Waste Collection Service, which will move from the nearby "depot". It will provide office and welfare accommodation, workshop facilities and overnight lorry and plant parking, including for the SCDC Lands Department which currently stores its plant and vehicles elsewhere around the District.
8. The application is accompanied by:
  1. Biodiversity summary and report
  2. Flood risk assessment
  3. Foul sewage and utilities assessment
  4. Land contamination assessment
  5. Landscaping details
  6. Lighting assessment
  7. Noise assessment
  8. Parking provision
  9. Site waste management plans
  10. Transport assessment
  11. Travel plan
  12. Sustainability statement and health impact assessment
  13. Renewable energy statement
  14. Waste design guide toolkit

15. Water conservation strategy
16. Statement of community involvement
17. Design and access statement

### **Planning History**

- S/1455/99** – use of land for open storage (Donarbon) – approved
  - S/1453/99** – Temporary lorry park (Donarbon) – approved
  - S/0818/98** – extension to workshop and vehicle bays (Donarbon) – approved
  - S/1771/97** – Office building (for Farrans) – approved
  - S/0944/92** – extension to offices for Donarbon – approved
  - S/0943/92** – radio mast and antenna at Donarbon weighbridge – approved
  - S/1057/90** – Use as lorry park, erection of oil tanks and pump island – approved
  - S/0146/88** – computer room and toilet block for Donarbon – approved
  - S/2357/86** – Drivers' rest room, canteen and stores (Donarbon) – approved
  - S/1817/85** – weighbridge and office – approved
  - S/1479/85** – Use as civil engineering yard, erect plant store (Farrans) – approved
  - S/1122/85** – Storage, washing and lubricating building for Donarbon – approved
  - S/0649/85** – alterations to workshop and office (Donarbon) – approved
  - S/0803/84** – Use of land as lorry park (Donarbon) – approved
  - S/0309/84** – renewal of permission for 3 portacabins – approved
  - S/1326/81** – workshop (for Landbeach Sand and Gravel Co) – approved
9. There are no restrictions on hours of operation of any of the activities on the site.

### **Planning Policy**

10. **South Cambridgeshire Local Development Framework (LDF) Development Control Policies DPD 2007:**
- DP/1 Sustainable Development
  - DP/2 Design of New Development
  - DP/3 Development Criteria
  - DP/6 Construction Methods
  - ET/3 Development in Established Employment Areas in the Countryside
  - ET/5 Development for the Expansion of Existing Firms
  - NE/1 Energy Efficiency
  - NE/3 Renewable Energy Technologies in New Development
  - NE/6 Biodiversity
  - NE/11 Flood Risk
  - NE/12 Water Conservation
  - NE/14 Lighting proposals
  - NE/15 Noise pollution
  - TR/2 Car and cycle parking standards
  - TR/3 Mitigating Travel Impact

### **Consultation**

11. **Landbeach Parish Council** recommends approval
12. **Waterbeach Parish Council** to be reported

13. **Environment Agency** recommends conditions surface water from hardstandings to be passed through an oil interceptor, bunding to be provided to oil/fuel storage tanks, and the submission of a scheme to deal with contamination risk. Flood risk has not been satisfactorily addressed, but no objection is raised on the grounds of flood risk from designated main rivers, (provided the Drainage Boards have no objection regarding flood risk from their watercourses) subject to conditions requiring the submission of foul and surface water drainage schemes.
14. **Acting Environmental Health Manager** to be reported
15. **Ecology Officer** to be reported
16. **County Highway Authority** to be reported
17. **Internal Drainage Board** to be reported
18. **Landscape Design Officer** to be reported
19. **Trees and Landscapes Officer** to be reported
20. **County Archaeological Officer** to be reported

#### **Representations**

21. None received

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

22. Compliance with Policy. Policy ET/3 states that the redevelopment of existing buildings and appropriate development for employment use may be permitted, unless there would be a negative impact on the surrounding countryside or landscape character area. In this location, the site is surrounded by business, industrial and waste development, such that it would have no impact on the local countryside in visual terms.
23. The proposals also comply with Policy ET/5 for the expansion of existing firms. All the intended users are already well established on or near the site.
24. Sustainability. Policy NE/1 requires the development to demonstrate energy efficiency measures, and these will be achieved through the new building complying with up to date Building Regulations and the provision of the Biomass boiler.
25. Biodiversity should be improved under the proposals, which include new native tree and hedge planting. There would be no impact on the nearby County Wildlife Site.
26. The biomass plant would provide all the hot water and heating for the office and workshop building. It would achieve the requirement of Policy NE/3 to meet at least 10% of energy demand through renewable energy. As well as the biomass boiler, the building would harvest rainwater for toilet flushing, and would include measures to minimise water use.

27. A site waste management plan will be implemented by the contractors once they are appointed.
28. Flood risk. The FRA concludes that the development will not suffer from or cause flooding. The surface water will discharge via petrol interceptors to the existing lake to the north, as will the sewage treatment system. The Environment Agency's recommended conditions will protect the site and surroundings from flooding and pollution.
29. Transport and Parking. The nature of the businesses and their operational requirements need a location remote from residential development to protect amenity. They are also mostly related to the activities of the adjoining Waste Management Park. Since many operatives, such as refuse loaders, arrive at the site in the dark early hours, many of them naturally expect to drive. Nevertheless, Travel Plans are already in place to reduce reliance on sole occupancy cars, mainly through car sharing, and this would be continued in a new Travel Plan which would promote a car sharing database among all employees on the site, along with such measures as a guaranteed ride home.
30. The application Supporting Statement includes at Appendix 9 a calculation and justification for the level of parking proposed. Strictly applying the Council's Parking Standards (which acknowledge that some land uses have transport patterns that are difficult to generalise) results in a maximum requirement of 111 spaces based on the main building alone, but there is no standard set for the remaining space such as the lorry parking, and in particular the refuse vehicles which have a 3-man crew, i.e. 2 more operatives in addition to the driver. The actual application proposes 207 spaces (of which 20 are disabled spaces), plus 33 LGV spaces with scope for dual use, and 16 motorbike spaces. The applicant calculates there being 39 spaces less than the actual requirement based on knowledge of numbers of staff etc. Such shortfall would be made up through the implementation of the Travel Plan which assumes 15% car sharing.
31. Cycle parking is not formally provided on the site at present, and only one user presently cycles to work. The main limit to cycling is that the only practical access is via the A10. The necessarily remote location from residential property means that employees would have to cycle some distance along the A10 in darkness. Consequently, strict adherence to the Council's Cycle Parking standards (which would require 102 spaces) is considered inappropriate in this instance. The application proposes 26 spaces in purpose built shelters. Bearing in mind the applicant's commitment to Travel Planning, that the 26 spaces far outweigh the anticipated usage, and that there is scope to provide additional cycle parking in future, the proposed provision is considered acceptable in this instance.
32. In conclusion, the redevelopment of the site will result in the rationalisation of accommodation for existing users and facilitate the relocation of the SCDC Waste Collection Service and Lands fleet. It would therefore represent a more effective use of the site, and would not have unduly adverse impacts on the countryside, residential amenity, highway safety, or environmental interests.

### **Recommendation**

33. APPROVE, subject to the following conditions:

1. **The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. **The development hereby permitted shall be carried out in accordance with the following approved plans: 15753/A1/P001 to P0018 inclusive, 1204/01/02a and 02b, MD/EC/03, Travel Plan.**  
(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 approved by this permission shall be commenced until:**
  - a) **The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority.**
  - b) **Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority.**
  - c) **The works specified in the remediation method statement have been completed, and a validation report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.**
  - d) **If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this contamination should be agreed in writing by the Local Planning Authority.**  
(Reason (a) - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DP/1 of the adopted Local Development Framework 2007). Or  
(Reason (b) – To prevent the increased risk of pollution to the water environment in accordance with Policy DP/1 of the adopted Local Development Framework 2007).
4. **Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.**  
(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the adopted Local Development Framework 2007.)

5. **Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.**

(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

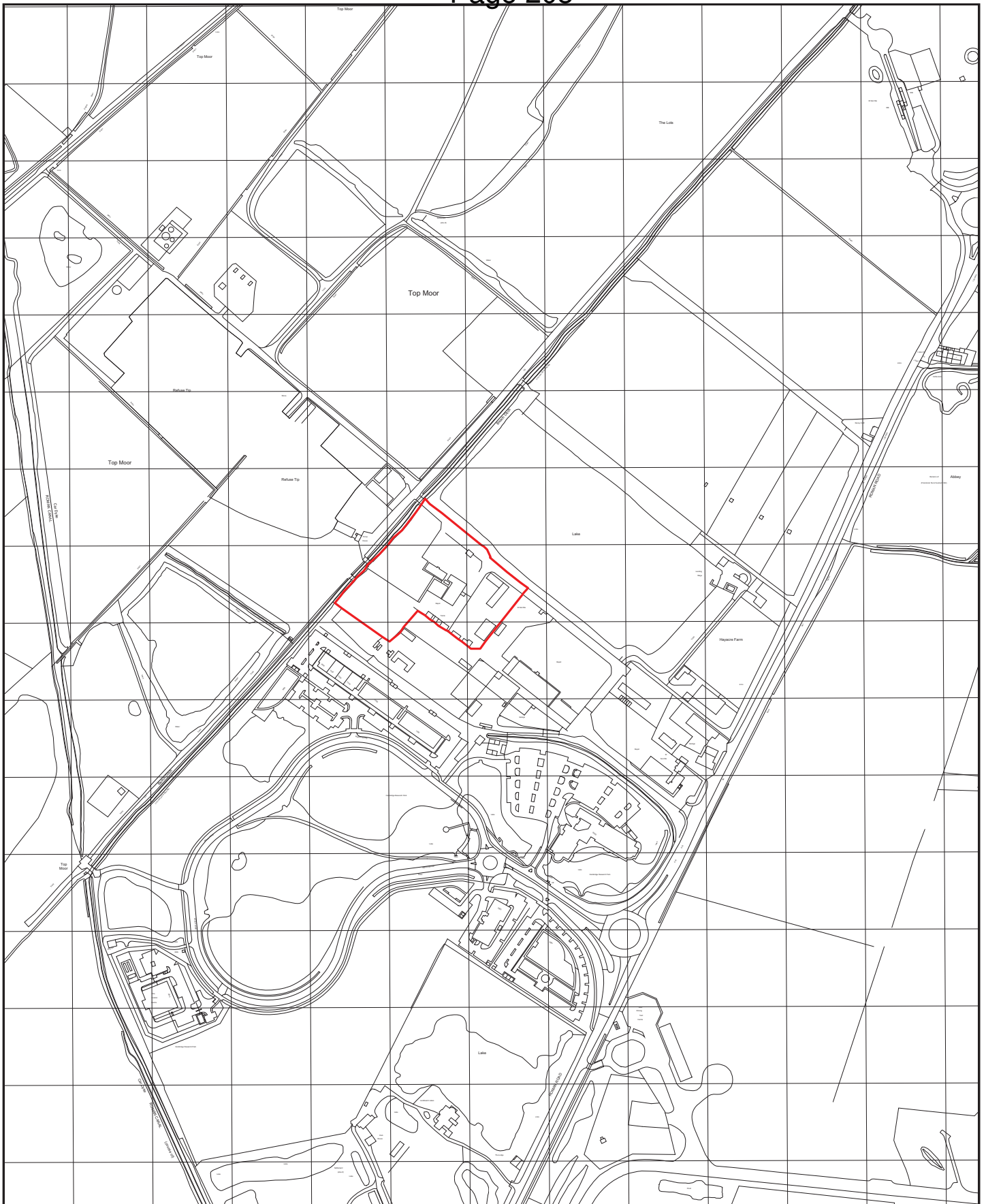
**Background Papers:** the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Development Framework (LDF) Development Control Policies DPD 2007
- Application file S/1985/10

**Contact Officer:** Kate Wood - Team Leader - East  
01954 713264

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

2 March 2011

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

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**S/2171/10 – ORWELL****Extend existing dwelling and build new dwelling in garden, 25 Lotfield Street, for Mr & Mrs Gary Hilbrow****Recommendation: Refusal****Date for Determination: 1<sup>st</sup> February 2011****Notes:**

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

**Members of Committee will visit the site on the morning of 2<sup>nd</sup> March 2011.**

**Site and Proposal**

1. The application site lies on the north side of Lotfield Street and is approximately 808sq metres. Lotfield Street lies within the southern part of the village and is accessed from Town Green Road and Stocks Lane. The site lies within Orwell Development Framework boundary. No.25 lies outside of the Orwell Conservation Area, which runs primarily along the High Street to the north. There are four bungalows occupying the north side of Lotfield Street and No 25 is the last of these when accessing from Town Green Road. Opposite the property there are three grade 2 listed properties.
2. The application site is triangular in shape tapering towards the east where it meets the bend in the road and the side garden of No23a. The rear of the plot also backs onto the garden of no 23 Lotfield Street. The existing three bedroomed bungalow is positioned to the western end and comprises a central area under a simple pitched roof with its gables facing the road and rear of the property. The rest of the existing property lies under flat roofs and comprises a hall/cloaks and double garage to the west side and a bathroom, bedroom and conservatory to the rear. The whole property is set behind an evergreen hedge, which substantially screens the existing bungalow and its garden when viewed from the Street except at the western end where there is vehicular access to the drive and garage. The rear boundary is a combination of a fence and conifers and backs onto the gardens of Numbers 23 and 23a Lotfield Street. The conifers have been cut by the residents to the rear but are believed to be within the ownership of No 25. The surrounding area is a mix of detached and semi detached properties of different sizes and situated on differing plot sizes. All the bungalows on the North side of Lotfield Street have small rear gardens.
3. The full planning application, submitted on 8<sup>th</sup> December 2010, proposes the blocking up of the existing vehicular access and the formation of a new double shared access immediately to the east of the existing dwelling to provide four car parking spaces to

serve both the existing property and the new property. The new dwelling is proposed to be sited in the side garden to the east with a floor plan of approx 54sqm and provides two bedrooms and a bathroom within the roof space and a ground floor living room and kitchen/dining room.

4. The existing bungalow will be altered and extended. The existing conservatory will be removed and replaced with a single storey extension to provide an additional bedroom and ensuite all to extend behind the existing flat roofed building that fronts Lotfield Street. Two new pitched roofs will cover the whole of the existing and extended dwelling including the existing garage on the west side, which will become a kitchen dining room. The existing bungalow is predominately single storey with a height of approx 2.6m. The existing pitched roof rises to approx 4.1m under a shallow pitch. The extended bungalow will have a ridge height of 6.2 east west across the rear of the property and the height of the gable fronting Lotfield Street is proposed to be slightly lower at approx 6m.
5. The applicants did not undertake any pre application advice with the Planning Department.

#### **Planning History**

6. None of relevance.

#### **Planning Policy**

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

**ST/6** – Group Village

7. 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

**NE/1** – Energy efficiency

**NE/6** – Biodiversity

**CH/4** – Development within the curtilage or setting of a listed building

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

**SF/11** – Open Space Standards

**Biodiversity SPD** – Adopted July 2010

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

**Listed Buildings SPD** – Adopted 2<sup>nd</sup> July 2009

**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 relevant to the development to be permitted, fairly and reasonably related in scale and kind and reasonable in all other respects.

### **Consultations**

8. **Orwell Parish Council** – Recommends approval subject to a condition that the velux roof lights on the new dwelling are located as high as possible in the roof to avoid overlooking of the adjacent property. There are however concerns with regard to access and parking. The proposed shared access will provide no space for turning to allow exit in forward gear from the site and will necessitate “shunting” of the vehicles unless some are parked in the street thus increasing the street parking. The Council suggest that the plans could be modified to provide a better solution to the off street parking. Concern was also raised that the proposed development of the existing dwelling and the building of a new dwelling will result in an over development of the whole site.
9. **Conservation Officer** – Comments there are many grade II listed buildings on Lotfield Street and the adjacent Town Green Road, principally timber-framed structures of the 16th or 17th centuries. Those nearest the present site include numbers 22 and 26-28, directly opposite, and number 32, diagonally opposite to the west. In some cases their importance is partly disguised by modernised exteriors, but number 22, with its timber-frame, jetty, and close studding, provides striking external evidence of its architectural interest. Any new work should preserve or enhance the setting of these listed buildings, particularly number 22.
10. The existing modern bungalow with flat-roofed extensions has a fairly neutral effect on the historic environment, although it should be feasible to devise an extension which enhances its impact. However the proposed design does not fulfil this requirement. The added height of the new structure would make it more dominant, and the rooflights, with their eye-catching reflective surfaces on the roof slopes, would exacerbate this effect. The large expanse and very slack roof pitch of the new cross wing are out of scale with the setting. The assertive modern materials, including the plate glass of the windows and the upvc of the doors and window frames, are at variance with the natural materials of the historic buildings. The applicant is invited to revise the design, employing low height, narrow ranges, and natural materials, and if necessary seeking informal advice.
11. The proposed new development site adjacent to number 25 is one of several small plots of open land on Lotfield Street, for example before number 30, and between numbers 20 and 22. They greatly enhance the setting of the listed buildings, which could on the other hand be harmed by an increase in the density of the existing development, and accordingly they should probably not be built upon. The domestic paraphernalia associated with a new dwelling, including the two new parking spaces, would also be unwelcome in context.
12. If, however, the applicant wishes to pursue this proposal he would need to provide evidence of its impact on the historic environment. It would be helpful, for example, to have montages and sections of the site showing the flanking buildings, particularly the listed structures, and the proposed dwelling in situ. This should accompany a Heritage statement.
13. Recommendation: refuse on the grounds that the proposal would be detrimental to the setting of listed buildings, contrary to LDF policy CH/4

14. **Local Highways Authority** – Comments that as the proposal will serve two dwellings the Highway Authority will seek suitable inter-vehicular visibility splays to the adopted highway. The maximum splays should be 2.4x43m. However, if empirical data in the form of a speed and volume count were provided the Highway Authority might accept a lower provision. Conditions are recommended in the event of approval.

### **Representations**

15. Letters of have been received from Nos 23,23a and 24 Lotfield Street raising the following objections:
- (a) The proposed access point is virtually on a blind corner, which incorporates a junction to a busy housing estate. There have been several near misses in the past. Lack of visibility caused by high hedges.
  - (b) Cars are frequently parked from the proposed access to the new house to the Lotfield junction with Town Green Road. An additional property will add to parking problems.
  - (c) With only 4 car parking spaces, visitors will park on the road causing further problems.
  - (d) The plot is too small and extremely close to the rear boundaries with Nos 23 and 23a Lotfield Street taking light from the house and garden and resulting in loss of privacy.
  - (e) Proposed planting on the rear boundary will exacerbate the loss of light to the neighbours at 23, and 23a.
  - (f) Concern is raised regarding the adequacy of the drainage and sewerage system. The area has suffered in the past.
  - (g) Overdevelopment, insufficient space for a house and garden.
  - (h) Lotfield Street has experienced recent vehicular incidents; this proposal will make this more likely to be a hazard.

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

16. The key issues to consider in the determination of this application are:
- Impact on the setting of the Listed Buildings
  - Impact on the Character of the Area
  - Residential amenity
  - Highway Safety
  - Infrastructure requirements

### ***Impact on the character of the area and the setting of the listed buildings***

17. The site is currently largely hidden from view behind the frontage hedge. The existing bungalow is partially visible from the Street and the hedge screens its side garden where the additional dwelling is proposed and only the fruit trees and conifers to the rear are visible from the road.
18. DCP Policy DP/7 supports development of unallocated land within development frameworks provided that
- a) retention of the site in its present state does not form an essential part of the local character;
  - b) Development would be sensitive to the character of the location, local features of landscape, ecological or historic importance, and the amenities of neighbours; and
  - c) there is the necessary infrastructure capacity to support the development.

19. Policy DP/2 and the District-wide Design Guide also provides design criteria for new development.
20. The alterations to the existing dwelling will raise the ridge height by approx 2m and the resulting gable that fronts Lotfield Street will be considerably more bulky than exist at present .For this reason I agree with the Conservation Officers comments that the extensions to the existing property will adversely impact the listed buildings opposite. I also believe that a gable of this bulk and in such close proximity to the street is out of character with the bungalows on this side of the street, which are generally set back from the road with generous front gardens. It should be noted that this impact is worse because the land on which the existing dwelling is sited is higher than the adjacent street.
21. The new dwelling has a ridge height just higher than the 6m proposed for the extended existing bungalow. Whilst this ridge height will be set back further from the Street than the gable the footprint of the dwelling will be as close to the hedge and street as the existing bungalow. The new dwelling will have two dormers which are of disproportionate in relation to the scale of the dwelling and out of character with the low bungalows that dominate this side of Lotfield Street. Taken together the bulk, design and position of the new dwelling will impact adversely on the Listed buildings opposite. I also believe that because of its height above the street level and its design, with disproportionate dormers, the dwelling will be out of character with this side of the street, which is predominately of bungalows that are lower or set well back from the street.

#### ***Residential Amenity***

22. The raising of the roof of the existing bungalow will result in it being seen to a greater extent by its neighbours. However I do not believe that this or the addition of high roof lights over the new kitchen area will adversely impact on the neighbour to the side or the rear.
23. The new dwelling will be a similar distance off the boundary to the rear as that for the existing bungalow but the proposal does include a first floor and the proposed roof lights would cause overlooking if they are of clear glass. The height and position of the dwelling will in my opinion unduly dominate the gardens of the properties (No23, 23a) to the rear. Developing the side garden of the existing bungalow will leave very limited garden space for both the existing and new dwelling. Whilst some properties in the surrounding area do have limited garden space in this particular case the new dwellings limited garden will be in very close (2m at the closest) to the rear garden of No 23a. With such limited amenity space I am concerned that inevitable noise and disturbance from the new dwelling will impact on this neighbour.

#### ***Highway Safety***

24. The Highway Comments have been referred to the applicant. Additional drawings have been provided by the applicant showing a visibility spay. Unfortunately this additional drawing does not show a correct visibility splay. Further revised plans have been requested from the applicant to demonstrate adequate visibility. Members will be updated on this issue at the Committee meeting.

#### ***Infrastructure Requirements***

25. In accordance with the requirements of Policy 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 two-bedroomed dwelling proposed, this results in a requirement for contributions of £ 2,244.90 towards open space ,£ 371.00 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). I have asked the applicant to confirm in writing that his client is in agreement to pay these contribution in the event that planning consent is permitted. Members will be updated on this issue at the Committee meeting.

#### **Recommendation**

26. **Refuse.**

#### **For the Following Reason:**

1. **The proposed roof extensions to the existing property at No 25 Lotfield Street will result in a disproportionately large gable elevation which when viewed from Lotfield Street will dominate the street and be out of character with the surrounding area. It will also result in harm to the setting of listed building (No.26) opposite the site. To this end the proposal is contrary to policies DP/2, DP/7 & CH/4 of the South Cambridgeshire District Council Local Development Framework Development Control Policies DPD, 2007 which seek to ensure that the design of all new development is of high quality and appropriate to the scale and nature of the development and that the setting of Listed Buildings is safeguarded.**
2. **The proposed new dwelling is sited on a narrow and tapering garden near to the bend in Lotfield Street. This side of the street is predominately occupied by bungalows. The design and dominant position of the new dwelling rising as it will well above the hedge will be out of character with the existing street scene. The dwelling by virtue of its siting and height will also harm the setting of Listed Building (No. 22) opposite. As such the proposal is contrary to policies DP/2, DP/3 and DP/7 of the South Cambridgeshire District Council Local Development Framework Development Control Policies DPD 2007 which seek to ensure that the design of all new development is of high quality and appropriate to the scale and nature of the development and that the setting of Listed Buildings is safeguarded.**
3. **The size and siting of the new dwelling will harm the amenity of neighbouring properties to the rear of the site by reason of being overbearing on the outlook from the rear gardens of 23 and 23a Lotfield Street. As such the proposal is contrary to policies DP/2, DP/3 and DP/7 of the South Cambridgeshire District Council Local Development Framework Development Control Policies DPD 2007. As such the proposal is contrary to policies DP/3 and DP/7 of the South Cambridgeshire District Council Local Development Framework Development Control Policies DPD 2007 which seek to protect residential amenity.**
4. **The application as submitted does not demonstrate that adequate vehicular visibility spays can be achieved in accordance with the requirements of the Local Highway Authority. As such the proposal is contrary to Policy DP/3 of the South Cambridgeshire District Council Local Development Framework**



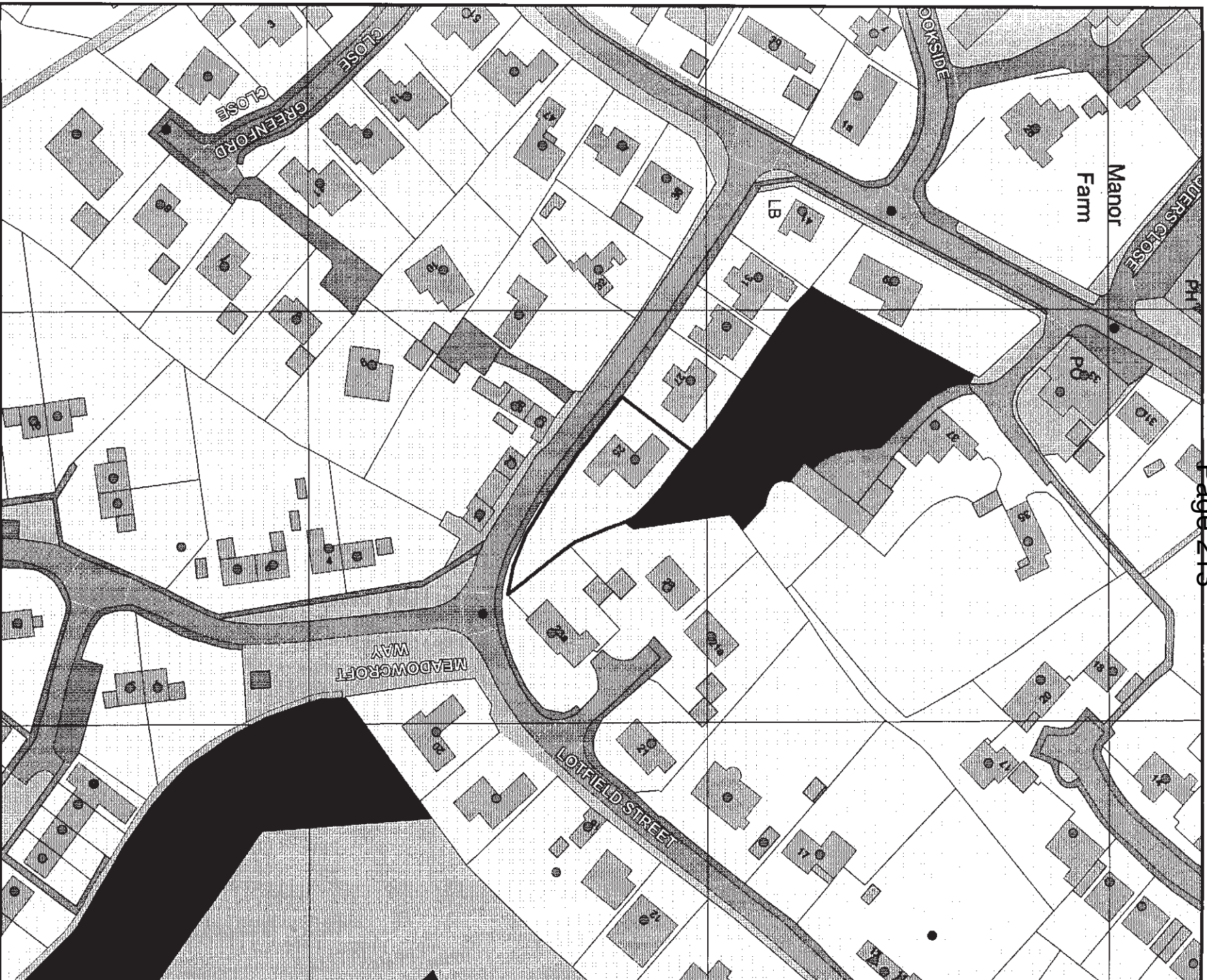
**Development Control Policies DPD, 2007 which seeks appropriate access from the highway network that does not compromise safety.**

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

- South Cambridgeshire Local Development Framework 2007
- Listed Buildings SPD – Adopted 2<sup>nd</sup> July 2009
- Biodiversity SPD – Adopted July 2010
- District Design Guide SPD – Adopted March 2010

**Contact Officer:** John Pym – Senior Planning Officer  
Telephone: (01954) 713166

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

2 March 2011

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

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**S/1997/10 - BARRINGTON  
ERECTION OF EXTERNAL SHELTER  
BARRINGTON COFE VC PRIMARY SCHOOL, HASLINGFIELD ROAD,  
BARRINGTON FOR MRS F CATTERSON**

**Recommendation: Refusal**

**Date for Determination: 25 January 2011**

**The application has been referred to the Planning Committee at the request of Councillors Murfitt and Kindersley.**

**Planning Committee Members will visit the site on the morning of 2nd March.**

**Site and Proposal**

1. The application site is Barrington Primary School. The school buildings comprise the original rendered and thatched mid-19th century building and Victorian extension fronting the road with later 20th century extensions to the rear and North East. The original school building is Grade II Listed. The specific location of the proposed structure is in the corner of an existing playground directly to the rear (East) of the 19th century thatched building and to the South side of the Victorian extension. There is a demountable classroom to the West of the playground area and directly to the South is the boundary with the village church. The school is located within the Barrington Conservation Area.
2. The application is for a timber and polycarbonate shelter to serve pupils in the Reception class.

**Policies**

3. DP/2 – Design of New Development  
DP/3 – Development Criteria  
CH/4 – Development within the Curtilage or Setting of a Listed Building  
CH/5 – Conservation Areas

**Supplementary Planning Guidance**

4. Listed Buildings – Adopted July 2009  
Development Affecting Conservation Areas – Adopted January 2009

### Consultations

5. Parish Council – has recommended approval.
6. Conservation Team – has recommended refusal on the grounds that the proposed shelter would harm to the special character and appearance of the Listed Building and would neither preserve nor enhance the character and appearance of the Conservation Area.

### Representations

7. No representations have been received in respect of the proposed development.

### Planning Comments

8. The main planning considerations in this case are the impact on the setting of the Listed Building and the impact on the Conservation Area.
9. Impact on the setting of Listed Building - The proposed shelter would be sited in a sensitive location in close proximity but not attached to the thatched part of this Grade II listed school. It would however read as an attached building in views of the rear of the listed building. While the rear of the building is not particularly prominent in public views, it would be seen in views from and across the church grounds to the South of the school. The roof form of the shelter is not traditional, being of very shallow pitch and the structure is relatively large; the floor plan of the proposed shelter being comparable to the largest room in the existing historic part of the building. The materials, namely half round redwood poles and polycarbonate roofing, are not traditional materials and would not complement the white render and thatch of the original building or the brick and slate of the Victorian extension. The design of the shelter with partially open areas at ground level and "planting tubs" is also considered to be inappropriate for this location.
10. The proposed development is therefore considered to harm the setting of the Listed Building.
11. It has been suggested to the school that the structure be located further from the Listed Building close to the gable end of the demountable classroom to the East, however the school's Headteacher has expressed concern that this would be too distant from the reception classroom to function as required. The requirements of the *Statutory Framework for Early Years Foundation Stage, 2008* and *The Early Years Foundation Stage Effective Practice: The Learning Environment, 2007* have been cited as requiring that a shelter be provided for the children. Although it is accepted that such a facility is needed, it is not considered that it has been adequately demonstrated that an alternative location further from the listed building would not still meet these requirements. On that basis, it is not considered that the need for the shelter in a location so close to the reception classroom has been adequately demonstrated to outweigh the harm to the setting of the Listed Building.
12. Impact on the Conservation Area – Given the harm caused by the shelter to the setting of Listed Building and the contribution that the Listed building makes to the character and appearance of the Conservation Area, the proposed shelter is also

considered to be detrimental to the Conservation Area as it would neither preserve nor enhance its character and appearance.

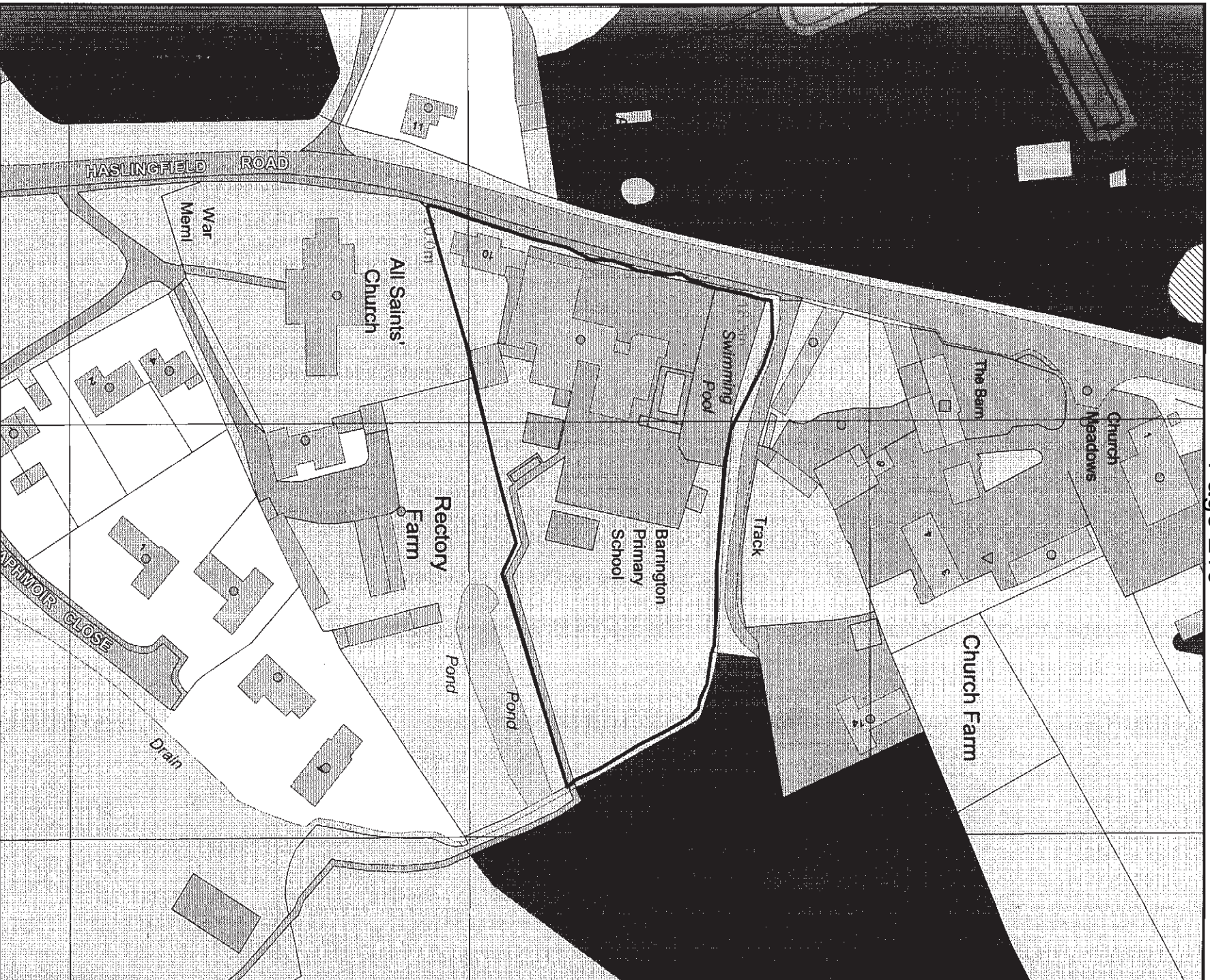
### **Recommendation**

13. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is recommended that the applications be refused Planning Permission, for the following reason(s):
  1. The proposed shelter would harm the setting of the 19th century timber framed and thatched school building by virtue of its form, proportions, materials and design. The proposal is considered to be inappropriate in form and design and would result in a visually intrusive building that compromises the special character and appearance of the rear elevation of the building. The materials, which include polycarbonate and half round timber redwood poles, are uncharacteristic and inappropriate within the setting of a building of this type and age. The proposal is therefore considered to be contrary to Policy CH/4 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007: Policy HE 6.1, HE 7.2 and HE 7.5 of Planning Policy Statement 5: Planning and the Historic Environment; PPS5 Historic Environment Planning Policy Practice Guide (including paragraphs 68, 70, 76, 80, 117, 121, 122), and paragraph 4.38 of the Local Development Framework SPD Listed Buildings: Works to or affecting the setting of (2009).
  2. The listed building makes a strong visual contribution to the Conservation Area. Due to its inappropriate form, proportions, materials and design which would harm the setting of the Listed Building, the proposed extension would 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 and the Development Affecting Conservation Areas SPD 2009.

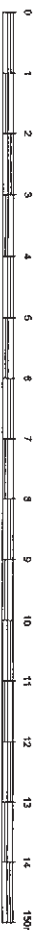
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01954 713162

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

2 March 2011

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

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**S/2122/10 - TOFT  
DEMOLITION OF EXISTING REAR CONSERVATORY AND ERECTION OF  
SINGLE STOREY REAR EXTENSION  
FIRS FARM, 64, HIGH STREET, TOFT FOR MR N. HARRIS**

**Recommendation: Refusal**

**Date for Determination: 24 January 2011**

**The application has been referred to the Planning Committee at the request of the local elected member, Councillor Hawkins.**

**Site and Proposal**

1. The application site is a grade II listed timber framed and thatched building dating from the early 17th century with 19th century alterations. The former farmhouse, which retains its original plan of three bays with a lobby entry, has been extended to the rear by the addition of a one and a half storey extension and a lean-to conservatory. The property sits with gardens to the South side and additional land to the North side. To the rear the existing conservatory is relatively close to the rear boundary of the garden which is enclosed by a mature hedge. The land to the rear (East) of the garden is an area of open grassland which is also within the ownership of the applicant. The building is located outside of the Development Framework of Toft but within its Conservation Area.
2. The applications for Listed Building Consent and Planning Permission are for a single storey extension in place of an existing conservatory to the rear of the two storey extension.

**Relevant Planning History**

3. S/1833/93/F & S/1834/93/LB – Planning permission and Listed Building Consent granted for the erection of a rear extension and conservatory.

**Policies**

4. DP/2 – Design of New Development  
DP/3 – Development Criteria  
HG/6 – Extensions to Dwellings in the Countryside  
CH/3 – Listed Buildings  
CH/5 – Conservation Areas

### **Supplementary Planning Documents**

5. Listed Buildings – Adopted July 2009  
Development Affecting Conservation Areas – Adopted January 2009

### **Consultations**

6. Parish Council – has recommended approval.
7. Conservation Team – has recommended refusal on the grounds that the proposed extension would cause harm to the special character and appearance of the Listed Building and would neither preserve nor enhance the character and appearance of the Conservation Area.

### **Representations**

8. One representation from Councillor Hawkins, the Ward Member for Caldecote, Toft and Kingston has been received. Councillor Hawkins comments that the existing conservatory does not fit with the main building and the proposed replacement extension is more in keeping with the character of the building. She supports the application.

### **Planning Comments**

9. The main planning considerations in this case are the principle of the extension in terms of policy HG/6, the impact on the Listed Building and the impact on the Conservation Area.
10. Principle - Policy HG/6 is applicable to this application as it is a dwelling in the Countryside. The existing extensions to the property total approximately 77 sqm of Gross Internal Area (GIA) which represents an increase in GIA of approximately 53% over the original dwelling. The development proposed would result in a net increase of 6 sqm in GIA, equivalent to an additional 4% increase in GIA over the existing arrangement and a 57% increase over the original dwelling. Whilst this is in excess of the limit of 50% set in clause c of the policy, it is not considered that the net increase is significant in terms of the overall impact on the countryside or the stock of small and medium sized properties in the countryside. The proposed extension would not harm the aims and objectives of policy HG/6 and would not harm the rural character of the countryside.
11. Impact on the Listed Building - The existing lean-to conservatory is modest in scale and simple in form and details and combined with the large amount of glazing results in a relatively lightweight structure that has little impact on the listed building. The proposed extension would harm the rear and side elevations of the listed building by virtue of its scale, bulk, massing and design and would further increase the bulk and massing of the existing extension to the detriment of the listed building and its historic plan form. The form would result in a more solid structure and the steeply pitched roof would add additional bulk so that the roof appears top heavy and out of proportion with the walls. In addition, there is a hierarchy of materials and plain tiles were historically used on large houses and some farmhouses but where the main building is thatched extensions were generally pantiled or slated. In terms of other

materials the use of weatherboarding would contrast sharply with the plain rendered walls of the existing building resulting in a more dominant structure.

12. Although the windows are simple in form, the proposed French doors with sidelights are a modern and non-traditional detail that are inappropriate and out of keeping with the character of the former farmhouse. As part of the proposals the existing first floor window in the gable would be blocked by the extension and a new smaller one provided to the left hand side of the gable, resulting in the fenestration having a cramped appearance.
13. The proposed development is therefore considered to harm the special character and appearance of the Listed Building.
14. Impact on the Conservation Area – Given the harm caused by the extension to the Listed Building and the contribution that the building makes to the character and appearance of the Conservation Area, the proposed extension is also considered to be detrimental to the Conservation Area as it would neither preserve or enhance its character and appearance.

### **Recommendation**

15. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is recommended that the applications be refused Listed Building Consent and Planning Permission, for the following reason(s):
  1. The proposed extension will cause harm to the special character and appearance of the rear and side elevations of this early 17th century timber framed and thatched former farmhouse by virtue of its scale, form, massing and design. The proposal would be detrimental to the simple appearance of the rear and side elevations and would increase the bulk and massing of the existing one and a half storey extension to the detriment of the listed building and its historic plan form. In terms of design and form the proposal is considered to be inappropriate due to its proportions, materials and fenestration and would result in a visually intrusive addition that would compromise the simple character and appearance of this listed building. In addition there is insufficient justification for an extension that would cause harm to the listed building. The proposal is therefore considered to be contrary to Policy CH/3 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 (DPD); Policy HE7 and HE9 of Planning Policy Statement 5: Planning for the Historic Environment (including HE7.2 and HE9.1); PPS 5 Historic Environment Planning Policy Practice Guide (including 86, 111, 142, 178 and 182) and paragraphs 4.11 and 4.12 of the Local Development SPD Listed Buildings: Works to or affecting the setting of 2009.
  2. The listed building makes a strong visual statement within the Conservation Area and due to its inappropriate scale, form, massing 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 (DPD) and paragraphs 3.3 and 3.4

of the Local Development SPD Development Affecting Conservation Areas  
2009.

**Contact Officer:** Daniel Smith - Planning Officer  
01954 713162



Planning Dept - South Cambridgeshire DC

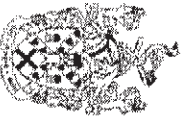


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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee 2 March 2011  
**AUTHOR/S:** Executive Director (Operational Services)/  
Corporate Manager (Planning and New Communities)

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**S/2288/10 - PAPWORTH EVERARD**  
**Extension of time of planning application S/2476/03/O through the variation of condition 2 at land off Ermine Street South for David Wilson Homes**

**Recommendation: Delegated Approval**

**Date for Determination: 25<sup>th</sup> March 2011**

**Notes:**

This application has been reported to the Planning Committee as the Parish Council has recommended refusal.

The proposal has been advertised as a departure on 8<sup>th</sup> February 2011.

**Departure Application**

**Site and Proposal**

1. The site defined within this application measures approximately 22 hectares (13.6 hectares within 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 are the properties along Southbrook Field and the Grade II Listed Building of St Peter's Church. Open fields define the western boundary and to the south is an area of grassland and beyond this is the public highway (A1198).
2. Essentially, the proposed site of S/2476/03/O has been divided into three sections. Planning applications S/1688/08/RM and S/1101/10 define the southern half, while the northern half is split between S/1424/08/RM and S/1624/08/RM.
3. The application, validated on the 24<sup>th</sup> December 2010, is for the extension of time for the implementation of reserved matters for S/2476/03/O by one year. Condition 2 of S/2476/03/O controls the timing of implementation of the development. The developer, therefore, requests to have until the 18<sup>th</sup> May 2012 to start construction on the reserved matters for the northern half instead of the 18<sup>th</sup> May 2011. The reason for the application is not to delay construction but to allow more time for consideration of future applications concerning the northern half. The commencement date for the southern half will remain 18<sup>th</sup> May 2011.

4. The original outline application of S/2476/03/O was for Residential Development including Public Open Space, Vehicular Access together with Demolition of 18, 20, 52 and 54 Ermine Street South, and 1 & 3 St Johns Lane.

### **Planning History**

5. **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.
6. **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.
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.
9. **S/1424/08/RM** – The proposal for the Approval of appearance, landscaping, layout & scale for the erection of 81 dwellings was conditionally approved.
10. **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.
11. **S/1101/10** – The proposal for the Variation of Conditions 12 & 26 of Planning Permission S/1688/08/RM was approved.

### **Planning Policy**

12. Central Government Guidance:  
Greater Flexibility for Planning Permissions, October 2010  
Planning Policy Statement 3: Housing
13. Local Development Framework, Core Strategy  
**ST/5** Minor Rural Centres
14. 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/4** (Infrastructure and New Developments)  
**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)  
**NE/8** (Ground Water)  
**NE/9** (Water and Drainage Infrastructure)  
**NE/12** (Water Conservation)  
**CH/2** (Archaeological Sites)  
**CH/4** (Development within the Curtilage or Setting of a Listed Building)  
**CH/5** (Conservation Areas)  
**TR/1** (Planning for More Sustainable Travel)  
**TR/2** (Car and Cycle Parking Standards)

#### **Consultation**

15. **Papworth Everard Parish Council** – The Parish Council is recommending refusal, as it is requiring an urgent meeting with the developer to discuss their plans and an acceptable timeframe.
16. In a telephone conversation with one of the parish council members clarification on this was given stating that the concern is based upon the continued length of delay, impacts on S106 triggers, delay in infrastructure and what happens for any land transfer if the Varrier-Jones Foundation disbands.
17. **Cambridgeshire Archaeology** – The County Archaeologist recommends the same advice given for applications S/1424/08/RM and onwards, that is a no comment.
18. **County Council (Education)** – In terms of County education, the only comments are that the education contributions contained in the S106 dated 29<sup>th</sup> September 2005 should be carried forward if any extension of time is granted.
19. **Joint Urban Design Team** – The Principle Urban Design Officer supports the applicants request for an extension of time, as to complete the detailed design considerations within the original timescale could result in insufficient time to fully consider all relevant design matters and have any resulting amendments to the designs worked up and agreed prior to the submission of a planning application; resultantly we would receive an application to take to Committee that was not as developed as we would wish and may contain elements we could not support. It would be better, therefore, to have additional time to fully consider the design

and any necessary amendments worked through, in co-operation with the developer, prior to putting an application before the Planning Committee.

### **Representations**

19. No representations received

### **Planning Comments**

20. The main planning considerations for this development are any material changes in circumstance since the approval of S/2476/03/O and the need to ensure all existing controls remain in place.
21. The advice from Central Government is that Local Planning Authorities “should take a positive and constructive approach towards applications which improve the prospect of sustainable development being taken forward quickly” (Greater flexibility for planning permissions Guidance, October 2010)
22. The Material Changes – The main consideration before the Local Planning Authority is whether the outline proposal be acceptable if approved under the current Local Development Framework. If this were not the case what material considerations are there that would outweigh the harm to the Local Development Framework. In coming to this view the Greater flexibility for planning permissions Guidance, October 2010 as mentioned in Paragraph 21 is relevant.
23. The South Cambridgeshire Local Plan 2004 defined this site for residential development for approximately 259 dwellings. The existing permissions allow for a total of 365 dwellings. Under the current Core Strategy this is significantly over the indicative maximum 30 dwellings that is allowed in a single application under Policy ST/5. However, the Local Planning Authority has previously accepted this level of residential development under the reserved matter applications. The proposal is, therefore, considered to be acceptable.
24. Whilst not all of the site is defined within the village framework, it is noted that in the reserved matters, and the Section 73 (S/1101/10), application built development is fully within the village framework. The remaining land is left as open space, which is an appropriate use within the countryside.
25. The proposed density of the development is considered to be approximately 27 dwellings per hectare. This is taking the site area within the village framework (13.6 hectares) where residential development could reasonably take place. This density, whilst slightly low, is not considered to be harmful, as the overall design of the development has been carefully considered to ensure that it is appropriate for the local area.
26. The proposed conservation area that runs along the east boundary line of the site is currently being considered (reporting to the Planning Portfolio on the 8<sup>th</sup> March 2011). The discharge of conditions in the reserved matters and S73 application are taking this into consideration and any future S73 applications on this site will take the outcome of this proposed conservation area into account.

27. Whilst the main policies are covered above it is noted that not all current policies that have been adopted since the earlier approval will strictly be complied with (for example the requirement for 10% renewable energy) but officers feel this is outweighed by the fact that in discharging the conditions for the approved applications, officers are using the Supplementary Planning Documents in order to ensure that details meet current standards where reasonable. The existing conditions on S/2476/03/O are considered to prevent the development from causing any harm upon the local area and any rewording of these conditions is in order for them to better meet the tests (Circular 11/95).
28. The proposed extension of time of one year is unlikely to have any impact upon the construction time of dwellings within the development. This is due to the fact that it is very unlikely that the developer will have finished building all the dwellings in the southern half before May 2012. If the northern half were to start by the 18<sup>th</sup> May 2011 it would likely only be the layout of a small section of road before the developer moved back to the southern half. In addition to this it is considered by officers that an extension of time of one year would allow for design improvements to be made on the northern half and continue helping create a comprehensive development.
29. If development were to start on the northern half, as it currently stands, there would be a clear split between the northern and southern half design around one of the main public open spaces. The additional year will allow for further applications to be submitted to address this issue as mentioned above.
30. Previous Legal Agreements – The developer is in the process of submitting a legal agreement to tie this application to all previous legal agreements of this development. The current trigger points set in these previous legal agreements is not going to be changed. This extension of time application would have a minimal impact upon the dates of this trigger point, as explained above. In order to give a fuller explanation to this the public open spaces completion in the development are linked to dwelling completions within that half. Some of the footpath improvements in the northern half are linked to development within that half while others are to completed dwellings. The other contributions within the agreed legal agreements are linked to overall dwelling construction numbers.
31. Summary – To conclude officers are of the view that the development will not cause any delay in the implementation of development at this site and the extension of time will allow for improvements to the design of the northern half to be made.
32. Although the application is a departure from the Local Development Framework officers have concluded that the opportunity to consider revisions to the design of the northern half scheme, and better integrate it with the southern half, presents benefits sufficient to outweigh the policy requirements in this case. Officers are also mindful of the developers' fallback position of implementing the existing consents.

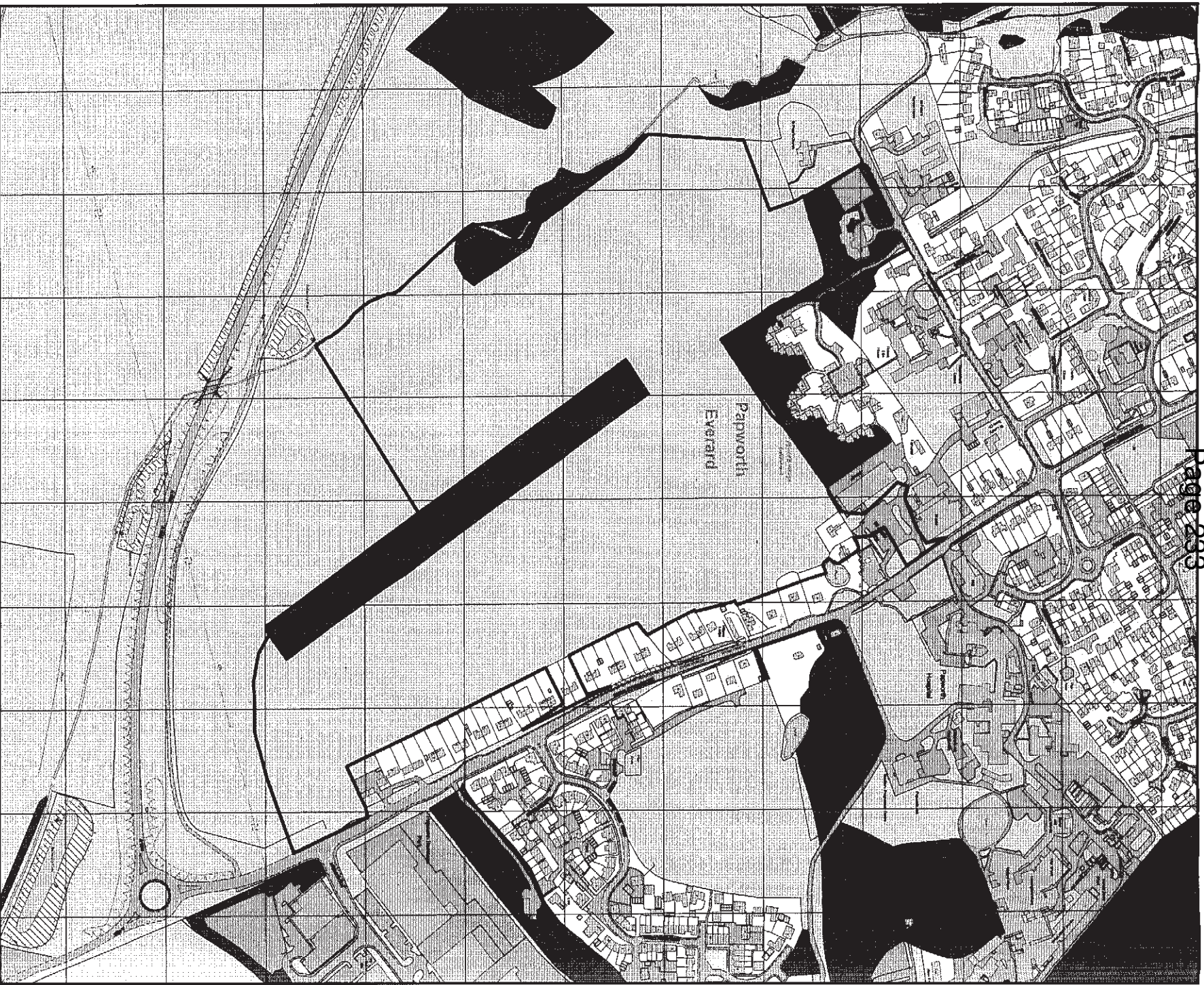
**Recommendation**

Delegated Approval subject to the submission of a legal agreement that ensure all the controls from the previous legal agreements remain in place for this development and subject to the following conditions

1. This permission shall be commenced no later than the 18<sup>th</sup> May 2012.  
(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. This permission is solely for the approved detail contained within reserved matters consents S/0093/07/RM (excluding the area defined by planning applications S/1688/08/RM and S/1101/10), S/1424/08/RM, S/1624/08/RM (or to any subsequent planning permissions to vary conditions attached to these consents) and for no other development.  
(Reason – This application relates to the extension of time to implement reserved matters on the northern half of the outline consent S/2476/03/O.)

As previously stated the remaining conditions on the outline consent (S/2476/03/O) will become part of this consent, in so far as they remain relevant.

Contact Officer: Andrew Phillips, Planning Officer  
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Planning Dept - South Cambridgeshire DC



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Scale - 1:5000

Time of plot: 14:04

Date of plot: 11/02/2011



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Cambridgeshire  
District Council

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## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 March 2011

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

## APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

## Purpose

- To inform Members about appeals against planning decisions and enforcement action, and proposed hearing and inquiry dates, as at 11 February 2011. Summaries of recent decisions of importance are also reported, for information.

- Decisions Notified By The Secretary of State**

Ref. no.	Details	Decision	Decision Date
S/0680/10/F	Mr P Cook 28 Hinton Way Great Shelford Demolition of existing bungalow/garage, and replace with house/garage and gates	Dismissed	04/01/11
S/0610/10/F	Amber Homes Ltd Land north of Mortimers Lane, Foxton Erection of dwelling with car port and ancillary accommodation.	Dismissed	10/01/11
S/0180/10/F	Mr A Houghton Rear of 47 London Road Harston Erection of a dwelling	Allowed	11/01/11
S/1163/10/F	Mr & Mrs Boodhun 21 Teasel Way Fulbourn Two storey side extension	Dismissed	11/01/11
S/1178/09/F	Mr P McCarthy Plot 12 Victoria View Smithy Fen Cottenham Chalet, touring caravan and wooden day room (retrospective)	Allowed	04/02/11
S/0177/03/F	Biddalls Boulevard Kneesworth Road Meldreth Increase in the number of travelling showpeoples plots from 11 to 17	Invalid	04/02/11

S/0177/03/F	Biddalls Boulevard Kneesworth Road Meldreth Variation of condition 9 to increase the number of travelling showpeoples plots from 11 to 13	Invalid	04/02/11
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- **Appeals received**

3.

Ref. no.	Details	Decision	Decision Date
S/1499/10/F	Mr & Mrs Bradford 2 Pampisford Road Great Abington Extension	Delegated Refusal	14/01/11
PLAENF.4367	Mr T Aresti Odsey Grange Baldock Road Guilden Morden Garage		Appeal received 18/01/11
S/1477/10/F	Mr & Mrs B Morgan 19 Corbett Street Cottenham Extension	Delegated Refusal	01/02/11
S/0920/10/F	Mr & Mrs G Jennings Land to the west of Grove Farm, Harlton Road Haslingfield Agricultural Store Building	Committee Refusal	09/02/11

- **Local Inquiry and Informal Hearing dates scheduled before the next meeting on 2 February 2011.**

4.

Ref. no.	Name	Address	Hearing
S/1397/09/O	Banner Homes Ltd	18-28 Highfields Road, Caldecote	Hearing Confirmed 06/01/11
S/1178/09/F	Mr P McCarthy	Plot 12 Victoria View, Smithy Fen, Cottenham	Hearing Confirmed 11/01/11
S/0014/10/F	Camsure Homes	Brickhills Willingham	Hearing Confirmed 13/01/11

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

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